



## Cambridge City Council Planning

**Date:** Wednesday, 7 February 2018

**Time:** 10.00 am

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

**Contact:** [democratic.services@cambridge.gov.uk](mailto: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: 12.30pm
- **Part Three**  
General and Enforcement Items  
Start time: At conclusion of Part Two

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

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

2 Apologies

3 Declarations of Interest

4 Minutes  
To follow

**Part 1: Major Planning Applications (10am)**

5 17/1799/FUL - Proposed Cavendish III laboratory (Pages 17 - 136)

6 16/1904/OUT - Ridgeons, 75 Cromwell Road (Pages 137 - 218)

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

7 17/1886/FUL - 13 Brookside (Pages 219 - 246)

8 17/1848/FUL - 87 Histon Road (Pages 247 - 264)

9 17/1453/FUL - 29 Fernlea Road (Pages 265 - 280)

10 17/1793/FUL - 159 Vinery Road (Pages 281 - 308)

11 17/1864/FUL - Scudamores Mill Lane (Pages 309 - 324)

12 17/1865/FUL - Scudamores Quayside (Pages 325 - 338)

13 17/1937/S73 - Carlyle House 20 Devonshire Road (Pages 339 - 356)

14 17/1909/FUL - 54A Mill Road (Pages 357 - 372)

15 17/1838/FUL - 40 Grantchester Road (Pages 373 - 382)

16 17/1926/FUL - 8 & 8A Oak Tree Avenue (Pages 383 - 398)

17 17/1955/FUL - 95 Cherry Hinton Road (Pages 399 - 412)

**Part 3: General and Enforcement Items**

18 EN/0054/17 - 59 Hills Avenue (Pages 413 - 426)

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

4/1 Green Belt

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

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

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

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

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

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

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

10/1 Infrastructure improvements

Planning Obligation Related Policies

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



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

#### 4.0 **Supplementary Planning Documents**

- 4.1 **Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.
- 4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.
- 4.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.
- 4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the

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

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

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

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

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

## **5.0 Material Considerations**

### **5.1 City Wide Guidance**

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

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

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

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

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

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

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

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

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

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

The strategy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 5.2 Area Guidelines

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

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

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

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

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual

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

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

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

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

Historic open space guidance.

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

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

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

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

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

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

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

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1799/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	17th October 2017	<b>Officer</b>	John Evans
<b>Target Date</b>	6th February 2017		
<b>Ward</b>	Newnham		
<b>Site</b>	Land West Of JJ Thomson Avenue, Cambridge, CB3 0FA		

**Proposal**                      Development of 37,160 sqm for D1 academic floor space to accommodate the relocation of the Cavendish Laboratory, namely; all associated infrastructure including drainage, utilities, landscape and cycle parking; strategic open space to the south and west of the new Cavendish; modifications to JJ Thomson Avenue to provide disabled parking and changes to road surface materials; alterations to the existing access to Madingley Road to the north west to enable servicing; and demolition of Merton Hall Farmhouse and removal of existing Vet School access road from JJ Thomson Avenue.

**Applicant**                      Chancellor, Masters and Scholars of the University of Cambridge

<p><b>SUMMARY</b></p>	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposal is in accordance with Policy 18 of the emerging Local Plan which supports densification of the site.</li> <li>2. The proposed new building is of high quality design and will successfully integrate in the context of surrounding buildings and the emerging outline masterplan strategy.</li> </ol>
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	<p>3. There will be no significant adverse visual impact from or to neighbouring residential properties.</p> <p>4. Noise and amenity impacts arising from the development can be addressed by imposition of appropriate conditions.</p> <p>5. The proposal is acceptable in transport terms. A high quality 3.5m segregated cycle link will be provided on JJ Thomson Avenue. A package of mitigation is provided for cycle improvements off site.</p>
RECOMMENDATION	APPROVAL

## A.0 BACKGROUND

### Existing West Cambridge Site

- A.1 The application site falls within the West Cambridge Site, a major new academic campus undertaken by the University of Cambridge. The wider campus covers 66 Hectares situated between Madingley Road to the north and the M11 to the west. The site area is wholly within proposals site 7.06 of the Cambridge Local Plan 2006 and site M13 of the emerging Local Plan.
- A.2 An extant 1999 masterplan has been partially implemented. This related to a scheme of 244,212 sq m floor space, which includes pre 1999 developments. The principal roads through the site have been implemented along with numerous key buildings including The Centre for Physics of Medicine, the Cavendish Laboratory's Maxwell Centre, a new academic research building for Materials Science and Metallurgy and new academic research buildings for the University's Electrical Engineering Division. In addition, the East and West Forums and lake area have been developed, which are the main areas of public realm on the campus. (See Appendix 2 – masterplan as implemented).

## Future Strategy

- A.3 Policy 18 of the emerging Cambridge Local Plan (which is currently under examination) supports the principle of significant densification of the West Cambridge site, subject to provision of a revised site wide masterplan that takes an 'integrated and comprehensive approach to development'. This would include making more efficient use of land, increasing opportunities to meet employment need, enabling a different approach to place making, and provision of more shared social spaces and other ancillary support services to enhance the vibrancy of the area.
- A.4 The emerging policy 18 supports land uses on the site for (D1) educational uses, associated sui generis research establishments and academic research institutes and commercial research (B1(b), where it will support knowledge transfer and/or open innovation. Small scale community facilities, amenities, shops and student accommodation are also supported to enhance vibrancy.
- A.5 An application for a new outline planning application for the West Cambridge Site was submitted in June 2016. (See appendix 3: illustrative masterplan). The outline application has been under consideration since submission to resolve key issues regarding landscape and visual impact, transport, drainage, trees, environmental and amenity concerns. A single package of amended information was submitted in October 2017 for full consultation. It is anticipated that the outline application will be presented to Planning Committee later this year.
- A.6 The proposed densified West Cambridge development is anticipated to have a total floorspace of 500,280 sq m (by 2031). This is broken down into 257,900sqm academic and 210,386 sqm commercial floorspace. Phase 1 (2021), which includes the application proposal, would provide 284,310 sq m, composed of 167,159 sq m of academic floorspace and 92,386 sq m of commercial floorspace. This includes the previously approved Civil Engineering Building (CEB) scheme (16/1811/FUL) of 4500 sq m.

## Context for separate full planning application

- A.7 This site falls within the red line boundary of the wider West Cambridge outline application. The reason it is being brought

forward ahead of the outline is because the Cavendish III project was awarded a significant grant of £75 million in the 2015 Government Autumn Statement. The terms of this funding requires the planning outcome by early 2018 to comply with the spending timescales set by Government.

- A.8 For this reason, this application will need to be determined ahead of the outline permission which is currently under consideration. Provided there is full scrutiny of the application and the proposals are in accordance with the emerging wider masterplan, prior determination will not in the view of officers prejudice determination of outline application in due course.

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

### Existing Cavendish II site

- 1.1 The existing Cavendish II site is situated in the south east corner of the West Cambridge Campus and comprises a complex of modular buildings, between 2 and 4 storeys in height, that were constructed in 1974. They have been heavily adapted and modified since their construction. The complex is accessed from Charles Babbage Road and JJ Thomson Avenue.
- 1.2 The existing Cavendish II complex has exceeded its original building lifespan and its format does not meet existing or future requirements for modern research. The Department of Physics require new accommodation to continue its leading research into the future. The complex will continue to be used in the short term as decant space for other departments relocating to West Cambridge and will continue to be maintained as part of the wider campus.

### Outline layout

- 1.3 The application proposal forms a part of the University's 'key phase 1' developments at West Cambridge. The application site is situated on the western side of JJ Thomson Avenue to the south of Madingley Road. It adjoins 'The Green' key place, Central Green Link and Madingley Road site edge, within the Design Guide which accompanies the current West Cambridge outline application.

## Proposed Cavendish III Application Site

- 1.4 The proposed application site is situated on the west side of JJ Thomson Avenue on the existing east paddocks which are used in connection with the School of Veterinary Medicine (Vet School). The site is 4.89 hectares and is currently used to graze animals. The site is split by a narrow accessway which links JJ Thomson Avenue with the Vet school. The paddocks are bound by timber post and rail fences.
- 1.5 In the northeast corner of the application site is Merton Hall Farmhouse (MHF) which is currently used to accommodate the University multi faith Chaplaincy Centre. It is a 2 storey brick built farm house building which has been altered and extended. It is not a listed or locally listed building. Within the northern paddock, there is also a mature Luscombe Oak tree.
- 1.6 To the north of the site is a substantial tree belt, approximately 5m deep, of mixed species. Beyond this is Madingley Road, one of the main radial routes linking the M11 with Cambridge City centre. On the northern side of Madingley Road are the nearest residential properties to the application site.
- 1.7 There are two Conservation Areas to the north and east of the site. Conduit Head Conservation Area is located to the north of the site (approximately 30 m) separated by Madingley Road. There are a number of Listed Buildings within the Conservation Area including the Grade 2 Listed Willow House located approximately 80m to the north east.
- 1.8 To the east of the site is JJ Thomson Avenue, an existing street approximately 7m in width, with a shared 3m footpath/cycleway lined by mature lime trees either side of the street. Further east are buildings related to the department of Engineering and computer laboratory. Beyond, to the east of the wider campus (approximately 500 m) are the residential properties of Perry Court and the Lawns and the West Cambridge Conservation Area.
- 1.9 To the south of the site is the University nursery and North Residences, comprising of 4, four storey buildings. Beyond, is the Broers Building and East Forum, which is separated from the open fields to the south by the Southern Ecological Corridor, a hedgerow

belt (City Wildlife Site), east-west footpath/cycleway and the Coton footpath.

- 1.10 Within the site to the west is the existing Vet school access (pedestrian and cycle access only from Madingley Road), which is lined on either side by mature trees. To the west beyond is the Vet school complex, other undeveloped plots and the Schlumberger Gould Research Centre, a Grade 2\* Listed Building.
- 1.11 The nearest Sites of Scientific Interest (SSSI) are the Travellers Rest Pit geological site within the North West Cambridge Development (NWCD) and Madingley Wood, approximately 2km west along Madingley Road.
- 1.12 The site falls outside of the Controlled Parking Zone.
- 1.13 The site is outside of the Air Quality Management Area.
- 1.14 Cavendish III falls within Flood Risk zone 1.

## **2.0 THE PROPOSAL**

### *Proposed Cavendish III building*

- 2.1 Full planning permission is sought for the erection of a new building complex to accommodate the Department of Physics (The Cavendish Laboratory). The proposed development would provide a total of 37,160 sq m of D1 academic floor space. The application seeks consent for the entirety of the building, although the University's cost plan does not currently cover the block at the north east corner 'phase 2'. An interim design is therefore proposed for the north east corner if funding does not come forward during the construction period. Both phases have been assessed as a permanent final scheme.
- 2.2 The building is organised into 4 zones, a utility zone to the west, a research zone in the centre, a public zone to the east and an internal 'street' which links the zones together. It contains 4 levels of accommodation, including a basement. The 'public wing' to the eastern end includes a foyer, lecture theatres, outreach area, library, study space and common room on the third floor. The western side provides four 'central utility hubs' which accommodate plant and services.

- 2.3 The main catering facilities for the building will be located in a new Shared Facilities Hub (SFH) building (4907sq m in total). This is a proposed new building located to the south of Cavendish III and JJ Thomson Gardens. It has been submitted as a separate full planning application 17/1896/FUL and is anticipated that it will be presented to Planning Committee within the next few months.
- 2.4 The proposed Cavendish III building contains courtyards set on different floors. The north and south corridors are on the ground floor, visible from the east JJ Thomson elevation and will contain small trees and landscaping. The third and second floor courtyards provide a hard standing amenity area. These courtyards are not accessible to the public. Central courtyard is provided on the third floor and is a part paved and landscaped space to be used in conjunction with the main auditorium for summer events. It is designed to allow managed public access.
- 2.5 The northern Madingley Road elevation has a main parapet height of 12.6m and is finished with reconstituted stone and metal panel cladding with windows arranged along the first and second floors to frame the north east corner.
- 2.6 The eastern JJ Thomson elevation stands 17.6m to the main parapet with a recessed plant screen standing 20.6m. The northern and southern glazed links have an overall height of 16.6m. The frontage has the public wing, which is situated 5m from the back edge of the existing footpath on the western side of JJ Thomson Avenue. It is finished with glazed panels through which the internal stairways, atrium spaces and lectures theatres are visible. Reconstituted stone, with some areas of metal cladding is proposed for the external areas.
- 2.7 The southern elevation stands predominantly 17.6m and has the main public wing entrance at the south east corner, accessed by an external stair and ramp. Externally it has a mix of reconstituted stone cladding with windows allowing views to the ground floor cryostat room. This will be viewable from the raised landscape bank proposed within JJ Thomson Gardens to the south.
- 2.8 The western green link elevation stands predominantly 16.6m across its length. It has 4 chimney features which punctuate the elevation, each standing 25m in height. The elevation is articulated by pocket landscape gardens and is finished externally

with areas of metal and translucent screening and reconstituted stone.

### *Public Realm*

- 2.9 Externally, the development will provide all drainage infrastructure, landscaping and 769 cycle parking spaces.
- 2.10 The development will provide 2 new areas of public realm (JJ Thomson Gardens and Central Green Link) and modifications to the existing public realm along JJ Thomson Avenue. Central Green Link will be implemented in 2 phases, the first of which will provide a temporary car park for the Vet School (33 spaces).
- 2.11 JJ Thomson Gardens is proposed to the south of the proposed Cavendish III. This is the first phase of a new strategic open space which extends from JJ Thomson Avenue to High Cross. It totals 0.9 ha in area and comprises green space, new tree planting, hard landscaped public realm with formal and informal seating areas and associated drainage infrastructure.
- 2.12 4 Disabled car parking spaces will be provided within the reconfigured JJ Thomson Avenue.
- 2.13 Overall 27 trees will be removed in the centre of the site, including the crescent of trees opposite the Vet School. 15 of the trees are Category B, with 11 Category C.

### *Site Access*

- 2.14 The development will provide alterations to the existing cycle access point at the north west corner of the site at the junction with Madingley Road. This existing access (currently pedestrian/cycles only) will be reconfigured to provide vehicle servicing access.

### *Demolition*

- 2.15 As part of the development MHF in the north east corner of the site will be demolished.
- 2.16 The proposal is to subject to an Environmental Impact Assessment (EIA). The application is accompanied by the following supporting information:



1. Planning Statement
2. Design and Access Statement (DAS)
3. Transport Assessment (TA)
4. Travel Plan
5. Energy and Sustainability Strategy
6. Flood Risk Assessment (FRA)
7. Drainage Strategy
8. Arboricultural Method Statement and Management Plan
9. Statement of Community Involvement
10. Lighting Report
11. Public Art Delivery Plan
12. Fire Strategy (in DAS)

#### *Environmental Impact Assessment (EIA)*

13. EIA Non-technical summary

#### *Environment Statement (ES) Chapters*

14. Historic Environment
15. Landscape and Visual
16. Socio economics
17. Traffic and Transport
18. Air Quality
19. Noise and Vibration
20. Ground Conditions
21. Cumulative effects
22. Summary of Mitigation

#### **Amended Plans and Additional Information**

2.17 The following supplements the original submission:

- The development is now accompanied by a revised strategy for interventions to the existing layout of JJ Thomson Avenue. The revisions provide a segregated cycleway on the eastern side of JJ Thomson Avenue 3.5m in width, with a 2m footpath and amended crossing points.
- Ground source heat pump plan.
- Response to Anglian Water comments.

- Service access response.
- Response to Landscape Officer comments.
- Response to Environmental Health Officer comments.
- Archaeological excavation report - Merton Hall Farmhouse.
- Quality Panel and Disability Panel response.
- Updated visuals.
- Drainage Clarifications.

### 3.0 SITE HISTORY

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

(CAPE) Building

16/1134/OUT	Outline planning permission with all matters reserved is sought for up to 383,300m <sup>2</sup> of development comprising up to 370,000m <sup>2</sup> of academic floorspace (Class D1 space), commercial/research institute floorspace.	<b>Submitted June 2016, currently under determination</b>
17/0163/SCOP	Request for a scoping opinion, proposed Cavendish III, West Cambridge.	Scoping Issued March 2017
17/1942/FUL	Construction of two concrete slabs (10m by 10m and 13m by 15m) for the purposes of testing vibration impacts from surrounding uses.	Approved
17/1896/FUL	Proposed Shared Facility Hub amenity building.	<b>Under determination, submitted October 2017</b>

3.1 The Scoping opinion 17/0163/SCOP was submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. It was informed through consultation with statutory and other consultees. The Council's Scoping Opinion response described the matters that needed to be addressed in the EIA.

#### 4.0 PUBLICITY

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

## 5.0 POLICY

### EIA Directives and Regulations

5.1 An EIA is required by the 2011 EIA Regulations (as amended). The ES must identify and report the likely significant effects of the project on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short-term, medium-term and long term, permanent and temporary, positive and negative effects of the project. It must also report the mitigation measures that are proposed to avoid, reduce or remedy the likely significant effects. In cases where mitigation measures are not proposed or entirely effective, the EIA will identify any residual impacts and determine their significance. The application falls to be assessed under the 2011 Regulations (rather than the current 2017 Regulations) because the timing of the Scoping Opinion was prior to 16 May 2017.

5.2 Relevant Development Plan policies:

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/2 3/4 3/6 3/7 3/9 3/11 3/12 3/13 3/15  4/4 4/9 4/11 4/13 4/14 4/15  5/11  7/1 7/2 7/3 7/4 7/5 7/6  8/2 8/3 8/4 8/5 8/6 8/9 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
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	Circular 11/95
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Criteria for the Designation of Wildlife Sites (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p>

	<p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Department for Transport - Cycleway Guidance (IAN 195/16) 2016</p> <p>Transport Strategy for Cambridge and South Cambridgeshire 2013</p> <p>Greater Cambridge Partnership – A428 Cambourne to Cambridge project</p>
	<p><u>Area Guidelines</u></p> <p>Conduit Head Road Conservation Area Appraisal (2009)</p> <p>West Cambridge Conservation Area Appraisal (2011)</p>

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

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. Whilst the adopted development plan and the NPPF are overriding, emerging policy 18 can be given some weight.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

## Policy 18 West Cambridge

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

## 6.0 CONSULTATIONS

### Department for Communities and Local Government (DCLG)

- 6.1 No comments on the Environmental Statement.

### Cambridgeshire County Council (Highways Development Management)

- 6.2 There are no objections to the development as it is within the quantum of development allowed under the West Cambridge extant permission. The proposed mitigation measures will need to be agreed with the County Council and secured through S278 and S106 agreements.

#### *Existing and proposed Mode Share*

- The Travel for Cambridgeshire Travel Survey, undertaken in 2016 identifies that the majority of staff and student trips to Cavendish II are made by cycle 53.1% and 64.9% respectively.
- The proposed development will have 1081 staff and 560 students, this is an increase of 249 staff and 51 students. It is estimated that 65% of staff are on the site at any one time.

#### *Trip generation*

- The person trips are derived from a survey undertaken on the Department of Materials Science and Metallurgy. This has been validated to ensure that the trip rates are as accurate as possible.
- There will be an estimated 29 car driver arrivals during the am peak and 3 car driver departures.
- During the pm peak there will be 4 arrivals and 33 departures.
- These trips will be distributed over the local road network.
- The majority of trips will be made using sustainable modes of transport.

### *Cycle Parking*

- A total of 769 cycle parking spaces will be provided, which is less than the existing 800 spaces, of which only around 540 tend to be utilised.
- The cycle parking accumulation exercise estimates a maximum of 748 cycle spaces are required to serve the development.
- On-going monitoring will be carried out in accordance with the Travel Plan.

### *Car Parking*

- The TA includes an accumulation assessment. This shows a peak accumulation of 77 car parking spaces required between 14:00 and 15:00.
- No new car parking will be provided other than 4 new spaces for disabled people.
- It has been demonstrated that there are sufficient spaces on the wider campus to accommodate the additional demand.

### *Junction safety*

- The proposed servicing access as a left in- left out access would not be anticipated to result in any demonstrable harm.
- Whilst the access has been closed for many years, this, in itself, would not be grounds for the Highway Authority to oppose its reopening. The planning system requires that harm has to be demonstrated in order to justify opposition.
- The access could be suitable for larger vehicles. That would be demonstrated by a vehicle tracking and capacity assessment. Neither of these is considered sufficient ground for the Highway Authority to oppose the proposal.
- Whilst a vehicle emerging would present a hazard, as in all such cases, the scenario proposed by the objector would, be unlikely and could not justify opposition. A vehicle on a side road is unlikely to emerge onto the through lane because the driver has assumed that a vehicle will be able to take avoiding action by entering the right turn lane. The risk associated would be no different from many other junctions and would not be demonstrably exceptional.



## *Mitigation*

6.3 The following measures have been identified and are broadly supported:

- Due to certain cycle mitigation measures being unable to be delivered with the extant permission, this has left some unfulfilled mitigation requirements. These include the rifle range route and improvements between West Road and Silver Street. Therefore the County Council has some additional mitigation requirements that are needed as part of the Cavendish application. This includes delivering an enhanced cycle route alternative to Burrell's Walk. This alternative route would include various cycle improvements along, Grange Road and West Road or Sidgwick Avenue to join Silver Street.
- Should permission be granted Cambridgeshire County Council would require a £400,000 contribution to enhance the cycling environment along Grange Road and West Road (or Sidgwick Avenue).
- Should these improvements be superseded by the A428 Cambourne to Cambridge Greater Cambridge Partnership (GCP) Scheme plans, the financial contribution above can be diverted towards these GCP improvements as an alternative.
- A S106 contribution will also be sought for the Burrell's Walk improvements if the County Council is to deliver this scheme.
- Road safety measures on Madingley Road east at the junction to improve conditions for cyclists.
- Road safety measures on Madingley Road at the Storeys Way junction to improve conditions for cyclists.
- Widening of the bridge over the Bin Brook on Burrell's Walk.
- Minor enhancements to the Grange Road/Adams Road signalised junction which links to Burrell's Walk.
- Travel Plan for the development.
- Construction Management Plan.

## **Highways England**

- 6.4 Offer no objection. The proposed development is closely associated with the larger West Cambridge proposals under 16/1134/OUT, which remains the subject of on-going consideration and negotiations. However, in transport terms this proposal is within the overall scope of the long standing extant permission on the site.

## **Environmental Health**

- 6.5 Application supported. Some concern expressed that this development is coming forward early in the absence of an approved strategic masterplan for the entire West Cambridge Site and general intensification of the area. It will be important to ensure that the cumulative environmental impacts associated with the emerging West Cambridge Site masterplan outline are considered and mitigated as necessary in a holistic, coordinated, integrated and comprehensive site wide approach.
- 6.6 This application is being considered as Environmental Impact Assessment development (EIA development) which has required the submission of an Environmental Statement (ES). It is acknowledged that this stand-alone full application needs to be considered on its own merits. The applicant has also acknowledged in principle that the cumulative environmental health related impacts associated with the wider West Cambridge outline masterplan need to be considered and controlled in the medium and long term.

### *Demolition and construction*

- 6.7 There is agreement with the ES conclusion that with appropriate mitigation measures in place any adverse impact resulting from the demolition and construction works including construction related vehicle movements should be minimised so that there would not be any significant residual effect at nearby receptors. Negligible to minor adverse impacts are predicted.
- 6.8 There is a commitment to develop and implement a Construction Environmental Management Plan (CEMP) during the entire construction period to mitigate any construction related impacts. In the interests of amenity and to be consistent with the approach that

is likely to be taken for the West Cambridge Site outline planning application a Demolition and Construction Environmental Management Plan (CEMP) planning condition is recommended.

#### *Noise and Vibration – Operational*

6.9 The noise and vibration assessment in Chapter 11 of the ES considers the following operational impacts:

- Operational road traffic noise on the local road network.
- Workshop / laboratory uses.
- Mechanical and Electrical Building Services.
- Deliveries and Collections / Service Yard and Access Road.

6.10 The noise and vibration assessment has been undertaken with reference to relevant legislative frameworks and in accordance with national / local planning policy, industry standards / codes of practice and best practice technical guidance. The mitigation and minimisation of any potential adverse noise impacts has also been adequately considered.

6.11 The team agrees with the conclusions that provided mitigation measures (where necessary, to offset or minimise any adverse scheme effects) are implemented for the identified impacts the overall cumulative adverse noise impact will be negligible for the majority of operational noises sources and only minor for bespoke service deliveries such as large articulated lorries.

6.12 The impact of all operational noise sources either individually or cumulatively is likely to be negligible or at worst case low / minor at the nearest noise sensitive residential premises garden boundary.

#### *Air Quality – Operational*

6.13 Although Environmental Health Officers consider the prediction on vehicle movements associated with the proposed development to be on the low side no further information is required in relation to the impact on air quality from traffic emissions for the proposed development as this will be incorporated as agreed into the site wide West Cambridge masterplan and associated outline planning application under consideration. Increased cycle provision is welcomed to future proof the development, as modal shift away from cars towards more sustainable forms of transport is achieved.

6.14 It is considered the results on the impact on air quality from combustion emissions are acceptable. Information on the boilers to be installed and the use of low NOx boiler can be secured by condition as recommended above. A condition requiring compliance with Chapter 11 - Air Quality etc. of the ES is also recommended to ensure flue heights as assumed in the assessment are implemented.

*Odour / Fumes / Dust – Operational*

6.15 It is acknowledged that building extraction and ventilation systems are usually a detailed design matter. Environmental Health are confident that any significant adverse or other adverse odour or similar impacts can be either avoided or minimised to an acceptable level by designing systems in accordance with national / industry standards and best practice.

6.16 Further detailed design information of equipment and systems for the purpose of extraction and filtration of odours, fumes and dust or similar emissions is required for approval and a bespoke condition is recommended.

*Artificial Lighting – Operational*

6.17 Final external and internal artificial lighting detailed design has yet to be finalised a bespoke artificial light assessment / mitigation condition is recommended.

*Contaminated Land*

6.18 A satisfactory desk study, scope of work and intrusive investigation has been completed and submitted with the application. Chapter 12 'Ground Conditions' concludes that no specific remediation is required. A Watching Brief for unexpected contamination will be kept and details on materials to be imported will be included in a Material Management Plan.

6.19 However, a number of bespoke contaminated land conditions and associated informatives are recommended to ensure the development is in accordance with the ES submissions and to ensure any unexpected contamination that may be encountered is remediated and rendered harmless.

## **Urban Design and Conservation Team**

### Comments on application as amended

6.20 JJ Thomson Avenue amendments now supported.

### Comments on application as submitted

6.21 Overall the scheme can be seen to be compliant with the emerging West Cambridge parameter plans. Whilst not approved, the overall scale of the building and response to the site edges, such as the well vegetated woodland buffer to Madingley Road, have all been considered irrespective of the Outline to ensure that, as a 'full application', it is acceptable in its own right. The proposals respond well to the existing as well as emerging West Cambridge site contexts and in this regard are acceptable in urban design terms. A building recording condition for MHF is unnecessary given the low significance of the extant building and the degree of previous alteration.

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

### Comments on application as amended

6.22 The information provided for Ground Source Heat pumps clarifies this issue which is now acceptable.

### Comments on application as submitted

6.23 Application supported. The proposals incorporate a number of sustainable design and construction features in response to planning policy and the Sustainability Assessment Matrix that has been prepared for the West Cambridge site overall, including achievement of BREEAM excellent.

6.24 The Sustainability Statement also provides a comparison of the strategy being taken for this scheme against the bespoke Sustainability Assessment Matrix (SAM) that has been developed as part of the outline application for the wider West Cambridge site. While this application has yet to be determined, this comparison is welcomed, and for the most part the scheme meets the targets set out in the SAM. However, there are some areas

where the design does not meet the targets set out in the SAM, notably in relation to water efficiency.

- 6.25 With regards to the energy strategy for the site, the proposal is for the Cavendish III building to form part of an energy cluster, powered by a ground source heat pump array to be located beneath the building. This approach is in line with the energy hierarchy envisaged by the Energy Strategy Addendum which forms part of the outline planning strategy for the wider West Cambridge site.

### **Access Officer**

- 6.26 The application is supported and has been considered by Disability Panel. No further comments.

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

#### Comments on application as amended

- 6.27 JJ Thomson Avenue amendments now supported.

#### Comments on application as submitted

- 6.28 Concerns raised regarding the provision for retention of lime trees along JJ Thomson Avenue in the context of cycle improvements.

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

#### Comments on application as amended

- 6.29 All issues raised in landscape comments dated 11 December 2017, have been addressed satisfactorily or can be detailed further within the discharge of condition process.
- 6.30 It is acceptable that the confirmation of the species of the existing Lime trees for gapping up purposes, can be carried out at a later stage.
- 6.31 The clarification regarding the responsibilities of the immediate management of the woodland belt is welcome.

### Comments on application as submitted

6.32 Landscape Officers have reviewed the submitted LVIA and support the methodology and the findings of the report. With regard to the verified views the additional view produced from Madingley Road is appreciated. Landscape Officers are confident that the methodology and photographic techniques used are of high quality and the views produced are an accurate representation of what will be seen on completion of the project.

6.33 Officer consider that the views illustrate how important the West Cambridge perimeter woodland planting is to the integration of new development into the site itself and the surrounding area. The importance of the woodlands should be recognised through their timely management.

6.34 Additional clarification required:

- Replacement tree query – Tilia Cordata.
- Confirmation of levels around the Vet School car park.
- Confirmation that a resin bound material will be used for the public realm rather than tar spray and chip.
- Further sections of the retention basins north of the building.
- Rain garden and attenuation tank specification details.
- Tree pit dimensions.
- Response on typical planting palette comments.

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

6.35 JJ Thomson Avenue amendments are supported.

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

6.36 Awaiting final comments.

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

### Comments on application as amended

6.37 Awaiting final comments on amendments.

## Comments on application as submitted

- 6.38 The application is supported. The proposed discharge rate of 2.59l/s/ha is well supported and represents a 10% betterment on the 1in1 year greenfield runoff rate. The overall surface water drainage approach is in line with the West Cambridge outline drainage scheme.
- 6.39 Whilst drainage officers are supportive of the proposals there are a number of additional details which are required in order to be confirm that these features can be delivered successfully across the site:
- Technical detail on the design of the rain gardens.
  - Cross sections through the detention basins.
  - Information confirming the designs of the blue and green roofs across the site.
  - Outfall point discharge rate clarification.

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

- 6.40 Application supported. The team is content that the site has limited ecological value, and that the proposals do not impact on the site wide ecology designations. Officer support the proposed biodiversity enhancements and suggest a condition for an Ecological Design Strategy (EDS) to capture the exact number, specification and locations of features such as nest boxes and log piles. In addition to the proposed nest boxes within the boundary woodland, integral nest boxes and bat roost features within the proposed built environment are encouraged.
- 6.41 The potential for Protected and other species to use the area should be considered within the Construction Method Statement to ensure that trenches are covered overnight.
- 6.42 The inclusion of Green Roofs are supported and would encourage opportunities to create bio diverse habitats as opposed to purely sedum systems.
- 6.43 The retention of the existing plantations are supported and their protection and enhanced through implementation of an approved



management plan. Landscape colleagues have covered the details of such a plan within their response.

### **Historic England**

6.44 Application supported. Historic England are satisfied that the proposed four storey laboratory building would be of a contextually appropriate height, scale and massing in relocation to nearby Listed Buildings and Conservation Areas and the proposed materials would be of a suitably high quality.

6.45 MHF provides a positive contribution to the street scene opposite Conduit Head Road Conservation Area and would prefer to see it retained and adapted for reuse. However, on balance it is considered that the overall development would not cause an unacceptable level of harm to the setting of designated heritage assets within a 1.5km radius of the site.

### **Natural England**

6.46 Application supported. Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutory protected sites.

6.47 Standing advice is provided regarding protected species. Green infrastructure is encouraged in the development.

### **Sport England**

6.48 The proposed development does not fall within either Sport England's statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.

### **Environment Agency**

6.49 No objections in principle. The developer should address risk to controlled waters from contaminated land at the site. Anglian Water should be consulted and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity.

6.50 All surface water from roofs shall be piped with sealed downpipes. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. The inclusion of a detailed waste management plan is welcomed.

### **Anglian Water**

#### Comments on application as amended

6.51 Conditions are still required to ensure that connection to the Anglian Water network will not cause detriment to the existing network.

#### Comments on application as submitted

6.52 Anglian Water does not object to planning application 17/1799/FUL.

6.53 Some concerns are raised regarding the surface water strategy and a condition is requested to ensure connection to one of Anglian Water's assets will not cause capacity issues.

6.54 A foul water condition is requested as we have identified there is potential for flooding downstream as there are network capacity issues. Anglian Water would want to work with the developer to ensure that mitigation is identified and planned effectively.

6.55 Waste water treatment is accepted by Anglian Water who will ensure there is adequate treatment capacity should planning permission be granted.

### **Cambridgeshire Constabulary (Architectural Liaison Officer)**

6.56 Support the application and also noted that the requirement is to achieve BREEAM Excellence – and in that regard this office is more than happy to be consulted to provide a Security Needs Assessment.

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

6.57 The evaluation of MFH revealed no significant archaeology, however a condition of planning permission is required for the wider Cavendish III site.

## **Public Art Officer**

- 6.58 Application supported. An element of Phase One of the outline masterplan has come forward under 17/1799/FUL for the Cavendish Laboratory and this covers the commission for The Green. It sets out that 'A Final delivery plan for the commission(s) once they are worked up will be issued for agreement with the local authority' (p 25). What is submitted at the moment sets out the approach to commissioning, but not the detail of the commissions themselves. Whilst the approach can be agreed, the Decision Notice should include a condition setting out submission of a delivery plan with detailed proposals, and completion of the work to the delivery plans agreed. The Delivery Plan that gets submitted later on should be reviewed by Public Art Panel.
- 6.59 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected online.

## **Cambridgeshire Quality Panel (Meeting of 10 August 2016)**

- 6.60 The Cavendish III proposals were reviewed by the Cambridgeshire Quality Panel against the four 'C's' of Community, Climate, connectivity and Character on the 10 August 2016. Overall the Panel was impressed by the handling of such a complex application and supported the way the scheme was developing. The Panel raised concerns about the delivery of Phase 2 and stressed the advantages of delivering the building in a single phase. Some concerns raised regarding the amount of hard landscape in JJ Thomson Gardens. Full comments are contained within Appendix 2 and summarised in the design sub section below.

## **Disability Consultative Panel (Meeting of 27 June 2017)**

- 6.61 An impressive design for a building with highly complex needs. A site visit once completed would be welcomed.
- 6.62 The Panel welcomed the provision being made to accommodate disabled lecturers as well as students.
- 6.63 Ramped access. Part M Building Regs may not specify the need for a handrail at such a low gradient. However, these are

recommended for the benefit of the ambulant disabled who may struggle to walk any significant distance. The proposal to include a resting point would also be very much welcomed.

## **7.0 REPRESENTATIONS**

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

31 Brooke House, Kingsley Walk  
19 Albemarle Way (On behalf of)  
14 St Peters Road, Coton  
14 Conduit Head Road  
16 Conduit Head Road  
42 Conduit Head Road  
Brian Pippard Building, Clare Hall, Herschel Road (2  
representations from employees)

7.2 The representations can be summarised as follows:

### *Principle of Development*

- No objections to the proposed Cavendish III building (2 representations).

### *Design and visual impact*

- We recognise that the tree cover along Madingley Road between us is to be maintained and enhanced and will continue to screen the site (except for some pipework yet to be specified in the NW corner).

### *JJ Thomson Avenue Street Design*

- Street interventions for JJ Thomson Avenue are not supported.
- The application should be split so the Cavendish III building can go ahead.
- There is currently inadequate provision for cyclists because the pavement is not large enough to accommodate cyclists and pedestrians.
- There is no dedicated cycle lane on the road.
- The new laboratory would increase the numbers of cyclists and heavy goods vehicles.

- Proper infrastructure is needed to allow increased traffic while keeping cyclists safe.
- The present crossing of JJ Thomson Avenue at the junction with Madingley Road is poorly designed. The proposals make no improvement on this current situation.

### *The Green*

- The path through the Green should be segregated when it is fully completed.

### *Service Access from Madingley Road*

- Object to the proposal to reopen the access road from Madingley Road opposite Conduit Head Road.
- The new access is not necessary because there is an existing access from JJ Thomson Avenue and High Cross.
- The new access is dangerous, particularly for cyclists and will adversely affect traffic on Madingley Road.
- The proposed new access removes landscaping and an opportunity for further greening of the entrance.
- A road currently exists along the alignment due south to Charles Babbage Road. The TP page 55 and Appendix A, Fig3.2 and 3.3 refers to an interim and final service route, both of great complexity. The final plan shows construction of a new connection due west to High Cross (road). The latter still includes access (left in and left out only) which must surely be unnecessary by then. We think it is unnecessary in the interim, too.
- The addition of a competing vehicle wanting to exit the site opposite offers a hazard in either case. Madingley Road traffic outbound which is accelerating away at this stage would be slowed or could veer into the space in the refuge denying our use of it, or even stranding a vehicle that was committed in the path of inbound traffic.

### *Noise*

- Measures to mitigate noise from the Service Area are included in the proposal which is supported.

## **West Cambridge Active Travel group (WCAT)**

### *Principle of development*

- WCAT is a grassroots organisation seeking to help enable walking, cycling and public transport on and around the West Cambridge site.
- Object to the proposed designs for JJ Thomson Avenue and JJ Thomson Gardens contained in 17/1799/FUL as they have significant problems and require substantial redesign.
- It is intended that the working population of the West Cambridge Site will grow substantially over the next few years while the number of cars travelling to the site remains constant or decreases.
- A substantial increase in the proportion and number of people arriving by cycle, walking, or public transport will be required.
- The tidal nature of undergraduate movements mean that routes on and near the site will regularly experience high traffic for which shared use paths are inappropriate.
- The existing site links are already over capacity at peak times. The adjacent shared facilities hub will generate a further 1200 flows per hour, with the William Gates Building 1680 per hour. There will be an overall flow rate of 5000 cyclist per hour.

#### *JJ Thomson Avenue*

- The plans for JJ Thomson Avenue, JJ Thomson Gardens and improvements to the surrounding transport network fall short of fixing the present problems on and around the site.
- Shared use paths are not appropriate. Segregation is required as required by Interim Advice Note 195/16, Cycle Traffic and the Strategic Road Network, Highways England.
- The minimum width for a two way cycleway is 3.5m. Additional width is necessary because of the hedge on the eastern side of JJ Thomson Avenue.
- A 2m footway and 3.5m cycleway is needed along JJ Thomson Avenue (with permeable paving) which should be achievable.
- There should be also be sufficient space on the western side of JJ Thomson Avenue to provide a segregated cycle route.
- The crossing of JJ Thomson Avenue at the junction with Madingley Road is poorly designed and will not be attractive to use. The existing two northbound lanes are unnecessary and should be configured. The central refuge is too small.
- At present the plans give priority to the driveway for the small visitors car park for the William Gates Building over through traffic on the path along the east side of JJ Thomson Avenue.

- Carriageway width should be reduced to 6.1m to encourage drivers to comply with the 20 mph speed limit.

### *Madingley Road*

- The proposed re-opened junction of the Cavendish III access road with Madingley Road does not provide an indication of how pedestrians and cyclists are supposed to cross it.
- The woodland edge section of the DAS does ignore the desperately needed cycling and walking improvements on Madingley Road at this point.

### *The Green*

- The 6m wide shared path for the Green is insufficient when the entirety of the Green is completed.
- The planning application should contain a commitment to turn the path into a segregated walking and cycling route (no increase in width required), or to provide a separate cycling route.
- It is not clear that sufficient thought has been given to desire lines for cyclists and pedestrians using the junction of The Green and JJ Thomson Avenue.
- Tar and chip spray surface provides a poor quality surface for cycling.

### *Cavendish III cycle parking*

- The proposed cycle parking is generally good, but some aisles are narrower than the minimum 1.8m width.
- The usage survey within the TA may not be representative. Fly parking is already a problem on Cavendish II and it is not clear whether they formed part of the survey.
- Provision for pool bikes is not mentioned in the TA usage survey.

### *Charles Babbage Road*

- The crossing of Charles Babbage Road at the junction of JJ Thomson Avenue is not proposed to be improved as part of these plans. There should be a crossing with priority for walking and cycling.

## *Document Analysis*

- The representation contains a detailed critique of the presentation of the Design and Access Statement, Transport Assessment and Travel Plan. An officer response to these points is set out in the summary of representations table 5.
- It is estimated that approximately 80% of students cycle to the site rather than 65% set out in the TA.
- The deficiencies in pedestrian and cycle facilities list in the TA is not comprehensive.
- Some of the existing amenities on the Campus are missing from Appendix A, figure 3.9 in the TA.
- The University Travel Plan is reviewed every two years, so a 2017 version should be available.

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. Impact on Trees
5. Renewable energy and sustainability
6. Transport
7. Drainage
8. Disabled access
9. Refuse arrangements
10. Public Art
11. Third party representations
12. Planning Obligations (s106 Agreement)

### **Principle of Development**

*Current 2006 Local Plan and 1999 Masterplan*



- 8.2 Development for University needs will be permitted on the West Cambridge Site, during the local plan period and beyond in accordance with Cambridge Local Plan 2006 policy 7/6 (West Cambridge). Further development which accords with the provisions of the masterplan will be permitted. The broad principle of the application proposal is in accordance with the extant policy 7/6.
- 8.3 In terms of the extant 1999 masterplan, the proposed site falls within the original Design Guidelines Plot D, which envisaged the site to remain used for paddocks for the Vet School and did not anticipate significant new buildings. Typically, guidelines for the other plots on West Cambridge allowed for buildings between 8.5m and 12.0m above finished ground level (corresponding to two and three storeys for academic and research uses). There is however no specific height or massing guidelines for plot D. In my view, the 1999 masterplan has limited weight on the basis of the current situation. Assessment of the proposed development as a separate full planning application turns on its design in context, on its own merits, which is discussed in the relevant design subsections below.

*Draft Local Plan Policy 18 and outline Parameter Plans as submitted*

- 8.4 The parameter plans submitted as part of the outline application (latest December 2016 revision still under review) will, if approved, fix the key principles for the development. The Parameter Plans are:
- Development Building Zones 01
  - Land Use Parameter Plan 02
  - Access and Movement 03
  - Landscape and Public Realm 04
  - Maximum Building Heights 05
- 8.5 The outline is at present an undetermined application. It will be brought to this Committee for determination in due course. It is therefore important that this application in no way pre determines the outline application and is considered on its own merits.
- 8.6 The application must be assessed on its own merits on the basis of the current situation.

*Proposed Cavendish III floor space in context*

8.7 The extant 1999 permission at West Cambridge allowed for development of 176,120 sqm floor space in total. To date, 103,722 sqm remains to be implemented. On this basis this full application must be considered in the context of the remaining floor space available through the 1999 masterplan. The proposed development, in combination with what has already been constructed on site totals 201,710 sqm. (Including the CEB approved in March 2017, 16/1811/FUL). This is over 4 fifths of the total potential 1999 masterplan (244,212 sqm). The relative increase in floor space in relation to the extant permission is relevant to any future mitigation, which is set out in the relevant subsections below. Table 1 below summaries the proposed floor space in context with other development at West Cambridge.

*Table 1: Proposed floor space in context*

	<b>Overall floor space</b>
<b>Existing implemented West Cambridge development</b>	164,550
<b>1999 outline not implemented</b>	103,722
<b>Proposed Cavendish III</b>	37,160
<b>Proposed Cavendish III and existing implemented (including CEB)</b>	201,710
<i>For information only – not part of Cavendish III application</i>	
New outline masterplan 16/1134/OUT	383,300
Total potential under new masterplan	500,280

## *Demolition of Merton Hall Farmhouse*

- 8.8 MHF is identified for removal. As set out in paragraph 135 of the NPPF, the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset. If demolition is permitted as part of the approved development, a publically accessible building record may be specified (paragraph 141).
- 8.9 MHF is identified in the Suburbs and Approaches study for Madingley Road as having a 'positive' level of significance, but it is not Listed or Locally Listed. The building is analysed within the ES Heritage Assessment. The building is a 2 storey, 3 bay gault brick built farmhouse constructed in the 19<sup>th</sup> Century. The building has been much altered internally. Its associated farm buildings are no longer on the site, so the farmhouse does not sit in its original context. MHF was identified for demolition in the extant 1999 masterplan and 2004 masterplan review.
- 8.10 In the view of officers, the overall social, environmental and economic public benefits arising from the development outweigh the loss of heritage asset. This is because of the public benefits provided by the new facilities which will address constraints to the Department from the existing accommodation. Technical equipment cannot be satisfactorily accommodated in the existing buildings. New facilities to be provided include high performance computing, clean rooms and facilities to handle biological material. This will allow the changing disciplines within the department to continue their world leading research. The Cavendish work creates, and is engaged with industry partners from small start-ups to larger corporations. This has a major positive impact on the economy and will make a significant contribution to the West Cambridge Campus reaching its potential in the future. The new Cavendish III building will also bring significant benefit to the West Cambridge Campus through delivery of a high quality building, designed to enhance social activity on the site, through provision of significant public realm.
- 8.11 The potential reuse of MHF has been discussed with the developer team at pre application stage and officers sought to secure its

retention. However, the applicant has set out the case that its location is not compatible with the final design and layout of the proposed Cavendish III. This area of the site is also required to provide strategic drainage for the development. Whilst Historic England would prefer to see its reuse, in the view of officers, the benefits of redevelopment wholly outweigh the loss of the non-designated heritage asset. A full recording of the building is not considered necessary given its low significance and the degree of previous alteration.

- 8.12 The visual impact of the building on the adjacent Conservation Areas and nearest Listed Buildings is discussed in the design subsection below.

#### *Archaeology*

- 8.13 The amended submission includes the excavation report for the MHF area of the site, which has been agreed by the County Archaeology Team. Proposed **condition 4: archaeology** is still however required to secure investigations on the wider site. The application has adequately considered the impact on archaeological areas, in accordance with Cambridge Local Plan 2006 policy 4/9.

#### *Replacement of Community Facilities*

- 8.14 As part of the development of the site, the existing University Chaplaincy has been relocated to the ground floor of the south residences, to the south of the proposed Cavendish III site. Local Plan policy 5/11 states that development leading to the loss of community facilities will only be permitted if it can be demonstrated that the facility can be replaced to at least its existing level and quality within the new development or that the facility is to be relocated to another premises or similar accessibility. In this case the entire University community facility is being replaced to a vacant D1 unit in a better location close to the residential units on the campus.
- 8.15 A similar level of facility is provided for the relocated chaplaincy. In addition, the separate SFH project, which, if approved will be carried in the same contract as Cavendish III will provide ancillary multi faith meeting and contemplation spaces. Overall, officers consider the quality of facilities available to the chaplaincy to be

enhanced as a result of the development. The proposal compliant with Cambridge Local Plan 2006 policy 5/11. Analysis of amenities delivery is discussed in paragraph 8.60.

### *Reuse of existing Cavendish II*

- 8.16 The proposed development is put forward on the basis that the proposed Cavendish III is new floor space, in addition to the existing Cavendish II laboratories.
- 8.17 It is the University's intention to reuse the existing Cavendish II as decant space for the Department of Engineering in their transition to the West Cambridge Site. The teaching space and lecture theatres are still in good condition and will be used in the short term. While demolition of the existing Cavendish II complex is proposed under the outline masterplan, this is a longer term aspiration and is not proposed under this separate full application.

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

- 8.18 The key design issues are the detailed design and appearance of the new building in its setting, the impact on heritage assets and its relationship with the wider assessment of the outline application 16/1134/OUT.

### Design and Layout

#### *Outline strategy*

- 8.19 The proposed Cavendish III building will contribute to evolving the outline masterplan strategy through its layout, orientation and integration with the amenity areas to the immediate south and west of the site. The emerging outline identifies the application site for the Cavendish III laboratory.
- 8.20 The orientation of the building positively responds to the existing and emerging campus. A single main entrance, a key objective of the new building, is located in the south east corner. The public wing is positioned on the eastern end addressing JJ Thomson Avenue. This is a positive design response because it will create an active frontage onto the street, with the main public areas of the building, including the lecture theatres visible from outside. This is in contrast to the design of some previous buildings on the campus

(for example Materials Science and Metallurgy) which have been more insular in design, lacking active edges onto public space, to the detriment of the campus overall. The proposed Cavendish III approach rationalises the multiple entrances which are currently problematic at the existing building, but maximises public outlook and windows on key elevations. This approach is supported in design terms because it demonstrates a positive response to context in accordance with Cambridge Local Plan Policy 3/4.

- 8.21 Vibration sensitivity and the scientific needs of the internal layout have influenced the location of the basement and the uses contained within. Vibration sensitive equipment is located to the south end of the complex, away from Madingley Road and potential traffic vibration. These user requirements have been successfully integrated with the public wing of the building and the outline design intention of promoting active frontage to the south elevation on the proposed JJ Thomson Gardens. In taking this approach the proposed Cavendish III reflects the principles of the emerging outline masterplan, demonstrating successful interrelations and integrations between buildings, routes and spaces, in accordance with Cambridge Local Plan 2006 3/7.
- 8.22 The western side of the building accommodates the plant and servicing equipment and will deliver part of Central Green Link, a green corridor proposed as part of the outline masterplan. Pocket parks will form the new link and will ensure the early delivery of an important green corridor to the benefit of the overall campus. This demonstrates a positive response to the existing and emerging context, in accordance with Local Plan policy 3/12.
- 8.23 The proposed servicing access in the north west corner is informed by the need to have as much distance as possible from the vibration sensitive equipment at the southern end of the building. It has been designed to be visually unobtrusive and will incorporate an acoustic fence to minimise noise impacts. Its design and use of the existing access is considered appropriate, in accordance with Local Plan policy 3/4. Potential noise impacts from servicing and the highway safety of the access is discussed in the Amenity and Transport sub sections below.
- 8.24 While this application is to be assessed independent from the outline application, it has been designed to positively relate to that

wider strategy. In isolation, the layout of Cavendish III accords with Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12.

#### *North east corner*

- 8.25 The north east corner of the development may be delivered at a later stage from the main building. Notwithstanding, the detailed design of both the first phase and final phase have a high design quality, at this prominent entrance into the campus. This is because of the final scheme treatment of the fenestration will define the north east corner, creating an attractive corner to the Madingley Road street scene. The interim proposal will have an area of soft landscaping including tree planting. The façade of the building adjacent to phase 2 will use the same high quality materials as the rest of the building. While the potential implementation of the building in 2 phases is not ideal, officers are satisfied both development scenarios will result in a high quality design outcome. The design for phase 1 is supported by officers even if phase 2 is not delivered. The proposal is supported and is considered well connected with the character of Madingley Road, in accordance with Local Plan policy 3/4 and 3/12.

#### *Active frontage to the south elevation*

- 8.26 The south elevation of the proposed Cavendish III is identified as 'active frontage' in the new masterplan. The intention is to ensure large institution buildings integrate and contribute to the character and vitality of the wider campus. This is reflected in Local Plan policy 3/7 part e which seeks to ensure new developments incorporate active edges onto public spaces, which has not always been the case at West Cambridge. The design of the southern elevation of the proposed Cavendish III provides views into the Cryostat rooms on the ground floor, to provide controlled views of 'science on show'. This is well integrated into the design of JJ Thomson Gardens and its banked seating area which ensure the building positively contributes to the public realm, in accordance with Local Plan policy 3/7.

#### Height, mass and visual impact

- 8.27 New development should have a positive impact on its setting in terms of scale and mass and contribute to a sense of place. One of the aims of the Cavendish III design brief is to break the mass of

the institution down to a human scale. In the view of officers this has been achieved through its siting in relation to JJ Thomson Avenue, the articulation of its elevations, the width of frontages and through its height and parapet treatment. The sections through Madingley Road to Conduit Head Road to the north demonstrate that the proposed Cavendish III will not detract from the residential scale and character of development on the northern side of the road.

- 8.28 In long section, mindful of the slight fall in ground level from east to west, the proposed Cavendish III is of a broadly comparable height and mass to the existing buildings on the campus. Its articulation, use of glazing and recessed main entrance will in the view of officers ensure a satisfactory contextual relationship with Computer Science and views along JJ Thomson Avenue.
- 8.29 The proposed building will not in the view of officers result in significant visual harm from closer vantage points along Madingley Road to the east and west of the site. This is because the building is proportionately lower, closer to the northern boundary adjacent to the tree belt and Madingley Road. The tree belt will remain the dominant feature along Madingley Road. As illustrated by the site sections, the proposed acoustic screen around the service yard area is obscured by the woodland belt and will not be intrusive from Madingley Road.
- 8.30 The visual impact of the building has been considered from '17 visual receptors' within the Landscape Visual Impact Assessment (LVIA) and modeled with 2 verified views. This demonstrates that the building will not be unduly dominant or intrusive. The submitted view from Conduit Head Road looking south illustrates how the proposed chimney features, which are the tallest part of the building, will sit comfortably in relation to the tree belt and surrounding development. The chimneys will be visible on top of the building, but they are sculptural forms adding general interest rather than another level of accommodation.
- 8.31 Management and maintenance of the woodland tree belt will be secured through **condition 9: woodland management and maintenance**. This will ensure that appropriate mitigation is secured in the short term and also to ensure longer term maintenance is considered to address the effects of the development, post consent, in future.



- 8.32 The verified view from the south, from Grantchester shows the building will not be unduly prominent from long views to the south because its height is similar to the surrounding buildings, the Graphene Centre and CAPE. This gives assurance that approval of Cavendish III will not compromise ongoing discussions regarding the wider visual impact of the outline masterplan application. Officers do not consider the height and massing of the proposed Cavendish III (circa 17m) will create an undesirable precedent for the development of the adjacent plot to the west, or when viewed with existing development, will cumulatively create a harmful visual impact.
- 8.33 The proposed proportions of Cavendish III sit well within the height parameter plan for outline masterplan. While this is given very limited weight because the outline is undetermined, it demonstrates the proposal is coordinated with this wider strategy coming forward.

#### *Impact on Heritage Assets*

- 8.34 Paragraph 132 of the NPPF makes it clear that the significance of a heritage asset can be harmed by development within its setting. Local Plan policy 4/11 states that the design of any new building which affects views into or outside of a Conservation Area should faithfully reflect its context or provide a successful contrast with it. These policies reflect the NPPF's core principles seeking high quality design to conserve heritage assets appropriate to their significance.
- 8.35 At the EIA Scoping stage, it was identified that the ES should assess potential impact on a number of heritage assets including the recently Grade 2\* Listed Schlumberger Gould Research centre, Willow House, Shawms, 48 Storeys Way, Murray Edwards College and the adjacent conservation areas of Conduit Head Road, West Cambridge, Storeys Way and Central Cambridge, which are all within 1.5km radius of the site. MHF was also included (described in the Principle of Development above).
- 8.36 Historic England and The Design and Conservation Team have confirmed that the proposed 4 storey Cavendish III building would be of a contextually appropriate height, scale and massing in relation to nearby Listed Buildings and Conservation Areas. The

majority of the above listed assets involve potential impact of longer distance viewpoints. Officers agree with the conclusions of the ES that harm would be minimal because the height of building is not visually intrusive as described in the massing sub section above.

- 8.37 The ES concludes that there will be a slight adverse impact on the setting of Schlumberger. However, this change in setting is part of the overall continued development of the campus, around 100,000 sqm of which remains to be implemented from the 1999 extant consent. Delivery of JJ Thomson Gardens through this scheme ensures that the view cone looking east from Schlumberger to the City is maintained. Construction impacts on Schlumberger can be adequately mitigated through the **DCEMP condition 3**. Overall the development will not result in harm to the setting of Schlumberger in accordance with Local Plan policy 4/10.
- 8.38 In closest proximity, the Conduit Head Road Conservation Area appraisal identifies that views are directed along the tree lined portion of Conduit Head Road and out of the Conservation Area along Madingley Road itself. The high level of vegetation, coupled with the relatively flat topography creates a secluded, inward looking sense of enclosure. The 20<sup>th</sup> Century detached properties, set within sizeable gardens, are largely screened by mature vegetation. While the ES does identify a substantial change to the setting of the Conservation Area, the existing application site makes a low contribution to the setting of the asset. Filtered views of the new building at the junction of Conduit Head Road as a result of the proposed development would not in my view result in significant harm to its setting.
- 8.39 As such I consider the development will not adversely impact heritage assets near to the site and is not in conflict with paragraph 132 of the NPPF or Local Plan policy 4/11.

*Detailed design and materials*

- 8.40 The external appearance of the building is intended to set a high quality benchmark for the rest of the site. Historic England is in agreement that the materials are of suitably high quality. The reconstituted stone exterior cladding will provide a high quality finish to the external elevations. The final details of which can be agreed through the imposition of **condition 11: materials**.

- 8.41 The external appearance of the building positively reflects its approach to sustainable design and construction. For example, the projecting fins on the south elevation will prevent overheating. These features will also provide visual interest and an attractive façade with the reconstituted stonework and glazing. This approach demonstrates sustainable construction well integrated into the design, in accordance with Cambridge Local Plan 2006 policy 3/12.
- 8.42 The proposed Cavendish III articulates the length of the building with vertical reconstituted stone mullions which terminate the different sections of the building. This would be broken with central glazed sections to break up the length of the building. This in the view of officers would demonstrate variation to create an attractive JJ Thomson Avenue street scene, in accordance with Local Plan policies 3/4 and 3/12.
- 8.43 Lighting has been considered through the design of the building. The application includes a lighting assessment which outlines the main principles for external lighting. There is no requirement to illuminate the chimney flues on the west side of the building. This can be ensured through the imposition of **condition 32: artificial lighting**. In my view, appropriate consideration has been given to the way in which the building will be lit and the impact on its character and wider environment.

### External Spaces

#### *JJ Thomson Gardens*

- 8.44 The development includes delivery of a key new area of public realm (JJ Thomson Gardens) to the south of the proposed Cavendish III. It will be the first phase of The Green, a new strategic open space which will be delivered as part of the wider masterplan proposals. JJ Thomson Gardens on its own is a substantial new amenity area with seating, new planting and innovative water features which form part of the sustainable drainage strategy for the site. Its timely delivery will be secured through the imposition of **condition 39: phasing**.
- 8.45 The future strategic role of The Green as a cycle and pedestrian route east – west has been adequately considered. The proposed

shared space pathway adjacent to the SFH could be reconfigured with a more formal, segregated cycle path in future when the Vet school relocates. The public realm is coordinated with the pedestrian focused alterations to JJ Thomson Avenue to reflect movement flows through the site.

### *JJ Thomson Avenue enhancements*

- 8.46 Enhancements to walking and cycling provision at West Cambridge are required by emerging local Plan policy 18 as part of a comprehensive approach to the new masterplan. Improvements to the existing streets form a part of the University's strategy to deliver campus transformation through the outline application 16/1134/OUT.
- 8.47 As submitted, the proposed JJ Thomson interventions had unresolved tensions between the proposed enhancements to walking and cycling and adequate provision for the retention of existing trees. Representations were received from 2 site users regarding the adequacy of provision for cycling along JJ Thomson Avenue. The amended proposals have an alternative strategy.
- 8.48 The alternative strategy, which has broad consensus from officers, involves creation of a 3.5m segregated cycleway and 2m footpath (5.5m in total) along the eastern side of JJ Thomson Avenue. It would extend from the northern end of JJ Thomson Avenue to the Maxwell Centre. The footway in front of the Maxwell Centre would be a 2m cycleway and a 2m footpath. The proposed interventions still include median strips and areas of shared space to reduce the design speed of the street. In the view of officers, there will be significant improvement to the existing environment along JJ Thomson Avenue for pedestrians and cyclists as a result of the revised strategy. Final materials for the cycle way can be agreed through **condition 37: works relating to JJ Thomson Avenue**.
- 8.49 2 new crossing points through shared space areas will improve east- west connections across the campus, considerably enhancing the public realm, in accordance with part j, of Local Plan policy 3/7. Final details of the crossing points can also be agreed through the discharge of **condition 37**.

8.50 For the wider outline application, the proposed interventions across the wider campus (Charles Babbage Road, High Cross and Western Access Road) are still the subject of further negotiation which is independent from the application proposal.

*Central Green Link*

8.51 A north south green corridor will be provided as part of the proposed development. It is primarily a green landscaped amenity space providing a buffer between plots and also serving a more strategic mitigation for the potential increase in development on the campus through the new outline. The phase 1 design re provides some car parking for the Vet School, which is considered acceptable for a temporary period, the future removal of which can be ensured through negotiation of the outline Travel Plan and provision of multi storey car parks on the site. Delivery of Phase 1 of the north south green corridor can be ensured through imposition of **condition 39: phasing**.

Cambridgeshire Quality Panel

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

*Table 2: Quality Panel Issues and officer responses*

<b>Issues and recommendations of Quality Panel</b>	<b>Officer response</b>
<p><i>Community</i></p> <p>Panel were very supportive of the environment being designed to enhance public learning and outreach programmes.</p>	<p>The Design and Access Statement includes a detailed description on how the need for controlled public access and outreach has influenced the design process.</p>
<p>The third floor common</p>	<p>The common room has also been</p>

<p>room could be an interactive space for users with stunning views.</p> <p>Inclusion of a public art strategy is supported.</p> <p>Panel were concerned about the adaptability of the internal space of Cavendish III.</p>	<p>designed to provide a visual link with JJ Thomson Gardens.</p> <p>Details of the Public Art Delivery Plan have been included in the submission.</p> <p>At Quality Panel, the design team explained that if work patterns change in future, the building can be altered to fit another use, such as office space. It was demonstrated that the sizing of the proposed offices and the related fenestration could be converted to an open plan format if this was needed in the future.</p>
<p><i>Connectivity</i></p> <p>Panel were concerned about the need for the entrance to be democratic.</p> <p>Internal connectivity was supported.</p> <p>Greater consideration needed on future phases of the Green.</p>	<p>The design of the steps and entrance plaza has continued to evolve after the Panel meeting. The main plaza has been designed to be more welcoming encouraging longer dwell times for people using the space.</p> <p>A shallower profile has been introduced to make the steps less intimidating with rest spaces and landscaping elements.</p> <p>The Design and Access Statement demonstrates how JJ Thomson Gardens will integrate with future phases of the Green. JJ Thomson Gardens maintains flexibility through the design of the proposed 6m footpath/cycleway through the</p>

	space which could be segregated in future.
<p><i>Character</i></p> <p>Panel were concerned about the need for a small phase 2 in the north west corner because there is a possibility that it may not be delivered in the right way, or not at all. Panel felt it would be beneficial (and cheaper) to deliver the building in a single contract.</p> <p>The panel felt the 3 primary courts were rather rigid, but were reassured that each will have its own character.</p> <p>Panel liked the gravitas of the building, but encouraged the team to keep the vertical mullions simple and strong.</p> <p>The panel were keen for the JJ Thomson Avenue and its landscape to be a part of the red line area. Modifications envisaged in the outline application should be delivered by this project.</p>	<p>The detailed design for phase 2 and its interim condition have been provided. Officers are satisfied both outcomes are high quality in context.</p> <p>The planning application has advanced the detailed design of the courtyards with further details of the use for each space, including planting.</p> <p>The detailed design of the public wing has progressed throughout the pre application discussions to balance visual permeability into the public area with a consistent use of stone work across the JJ Thomson elevation. Mullions have been slightly reconfigured as a result.</p> <p>The final application includes the proposed interventions to JJ Thomson Avenue. This approach is strongly supported by officers because it will ensure delivery of campus transformations envisaged in the outline masterplan. Interventions to existing streets are unlikely to come forward as separate projects in their own right.</p>

<p>Consideration of how lighting will be used at night.</p> <p>The Panel were concerned at the extent of hard paving in JJ Thomson Gardens with 60% soft and 40% hard landscape. Greater consideration should also be given to relief across the landscape.</p>	<p>A lighting strategy was submitted with the application which outlines the main principles for external lighting. There is no requirement to illuminate the chimney flues on the west side of the building. This can be ensured through the imposition of <b>condition 32: artificial lighting</b>.</p> <p>The development has increased the amount of green space in the design of JJ Thomson Gardens and provides further gradient adjacent to the south elevation of Cavendish III.</p>
<p><i>Climate</i></p> <p>The Panel were content with the buildings response to the environment but were concerned about natural ventilation of such deep spaces.</p> <p>The Panel supported the applicant's ambition of BREEAM excellent.</p>	<p>The vertical fins on the southern elevation will help to regulate the internal temperature and prevent overheating.</p> <p>BREEAM excellent will be secured by planning condition.</p>

Quality Panel Conclusion

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

Fire Strategy



8.54 A non-technical summary of the fire strategy for the building accompanies the application submission. This includes the fire strategy for each part of the building, installation of fire detection and alarm systems, means of escape and warning, internal fire spread structure details, fire sprinkler systems, external materials specification and relevant British Standards. In the view of officers the development has adequately considered a fire strategy at this stage in the process, demonstrating design safe and accessible for future users, in accordance with part b of Local Plan policy 3/12.

### Conclusion

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

### **Residential Amenity**

8.56 The key amenity issues are the potential disturbance from deliveries, noise and vibration operational noise, operational odour and dust, artificial lighting, contaminated land, air quality and potential impact of the building in relation to residential properties to the north beyond Madingley Road.

8.57 While this development is coming forward early, in advance of an approved new strategic masterplan for the entire West Cambridge Site, it is important that the cumulative environmental impacts associated with the emerging West Cambridge Site masterplan are considered.

8.58 As a stand-alone full application the proposed conditions will provide a very high level of protection for existing residents from the impact of this development which provide mitigation requirements, where necessary, to offset or minimise any adverse scheme effects.

### Impact on amenity of neighbouring occupiers

#### *Relationship with residential properties*

8.59 There is a significant distance of approximately 60m separating the proposed Cavendish III from the nearest residential property at 14 Conduit Head Road. Because of the distances involved, the tree belt and Madingley Road, there will be no direct visual impacts, enclosure or over shadowing resulting from the development.

#### *Operational Noise*

8.60 In noise terms, the development site is relatively close to sensitive residential premises immediately to the north on the other side of Madingley Road, (Conduit Head Road), Merton Farm Cottages to the west and Landowne Road off Madingley Road. In addition the residential premises on the campus at Fawcett and Franklin Court.

The likely noise generating activity / sources are:

- Operational road traffic noise due to changes in traffic flow and composition caused by the development;
- Operational noise caused by workshop uses and mechanical plant; and
- Operational noise caused by deliveries and collections;

8.61 The potential noise disturbance has the potential to affect quality of life resulting in significant impacts if not avoided, reduced or minimised by mitigation.

8.62 The operational noise of the proposed Cavendish III from workshops spaces is unlikely to result in harmful effects. At this stage of the process the detailed design information for each workshop is not available. Notwithstanding, the Council's Environmental Health Team are satisfied that through the imposition of **condition 12**, an vibration and insulation mitigation scheme can be agreed to ensure there will be no loss of amenity for the nearest residential properties and other buildings on West Cambridge. This mitigation will ensure that the specification of the building façade for the workshop spaces is of a sufficient performance to contain breakout noise. **Condition 12: Noise and vibration scheme** will ensure that all workshops achieve a façade rating of *30dB Rw +Ctr*, including doors, which is the identified mitigation in the ES.

### *Mechanical and Electrical Building Services*

- 8.63 Typical internal and external fixed mechanical / electrical building services plant and equipment e.g. ventilation systems, air condenser units and similar have been assessed as having a negligible impact. The noise assessment details operation noise criteria limits which are 3dBA below typical background noise levels for day, evening and night time periods that must be met at the boundary of any residential premises. Building services noise is to be controlled through careful selection of plant and appropriate sizing of in-duct attenuators or similar and acoustic screens. Acceptable operational noise limits have been proposed which need to be subject to approval by **condition 18: total noise levels**.

### *Operational road traffic noise*

- 8.64 The ES states that traffic predictions show that compared with the baseline traffic flows in 2021, the Proposed Development will increase noise levels by a maximum of 0.1 dB LA10.18h. A change of noise levels of this magnitude is considered negligible.

### *Outline Masterplan Strategy*

- 8.65 The long term noise and vibration impacts from this development should not be considered in isolation. There are other similar buildings and uses planned for the wider campus. In the longer term the cumulative impact of all sound / noise will be considered and controlled to protect existing background noise levels at noise sensitive premises. The noise impact from the service is however well below the level which would cause nuisance to residential properties.
- 8.66 In summary, for this individual full application officers are satisfied that the operation of the building and its noise impacts can be mitigated and reduced to a negligible level. The principle of further buildings proposed as part of the outline is not prejudged through determination of this application.

### *Servicing*

- 6.67 The servicing access to the proposed Cavendish III will use the existing, modified access off Madingley Road in the north west corner of the site. It is considered that 20 small vehicles will access the service yard on a daily basis delivering and collecting which is less than the existing Cavendish II, because the canteen facilities will be provided in the SFH. In addition, 3 heavy goods vehicles will undertake deliveries 3 times a day and a twice weekly delivery of nitrous oxide will be carried out with a heavy goods vehicle. A single refuse collection would be made before the AM peak.
- 8.68 The closest residential property to the delivery yard is 14 Conduit Head Road, which is located on the opposite side of Madingley Road from the service yard and is obscured from direct view by the existing bank of trees immediately north of the Proposed Development. Storerooms, garages and an acoustic barrier are located at the northern perimeter of the site to provide screening of service yard activities. It is expected that most deliveries will take place underneath the overhanging section of the main building. Because of these measures and given the relatively limited servicing demands, there is not considered to be any significant noise impact on 14 Conduit Head Road.
- 8.69 The ES identifies that no significant effects are expected from the proposed development from road traffic noise. The likely level of movements to and from the site is well below those which might give rise to a significant increase in noise above the existing baseline. Notwithstanding, **conditions 15: deliveries and condition 20: management plan** are recommended to ensure the regime of servicing occurs within daytime hours and deliveries occur directly via the external doors in the ground floor workshops. The conditions specify that no noise generating experiments must take place at delivery times to limit internal noise breakout. In addition a management plan should identify the strategy for undertaking deliveries, including limiting the time of bespoke deliveries (liquid nitrogen). Officers are satisfied this is a robust approach to mitigate any potential noise impacts arriving from servicing.

*Outline application – medium and longer term servicing*

- 8.70 The University has submitted a servicing strategy for the West Cambridge Site to inform the new masterplan. Servicing is

distributed across the site. While there may be some future additional servicing required from the proposed new access, and cumulatively there may be some headroom in terms of noise impacts to allow for this, the longer term strategy of servicing these future buildings will be considered on their own merits.

### *Construction Impacts*

- 8.71 The construction implementation of the proposed Cavendish III will potentially result in significant effects, cumulatively with other projects (West Cambridge/North West Cambridge Development Darwin Green), especially if their programmes overlap.
- 8.72 In terms of construction servicing of the site will be from Madingley Road. The TA identifies that 84 two way construction movements (47 light vehicles and 37 HGV's) are anticipated per day. Heavy goods vehicles will access the site from the M11 junction 13 and Madingley Road and there will be no movements through the City.
- 8.73 At this stage the phasing and build programme for Cavendish III has not been determined. The developer team has put forward mitigation measures to be included in a formal Construction, Environmental Management Plan (CEMP). These include scheduling deliveries outside of the AM and PM peak periods.
- 8.74 Officers are satisfied that a detailed DCEMP can be agreed and can be secured through the imposition of **condition 3: DCEMP**. The DCEMP will include mitigation for temporary noise barriers for construction, limits to emissions of machinery plant, hours of construction activities, measures to minimise noise from site equipment, programme of consultation and updates for residents surrounding the site, delivery management plan and delivery construction traffic controls.

### *Air Quality*

- 8.75 The proposed use of Ground Source Heat Pumps (GSHP) is welcomed because they minimise emissions to air. It indicates that gas boilers will provide 10% of the heating and hot water load but provides no further information on the proposed system to be installed or whether the capacity of the boilers will be sized to meet 100% of the load for back up purposes. Detailed information on the boilers being installed needs to be supplied to the Local

Planning Authority once this has been agreed. This can be secured by **condition 21: low nitrogen oxide boilers**.

- 8.76 Modelling in the ES predicts a maximum increase of NO<sub>2</sub> at all relevant receptors of 0.1 microgrammes per cubic metre. The maximum increase of 0.5 microgrammes per cubic metre is located just outside the development site on Madingley Road. The impact on air quality from proposed combustion emissions is found to be negligible. No further mitigation is recommended. The Council's Environmental Health Team accepts this conclusion.
- 8.77 There is also a commitment to ensure that any long term (in the context of the wider Cambridge West masterplan) air quality traffic impact mitigation that is attributable to traffic will be implemented and secured as part of an overarching West Cambridge approach. This is likely to include measures to aid sustainable transport through a travel plan and modal shift away from the private car and provision of electric vehicle charging infrastructure through the future car parking proposals.

#### *Contaminated Land*

- 8.78 The ground contamination report completed in 2016 notes the absence of any significant contamination from the site. Notwithstanding, any unexpected contamination will be mitigation through the imposition of **condition 34: unexpected contamination**.

#### Amenity for future occupiers of the site

- 8.79 Shadow and shade have been modeled to inform the design of the building, to reduce unwanted solar gains and to ensure the courtyards provide natural ventilation and lighting. This demonstrates a high quality of environment and construction in a sustainable manner to the benefit of amenity, in accordance with Local Plan 3/12.
- 8.80 The primary amenities for the building, which include the main catering facility, will be provided in the SFH to the south (17/1896/FUL). This will provide café and restaurant space, library facilities and a small shop. Secondary amenities will be provided within Cavendish III including lecture theatres for 520 people and upper level common room which overlooks the main entrance

plaza and JJ Thomson Gardens. The application demonstrates through an amenities delivery strategy how the development will provide an excellent level of facilities for staff and students, which also contributes to the wider campus. In my opinion the proposal provides a high standard of amenity for future occupiers and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

- 8.81 JJ Thomson Gardens will provide opportunities for development of the cultural life of the campus through the public art strategy. Areas for temporary events have also been considered in its design, such as markets and food vans, to the benefit of the whole campus. Additional nursery provision is intended under the wider outline strategy and would not be required to mitigate the impact of this development.

### **Impact on trees**

- 8.82 Overall, the development retains the majority of trees along the boundaries of the site, which are a key positive asset for the character of the campus. This includes the Madingley Road tree belt, the majority of the existing Lime trees which line JJ Thomson Avenue and the Lime trees along the proposed service road to the west of the site.
- 8.83 The proposed revised alterations to JJ Thomson Avenue to provide the segregated cycleway have been achieved by extending the pathway east and not towards the root area of the Lime trees. This revised strategy satisfies concerns from the Council's Arboricultural officer that inadequate provision is made for the protection of the Lime trees. As such, tree losses have been minimised on JJ Thomson Avenue (5 trees), which ensures the symmetrical arcade of Limes is maintained into the future. In the long term some of the Limes will need to be removed to manage their growth and spread. In that context, the limited tree removals which are required are consistent with their longer term management.
- 8.84 Development of the site will result in the loss of the Luscombe Oak in the north east corner of the site, which is a category A tree. As a result of the building footprint, the crescent of trees adjacent to the Vet school drop off will require removal, in addition to 9 trees in the centre of the site. On the site edges, 6 trees will need to be

removed to facilitate the new shared surface areas on JJ Thomson Avenue and the new service access point. These losses are considered justified through the benefits of redevelopment, including new tree planting at JJ Thomson Gardens. The Council's Arboriculture Officers does not object to the development.

- 8.85 The long term management and maintenance of the woodland belt will be secured through planning **condition 9: woodland management and maintenance** and will ensure an appropriate regime of thinning and planting is put in place to maintain its long term health. Tree protection during construction will be ensured through **condition 5: Tree protection**. These measures illustrate that the design of the development has responded positively to the existing natural character, and successfully integrates existing trees into the development, in accordance with Cambridge Local Plan policies 3/4 and 4/4.

### **Renewable energy and sustainability**

- 8.86 The application proposes a hierarchical approach to energy provision which follows the strategy which has been developed for the outline masterplan. The proposal is for the Cavendish III building to form part of an energy cluster, powered by a ground source heat pump array to be located beneath the building. This cluster will also link to the SFH, which is subject to a separate planning application, with the potential to connect to other future buildings subject to energy requirements. This approach is in line with the energy hierarchy envisaged by the Energy Strategy Addendum which forms part of the outline planning strategy for the wider West Cambridge site. The final layout of the proposed ground source heat pumps will need to be agreed, taking into account the drainage strategy, landscape and trees. Officers are satisfied this can be ensured through the imposition of **condition 7: ground source heat pump array**.
- 8.87 The development overall will achieve BREEAM excellent, which demonstrates construction in a sustainable manner required by local plan policy part c3/12 and is strongly supported. The implementation of the energy strategy will be secured and monitored through condition, and the achievement of the BREEAM standard through **condition 10: design stage certificate**.
- 8.88 The longer term implications of our changing climate and the



resilience of projects to climate change have been considered. For Cambridge this is likely to include extreme weather events leading to increased surface water flooding and hotter drier summers and an increased risk of heat waves. The development responds to these risks through extensive testing of thermal and daylight modelling of the building to ensure it manages temperature and ventilation as effectively as possible. This demonstrates appropriate consideration of future conditions.

### *Outline Masterplan Strategy*

- 8.89 The emerging outline energy strategy for the wider West Cambridge site is focussed on a site wide approach to energy provision. The outline strategy assumes that some earlier buildings on the site, notably the Civil Engineering Building (CEB) and Cavendish III, would precede the construction of the energy centre associated with this network and as such would need their own energy solution.
- 8.90 The proposed ground source heat pump is in keeping with the medium term energy strategy for the West Cambridge site, which includes the use of heat pumps to serve the heat network, located within individual building plots. As such, the energy strategy for this scheme is supported. In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

## **Transport**

### Highway Impact Assessment

- 8.91 In terms of vehicle based trips, the traffic survey data is derived from survey work undertaken on the Materials Science and Metallurgy building on West Cambridge (October 2016). The County Transport Team is in agreement this data is robust. The TA sets out that the proposed development will generate 29 vehicle arrivals during the AM peak with 3 car driver departures. The PM peak would generate 4 arrivals and 33 departures. Following sensitivity test, the impact on the surrounding highway network, in particular the A1303 Madingley Road/ Eddington

Avenue/High Cross junction will suffer minimal additional impact as a result of the proposed development.

- 8.92 The majority of trips by staff and students to the existing Cavendish II laboratory are by cycle. This is evidenced by the 2016 Travel for Cambridgeshire travel survey which identifies 53% of staff and 65% of students traveling by cycle. The proposed Cavendish III is likely to result in significant tidal flows of cyclists during the AM and PM peak periods, many of which will be travelling to and from the City Centre.
- 8.93 A significant amount of mitigation within the S106 Agreement for the extant 1999 masterplan has been implemented, with the exception of some cycle improvements, principally the creation of a new cycle link to the south of the site known as the 'Rifle Range' route. The cycle improvements related to the Rifle Range route were undelivered because of third party land ownership issues which were not known at the time of the original 1999 S106 Agreement. All highway capacity improvements have been implemented.
- 8.94 Since the time of the original extant 1999 masterplan, existing capacity issues with the off road Burrells Walk link to the City Centre have been well documented and are evidenced by the University's annual travel monitoring survey. Because of the additional impact of the proposed development, over and above the current situation, a mitigation package is identified which will provide a realistic alternative to the undelivered Rifle Range. This satisfies the Community Infrastructure Levy Regulations (CIL) tests in that the mitigation is directly related to the development.
- 8.95 This is on the basis of strategic enhancements to cycling on Grange Road and either Sedgwick Avenue or West Road and Silver Street. A financial contribution is proposed and the mitigation would be secured in the S106 Agreement (see planning obligations section below). Consultation on a final worked scheme would be carried out by the County Council before implementation.
- 8.96 The TA also identifies 4 specific measures to enhance cycle infrastructure which are supported. These include 2 highway safety improvements at the junctions with Madingley and Storeys Way and Madingley Road and Clerk Maxwell Road. There will also be a minor improvement at the junction of Adams Road and

Burrells Walk. In addition, the proposed widening of the Burrell's Walk bridge has been advanced to improve the environment for cyclists using this route into the City.

- 8.97 In the view of officers, the package of mitigation proposed mitigates the transport impact of the development based on its impact over and above the current situation. It is not considered that there will be adverse cumulative effects for traffic and transport as result of other committed developments identified in the ES. Appropriate mitigation for cycling is provided, in accordance with Local Plan policy 8/2 and 8/3.

#### *Highway Safety*

- 8.98 The County Highways Authority has assessed the proposed reopening of the access onto Madingley Road for vehicle servicing and is content that there would be no significant adverse harm to highway safety. This is because there will be not be significant intensification which might result in harm to the public highway. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2 and 8/9.

#### *Outline Masterplan Strategy*

- 8.99 The mitigation package for the outline masterplan is still under negotiation. This is independent and will not be prejudiced by the proposed mitigation outlined for Cavendish III, the focus of which is to secure an appropriate contribution for the amount of development, its impact, in the context of the extant 1999 permission.

#### Car Parking

- 8.100 The 2006 Cambridge Local Plan car parking standards indicate a maximum of 317 spaces should be provided to serve the proposed development. A parking accumulation study has been used to verify this figure which estimates 77 car parking spaces (for University of Cambridge staff) is required which is based on the maximum cumulative demand over the course of the day. The County Transport team agrees this is appropriate.

8.101 As part of the final development the Vet school will lose some of its 73 car parking spaces. This will be partly re provided for the final phase of the build out with a new car park for 37 spaces. The proposed new car park is considered justified because the Vet school requires some staff to park close to their building. A temporary provision of 33 spaces is also proposed to be retained in phase 1. These spaces are an interim provision before measures in the Travel Plan make private car journeys less attractive and a comprehensive approach to multi storey car parks is agreed through the outline. In dependant of the outline, proposed **condition 40: Car parking review** will ensure there is a further review of the need for the Vet School car parking in this location. The overall balance of car parking is summarised in table 3 below.

8.102 The 36 spaces to be removed as part of the final development will be accommodated within the existing surface car parks in areas 15, 18, 20, 23 and 41 which have sufficient capacity. These car parks will also continue to service the existing Cavendish II complex. In the view of officers the proposed vehicle trip generation is considered robust and car parking can be adequately provided in the existing West Cambridge pooled car parks. As such, the development makes adequate provision for car parking in accordance with Cambridge Local Plan policy 8/10.

8.103 Coach drop-off is provided along JJ Thomson Avenue which will provide for outreach and public events which form part of the Department’s activities. This contributes to mitigation outlined in the ES for promoted sustainable transport and will be included in the final Travel Plan secured through the imposition of **condition 30: travel plan**.

*Table 3: Summary of Car Parking – Cavendish III*

<b>Car Parking</b>	<b>Car parking spaces</b>
Identified demand for proposed Cavendish III	77
Loss of Vet School car parking spaces through site development	-73

Provision of temporary spaces adjacent to the Vet School	+33
Car parking for disabled people	4 spaces on JJ Thomson Avenue
Existing Cavendish II car parking	Surface car parks in areas 15, 18, 20, 23 and 41

*Car parking for disabled people*

8.104 The existing Cavendish II Laboratory has one car parking space for use by disabled people which is situated 20m from the main entrance. The proposed development would provide 4 spaces along JJ Thomson Avenue which will be considerably more convenient than the existing situation. This provision is supported by the Council's Access Officer and accords with the 5% of total car parking capacity required under the 2006 Local Plan Car Parking Standards.

*Outline Masterplan Strategy*

8.105 The wider approach to car parking is currently subject to the ongoing transport assessment work for the outline planning application. However the TA as submitted for the outline sets out the University's long term commitment to managing car parking. It is currently proposed that the maximum number of car parking spaces reduces towards the later phases of West Cambridge, reflecting the increased frequency and coverage of public transport in future. This will however need to be carefully managed and timed to follow wider transport improvements.

8.106 Whilst the application proposal is for full planning permission, it will form a part of Key Phase 1 of the main outline application. As part of this initial phase, the University is seeking consent for a total of 2,571 car parking spaces. This provision is 579 spaces lower than the 1999 extant permission. Whilst this overall modal shift from private car use to sustainable modes will be determined through the outline permission, approval of the Cavendish III proposal with not prejudice the outcome of these negotiations. This is because it

has been clearly demonstrated that there is an over provision of car parking adjacent to the application site.

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

### Cycle Parking

8.108 The existing Cavendish II site has approximately 770 cycle parking spaces across 7 locations. An application of the cycle parking standards for the emerging Local Plan (higher than 2006 Local Plan) would require a minimum of 756 spaces. This is on the basis of 2 spaces for every 5 members of staff and cycle parking for 70% of students based on anticipated peak number of students on the site. This is verified by the accumulation assessment in the TA.

8.109 To account for a future modal shift in cycling, 767 spaces would be required. It is proposed to provide a total of 769 cycle parking spaces which exceeds the minimum provision and anticipated demand. The majority of these will be Sheffield Stands, with a limited number of two tier racks to meet the overall numbers required.

8.110 The majority of staff spaces (505) will be located under the main entrance square in a safe, secure and covered area, accessed using a key fob. Further spaces will also be provided along the southern and eastern boundaries and under the plaza which will be available to all users (264). The final Travel Plan secured under **condition 30** will ensure the provision is monitored and catering for demand. The schedule of cycle parking to be provided is summarised in table 4 below. In my view the proposed prioritises cycle parking in its design and secures a high quality provision, in accordance with Cambridge Local Plan 2006 policy 8/4.

*Table 4: Schedule of cycle parking*

<b>Cycle parking location</b>	<b>Provision</b>
Covered staff spaces	505  (of which 216 secured with fob access)
Southern elevation	126 covered  24 Uncovered
Main entrance	410 Covered
Eastern elevation	179 Uncovered
North west service yard	30 Covered
<b>Total Provision</b>	<b>769</b>

*Outline Masterplan Strategy*

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

**Drainage**

8.112 The overall surface water drainage approach is in line with the West Cambridge outline drainage scheme. The proposed discharge rate of 2.59l/s/ha is well supported and represents a

10% betterment on the 1in1 year greenfield runoff rate. This will ensure there is no increase in flood risk.

- 8.113 The development proposes to discharge surface water drainage to a new site wide sewer in Clerk Maxwell Road. While this approach is supported by Anglian Water, further details of the connection arrangements can be secured through the imposition of **condition 8: drainage utility connection**.
- 8.114 The drainage statement breaks down the site into two networks with two separate outfall points. The Northern Network includes a variety of sustainable drainage features such as blue roofs, detention basins and rain gardens, with many areas passing through several stages of water quality treatment. This network outfalls to the west and intends to connect into a new surface water sewer.
- 8.115 The Southern Network consists of blue roofs and several rain garden features to treat water quality, part of this network outfalls into JJ Thomson Gardens where attenuation tanks and rain gardens are proposed. This network outfalls to the east and connects into an existing sewer. Attenuation tanks have been utilised across both networks in order to meet the large volumes of storm water storage required.
- 8.116 Blue/Green roofs have been incorporated on 18% of the rooftop. It is understood that the research within the building is sensitive so more extensive areas of roof top retention has been avoided. In light of the benefits of the overall drainage strategy this is considered acceptable. Overall the application successfully addresses sustainable drainage issues in accordance with Cambridge Local Plan policy 3/7 and 8/18.

## **Ecology**

- 8.117 The Council's Ecology Officer is content that the site has limited ecological value, and that the proposals do not impact on the site wide ecology designations. Habitats that have been identified through the wider West Cambridge masterplan application will not be adversely affected by the proposed development. This position was set out in the Council's Scoping Opinion pre application.
- 8.118 Notwithstanding, officers support the proposed biodiversity enhancements and recommend **condition 6: Ecological Design**



**Strategy (EDS)** to capture the exact number, specification and locations of features such as nest boxes and log piles. In addition to the proposed nest boxes within the boundary woodland, we encourage the use of integral nest box and bat roost features within the proposed built environment.

- 8.119 The construction and operational impact on the nearest Site of Scientific Interest (SSSI), the geological Travellers Rest site on the NWCD and Madingley Wood is considered negligible.
- 8.120 While officers agree with the conclusions of the ES that formal ecological mitigation is not required, the proposed development adequately incorporates biodiversity measures within its design, in accordance with the NPPF paragraph 118 and Cambridge Local Plan 2006 policy 4/3.

### **Disabled access**

- 8.121 The application has been presented to Disability Panel. The design of the main entrance provides equity between the upper and lower entrances and the access ramp has been modified to provide resting points. Appropriate consideration has been given to the needs of those with disabilities to ensure the building is safe and accessible, in accordance with Cambridge Local Plan 2006 policy 3/7 criteria (m).
- 8.122 Car parking provision for disabled people is set out in the Transport/car parking section below. Overall, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Refuse Arrangements**

- 8.123 Refuse storage has been integrated into the design and will be accommodated within the service yard in the north west corner. The space provided for bin and its accessibility is considered acceptable.

### *Outline Masterplan Strategy*

- 8.124 Refuse requirements are being considered in the context of servicing arrangements for the wider West Cambridge Site. Measures to reduce waste will be set out in the Sustainability

Assessment Matrix which provides objectives for new occupants on the site. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Public Art**

- 8.125 Both Cavendish III and the proposed JJ Thomson Gardens to the south can potentially accommodate public art as part of the overall strategy for West Cambridge. The applicant has submitted a commissioning strategy which sets out the strategy for The Green, the new area of public realm to be delivered through the outline masterplan.
- 8.126 The further detail of the specific commission can only come forward following selection of an artist. The recruitment and selection process is set to start in February which will have specific proposals from that artist. This next step in the process requires a planning decision. The submitted strategy at this stage is in accordance with the Council's Public Art SPD. Officers are satisfied that a scheme for public art, either on site or in the immediate locality, can be satisfactorily agreed through the imposition of planning **condition 25: public art**. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

#### *Outline Masterplan Strategy*

- 8.127 The University has developed a site wide public art strategy which identifies different themes and priorities for public art across the site. This will be developed by the University over the coming months and provides the strategic framework for reserved matters applications in the future. The key area for incorporating public art is likely to be the SFH which is likely to be presented to Committee in March.

### **Third Party Representations**

- 8.128 The issues raised have been addressed in the above report and are summarised in table 5 below:

Table 5: Summary of third party representations

Issue	Report section
<p><i>Visual impact</i></p> <p>We recognise that the tree cover along Madingley Road between us is to be maintained and enhanced and will continue to screen the site (except for some pipework yet to be specified in the NW corner).</p>	<p>The development will provide an enhanced and managed Madingley Road tree belt. This will be ensured through the imposition of <b>condition 9: woodland management and maintenance</b>.</p>
<p><i>JJ Thomson Avenue enhancements</i></p> <p>Street interventions for JJ Thomson Avenue are not supported.</p> <p>The application should be split so the Cavendish III building can go ahead.</p> <p>There is currently inadequate provision for cyclists because the pavement is not large enough to accommodate cyclists and pedestrians.</p> <p>Shared use paths are not appropriate. Segregation is required as required by Interim Advice Note 195/16, Cycle Traffic and the Strategic Road Network, Highways England.</p>	<p>The amended strategy for JJ Thomson Avenue achieves a 3.5m segregated cycle route. This will provide significantly improved north/south connections through West Cambridge.</p> <p>See paragraph 8.46.</p>
<p><i>Presentation/factual Issues</i></p> <p>The existing West</p>	<p>This has been brought to the</p>

<p>Cambridge Active Travel Group (WCAT) should be referenced rather than BUG-WAG.</p> <p>Some of the existing amenities on the Campus are missing from Appendix A, figure 3.9 in the TA.</p>	<p>attention of the University for future consultations on West Cambridge.</p>
<p><i>Design matters</i></p> <p>Carriageway width should be reduced to 6.1m to encourage drivers to comply with the 20 mph speed limit.</p>	<p>A reduction in the carriageway to JJ Thomson Avenue was considered at pre application stage, but was not considered compatible with bus movements along the street and would be potentially very costly when considered against the potential benefit. The proposed median strips and shared surface tables will in the view of officers promote lower vehicle speeds and a more pedestrian friendly environment to the benefit of the wider campus.</p> <p>See from paragraph 8.46.</p>
<p>p15 3.7.8 This junction is awful and dangerous for cyclists as cyclists going straight on are placed to the left of the left-turn lane for motor traffic, among other design flaws.</p>	<p>The aecom masterplan team are investing possible alterations for this junction as part of the outline application.</p>
<p><i>TA methodology</i></p> <p>7.2.3 541 spaces utilised during the survey conducted during the peak time of 15:00 Thursday 16th</p>	<p>See from paragraph 8.46. The amended 3.5m segregated cycle route along JJ Thomson Avenue will provide a significant</p>

<p>February. This one-off survey at one time of day may not be representative. The assumption of a 15:00 peak could be wrong and different days could have different usage levels. Additionally one-off events could cause substantially higher usage, for example, undergraduate induction lectures when all the first years are in the building at once rather than being split across multiple labs.</p>	<p>enhancement to existing capacity.</p>
<p><i>Service Access from Madingley Road</i></p> <p>Object to the proposal to reopen the access road from Madingley Road opposite Conduit Head Road.</p> <p>The addition of a competing vehicle wanting to exit the site opposite offers a hazard in either case. Madingley Road traffic outbound which is accelerating away at this stage would be slowed or could veer into the space in the refuge denying our use of it, or even stranding a vehicle that was committed in the path of inbound traffic.</p>	<p>Whilst a vehicle emerging would present a hazard, as in all such cases, the scenario proposed by the objector would be unlikely and could not justify opposition.</p> <p>A vehicle on a side road is unlikely to emerge onto the through lane because the driver has assumed that a vehicle will be able to take avoiding action by entering the right turn lane. The risk associated would be no different from many other junctions and would not be demonstrably exceptional.</p>
<p><i>Cycle Parking</i></p> <p>The proposed cycle parking is generally good, but some aisles are narrower than the minimum 1.8m width.</p>	<p>The spacing of cycle parking accords with the Council's 2006 Adopted Cycle Parking Standards.</p>

<p>The usage survey within the TA may not be representative. Fly parking is already a problem on Cavendish II and it is not clear whether they formed part of the survey.</p>	<p>See paragraph 8.108.</p>
<p>No provision for the pool bikes that are part of the University's transport strategy is mentioned when calculating the number of spaces required, though pool bikes are mentioned later in the document.</p>	<p>Pool bikes do not specifically form part of the 769 cycle parking spaces.</p>
<p>p26 4.5.5 566 covered spaces and 203 uncovered spaces. Covered spaces are much preferable to uncovered as they prevent damage to cycles caused by exposure to the weather.</p>	<p>The development provides a range of different spaces to cater for staff and visitors. Overall a high quality, flexible provision will be available. Further demand/changes in use patterns will be mitigated through monitoring in the Travel Plan.</p>
<p>The proposed cycle parking is generally good, but some aisles are narrower than the minimum 1.8m width.</p>	<p>The spacing between Sheffield stands accord with the Council's cycle parking standards.</p>

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

8.129 The Community Infrastructure Levy Regulations 2010 (as amended) 'CIL Regulations' have introduced the requirement for all Local Planning 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.

8.130 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 S106 agreements completed since that date. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

#### Transport Infrastructure

8.131 County Council officers have confirmed that mitigation measures are needed to address the demands imposed on the transport network as a result of the development. This primarily relates to increased demand on cycle infrastructure. Officers at the County Council have assessed the transport information submitted by the applicants and have reached the view that the proposed measures are appropriate in the context of the 1999 extant permission on West Cambridge and on the basis of the impact of this development over and above the current situation:

- Proposed contribution (£400,000) to improve the environment for cyclists. This is based on an enhanced environment for cyclists along Grange Road and West Road (or Sidgwick Ave).
- Road safety measures on Madingley Road east at the junction to improve conditions for cyclists.
- Road safety measures on Madingley Road at the Storeys Way junction to improve conditions for cyclists.
- Widening of the bridge over the Bin Brook on Burrell's Walk.
- Minor enhancements to the Grange Road/Adams Road signalised junction which links to Burrell's Walk.
- Travel Plan for the development.
- Construction Management Plan.

8.132 The above measures are considered an appropriate package of mitigation based on the likely impact of the development.

Particularly Madingley Road east (268 and 248 cycle arrivals and departures daily) and the Coton Path east (125 and 116 arrivals and departures). The mitigation package will directly mitigate this impact and will be delivered and monitored in future through the accompanying S106 Agreement.

- 8.133 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.

#### *Greater Cambridge Partnership Schemes*

- 8.134 Contributions to the A428 Cambridge to Cambourne project is under negotiation for the outline planning application and is not considered appropriate for Cavendish III, in the context of the extant 1999 permission.

#### Planning Obligations Conclusion

- 8.135 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**

### Planning Balance

- 9.1 The NPPF in paragraph 14 sets out a presumption in favour of sustainable development, with proposals that accord with the Development Plan to be approved without delay. The proposed development will provide a high quality building for the Department of Physics and is in accordance with the existing strategy for West Cambridge set out in Local Plan policy 7/6 and the future strategy detailed in policy 18 of the emerging Local Plan. The emerging policy 18 carries some weight because there is an agreed Statement of Common Ground and there are no outstanding objections.
- 9.2 The development scheme would have a number of dis-benefits. These include construction related impacts, moderate adverse



impacts to the setting of some heritage assets, demolition of MHF and loss of the Category A Luscombe Oak. The implications these disbenefits have been evaluated as part of this committee report. In my professional opinion, the dis-benefits do not outweigh the significant benefits that the scheme would bring, which are set out below.

- 9.3 Significant economic benefits locally will result from the proposed development. Employment across a range of disciplines and jobs created through the construction itself. At a regional and national level the economic benefit through the research provided at the proposed Cavendish III is significant. This is in terms of skills, improved technologies and collaboration with industry through partnerships.
- 9.4 Socially, the proposed Cavendish III will represent a step change in the development of the West Cambridge Campus. This is through the design of the building itself, the public wing, its integration with and provision of JJ Thomson Gardens, significant areas of public realm including a green corridor and pocket landscapes and interventions to the existing JJ Thomson Avenue (including provision of a 3.5m segregated cycle route), which will benefit the whole campus.
- 9.5 Environmentally, there are significant improvements to the ecological value of the site compared with the existing situation, future management and maintenance of the Madingley Road tree belt, interventions to JJ Thomson Avenue and significant improvement to the environment for pedestrians and cyclists. APPROVAL is recommended.

## **10.0 RECOMMENDATION**

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

### **Implementation**

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.

## **Approved Drawings**

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.

## **Prior to commencement - DCEMP**

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

- e) Soil / Materials Management Strategy having particular regard to potential contaminated land and the reuse / recycling of soil / materials for use on site, the importation and storage of soil / materials including audit trails.
- f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements / procedures in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites.
- g) Vibration impact assessment methodology, mitigation measures, vibration monitoring and recording statements / procedures in accordance with the provisions of BS 5228-2: 2009+A1:2014 Code of practice for noise and vibration control on construction and open sites.
- h) Dust management / monitoring plan and wheel washing measures. Non-Road Mobile Machinery (NRMM), demolition or construction works or similar, emissions standards. Use of concrete crushers.
- i) Prohibition of the burning of waste on site during demolition/construction.
- j) Site artificial lighting. Site artificial lighting during construction and demolition including hours of operation, position and impact on neighbouring properties.
- k) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- l) Screening and hoarding details.
- m) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- n) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.

- o) External safety and information signing and notices.
- p) Consideration of sensitive receptors.
  
- q) Prior notice and agreement procedures for works outside agreed limits or protocols.
  
- r) Implementation of a Stakeholder Engagement / Residents Communication Plan- CEMP Monitoring, Review and Complaints procedures, including complaints response.
  
- s) Membership of the Considerate Contractors Scheme.

Thereafter all phases of the development shall be undertaken in accordance with the approved site wide DCEMP.

Reason: To protect human health and amenity in terms of noise and local air quality in accordance with policies 4/13 and 4/14 of the Cambridge Local Plan (2006).

#### **Prior to commencement - Archaeology**

- 4. 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).

## **Tree Protection**

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

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4).

### **Prior to commencement: ecological design strategy**

6. Prior to above ground works, an ecological design strategy (EDS) detailing proposed enhancements shall be submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s), specifications and/or working methods to achieve stated objectives.
- d) Number, extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance (if required)

- i) Details for monitoring and remedial measures (if required)

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of providing adequate provision for the enhancement of biodiversity on the site, Cambridge Local Plan policy 4/3.

**Prior to commencement - ground source heat pump array (GSHP)**

- 7. Prior to commencement of the development a plan showing the final location of the ground source heat pump array shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include trees and drainage features. The development shall be carried out in accordance with the approved plan.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the siting of the GSHP are coordinated with trees and drainage. (Cambridge Local Plan 2006 policy 8/16).

**Prior to commencement -Drainage Utility Connection**

- 8. No development shall commence until confirmation of water service connections have been submitted to and approved in writing to the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order that adequate provision is made for utilities connections, Cambridge Local Plan 2006 policy 8/18.

**Prior to commencement of development - woodland management and maintenance scheme**

- 9. Prior to commencement of development, a woodland management and maintenance scheme shall be submitted for the woodland belt to the north of the site adjacent to Madingley Road. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the woodland belt is maintained in a healthy condition in the interests of visual amenity and to ensure that adequate mitigation is provided for the visual impact of the proposal. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12 and the Town and Country Planning (Environmental Impact Assessment) Regulations 2011).

**Within 6 months of commencement: Design Stage Certificate**

10. Within 6 months of commencement, a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 'excellent' shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

**Prior to above ground works- Materials Samples**

11. Prior to above ground works for;
  - a) Phase 1 shown on the approved drawings,
  - b) Phase 2 shown on the approved drawings,

A sample panel of the materials to be used in the construction of the external surfaces for that phase has been prepared on site for inspection and approved in writing by the Local Planning Authority. The sample panel shall be approximately 2m x 2m and show the proposed palette of materials (including plant screening, metal cladding, brickwork/masonry) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until the completion of the development.

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

**Prior to any above ground works - detailed noise and vibration insulation / mitigation scheme**

12. Prior to any above ground works for

a) Phase 1 shown on the approved drawings

a detailed noise and vibration insulation / mitigation scheme for UTILITYWINGS 1, 2, 3, WING 4 (including the north-west corner service yard, all plant rooms – generator & transformer, mechanical workshops (double height), carpentry workshop, drop weight and plate impact rooms / workshops and laboratories, but excluding Phase 2 as shown on the drawing) and the PUBLIC WING (specifically third floor common room and associated terrace) of the building, in order to minimise and control the level of noise/vibration emanating from these approved uses and rooms and to protect the amenity of neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority.

b) Phase 2 shown on the approved drawings

a detailed noise and vibration insulation / mitigation scheme for Phase 2 of the building, in order to minimise and control the level of noise/vibration emanating from these approved uses and rooms and to protect the amenity of neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority.

The said noise and vibration insulation / mitigation schemes shall include:

- i. sound reduction indices (R) of the airborne sound insulation properties / performance (in octave and 1/3 octave frequencies as appropriate) for each external building façade construction element - walls/panels, windows and doors including any acoustic doorsets. The sound reduction index performance for each element shall be certified by official “third party” laboratories according to relevant international and or national standards.
- ii. the airborne sound insulation performance of the external composite building façades having regard to representative internal noise levels and use.



- iii. detailed architectural construction and engineering specifications and drawings (with sections) for each composite element of the external building façade
- iv. operational noise data for any acoustic door opening / closing mechanism for any external doors to the said workshops
- v. Northern service yard perimeter acoustic barrier / fence design and specifications (length & height) including acoustic performance testing and certification (sound absorption and air borne sound insulation)
- vi. ventilation provisions
- vii. administrative/management noise mitigation controls, as appropriate

The noise and vibration insulation / mitigation scheme for UTILITY WINGS 1, 2, 3, WING 4 and the PUBLIC WING of the building shall be in accordance with and shall demonstrate compliance with the principles, operational noise / vibration levels and mitigation measures and recommendations detailed in the submitted *'Cavendish III Laboratories: Environmental Impact Assessment - Volume 2: Environmental Statement, October 2017 Chapter 11. Noise and Vibration and Cavendish III Laboratories: Environmental Impact Assessment - Volume 3: Environmental Statement Appendices, October 2017 - Noise and Vibration 11.1, 11.2, 11.3, 11.4, 11.5 including 'Chapter 11. Noise and Vibration as amended / revised with Appendix 11.6 received under cover of applicants letter dated 7 January 2018'* and shall demonstrate compliance with the operational sound / noise rating levels detailed in condition 17.

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

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

### **Prior to commencement of roof mounted equipment - Roof top plant and solar panels**

13. Prior to the commencement of installation of any roof mounted equipment, full details of all roof top plant and solar panels and/or photovoltaic cells, including type, dimensions, materials, location, fixing, etc. 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: To ensure that the external appearance of the development is in keeping with the existing character of the area. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14).

### **Non-Road Mobile Machinery Plant (NRMM)**

14. All Non-Road Mobile Machinery (NRMM) of net power between 37 kW and 560 kW used during demolition and construction works or similar, shall meet the emissions standards in Stage IIIA of EU Directive 97/68/EC (emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery and as amended) and "Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999" for both Nitrogen Oxides (NO<sub>x</sub>) and Particulate Matter (PM). If Stage IIIA equipment is not available the requirement may be met using the following techniques:

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

All eligible NRMM shall meet the emissions requirement above unless it can be demonstrated that the machinery is not available or that a comprehensive retrofit for both NO<sub>x</sub> and PM abatement is not feasible. In this situation every effort should be made to use the least polluting equipment available including retrofitting technologies to reduce particulate emissions.

An inventory of all NRMM, including evidence of emission limits for all equipment must be kept on site and all machinery should be

regularly serviced and service logs shall be kept on site for inspection. This documentation shall be made available to local authority officers upon request.

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

### **Collections and deliveries**

15. All collections from and deliveries to the approved development and service yard area located in the north-west corner of the site to WING 4 (garage & stores, gas stores / compounds, gas trailer, under croft 'drive through' loading / unloading area, including the refilling of gas stores) during the operational phase shall only be permitted / undertaken as follows:
  - a) Bespoke deliveries / collections comprised / consisting of an articulated lorry and all Heavy Goods Vehicles (HGV - defined as any vehicle over a maximum gross weight of 3.5 tonnes) including arriving/departing and the refilling of gas stores / compounds and liquid nitrogen tanks or similar shall only be permitted between the hours of 0700 hrs and 1900 hrs Monday to Friday. Only two bespoke delivery / collection events are permitted in any single hour period between permitted hours. There shall be no bespoke collections or deliveries on Sundays or any Bank / Public Holiday.
  - b) all other deliveries / collections shall only be permitted between the hours of 0700 hrs and 2300 hrs Monday to Friday, 0700 hrs to 1900hrs on Saturdays. There shall be no collections or deliveries on Sundays and any Bank / Public Holiday.
  - c) when deliveries/collections occur directly via external doors into the ground floor workshops of WING 4 these said areas shall not be in use (no noise generating experiments, tests or similar noise generating activities permitted in workshops in order to limit internal noise breakout).

Reason: To protect / safeguard the health and quality of life (amenity) of existing residential premises from noise in accordance with paragraphs 109, 120, 123 of the National Planning Policy

Framework (NPPF), March 2012 and aims of Policy 4/13 – Pollution & Amenity of the adopted Cambridge Local Plan 2006.

### **Service Yard Activities**

16. The use of forklifts or similar equipment used for the lifting, carrying and movement of materials / items including loading and unloading activities and the use of powered plant and equipment on the ground floor within the service yard associated with the approved use shall only be permitted between the hours of 0700 hrs and 1900 hrs Monday to Friday.

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

### **Noise Attenuation – Restrictions for Opening of External Windows / Doors**

17. Save for all external windows into office or meeting rooms, when noise generating academic and research activities are undertaken within WING 4 on the North Elevation (Drawing No. EM00033-JW-ZZ-ZZ-DR-A-3100 – Proposed Elevations East & North - Phase 1 & 2 (Final Condition) (including all plant rooms, mechanical workshops (double height), carpentry workshop, drop weight and plate impact rooms / workshops and laboratories) all external windows and doors that serve those spaces shall be kept closed at all times during those activities. All academic and research activities associated with the approved use shall be carried out internally.

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

### **Total noise levels**

18. Save for collections from and deliveries to the approved use, the 'rating level' (as defined in BS 4142: 2014 – *Methods for rating and assessing industrial and commercial sound* - or any successor

document) of all sources of sound / noise immissions, from and attributable to operation of the site and approved use when collectively measured at the property boundary of any premises / property (for avoidance of doubt this is the actual property boundary inclusive of external amenity areas such as property / garden boundaries or similar) shall not exceed the Operational Sound / Noise Rating Levels on any day, in the table below:

Operational Sound / Noise Rating Level

Operational Sound / Noise Rating Levels (all free field)		
Time Period	Normal Conditons	Emergency Conditions (use of backup generators)
Day (0800 – 1900hrs) during any single one hour reference period	46 dB LAeq, 1 hour	51 dB LAeq, 1 hour
Evening (1900 – 2300hrs) during any single one hour reference period	43 dB LAeq, 1 hour	48 dB LAeq, 1 hour
Night (2300 – 0800hrs) during any single 15 minute reference period	35 dB LAeq, 15 mins maximum noise level of 55 dB LAmax for indiviual events	40 dB LAeq, 15 mins maximum noise level of 55 dB LAmax for indiviual events

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

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

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

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

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

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

### **Prior to any above ground works - noise insulation scheme**

19. Prior to any above ground works, a noise insulation scheme for all operational plant and equipment to include mechanical and electrical building services, electricity transformers, emergency generators, ventilation systems and combustion appliances in order to minimise the level of noise emanating from the said plant and equipment shall be submitted to and approved in writing by the local planning authority.

The noise insulation / mitigation scheme shall be in accordance with the principles, operational noise levels and mitigation measures and recommendations detailed in the submitted '*Cavendish III Laboratories: Environmental Impact Assessment - Volume 2: Environmental Statement, October 2017 Chapter 11. Noise and Vibration and Cavendish III Laboratories: Environmental Impact Assessment - Volume 3: Environmental Statement Appendices, October 2017 - Noise and Vibration 11.1, 11.2, 11.3, 11.4, 11.5*' including '*Chapter 11. Noise and Vibration as amended / revised with Appendix 11.6 received under cover of applicants letter dated 7 January 2018*' and shall demonstrate

compliance with the operational sound / noise rating levels detailed in condition 17.

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

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

**Prior to occupation of development a Servicing and Operational Noise Minimisation Management Plan / Scheme**

20. Prior to occupation of development a Servicing and Operational Noise Minimisation Management Plan / Scheme for the service yard located in the north-west corner of the site to WING 4 (garage & stores, gas stores / compounds, gas trailer, under croft 'drive through' loading / unloading area) shall be submitted in writing to the Local Planning Authority (LPA) for approval. This shall include details of measures to be undertaken and implemented to mitigate and reduce noise activities / operations as far as is reasonably practicable. The approved plan / scheme shall be implemented and retained thereafter and shall be reviewed and revised as necessary at the reasonable request of the LPA.

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

- a) Advice and policy for drivers of service vehicles to minimise noise during collections and deliveries
- b) Implementation of a complaints procedure for verifying and responding to complaints about noise / vibration

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

### **Prior to installation of boilers - Low Nitrogen Oxide (NOx) boilers**

21. The development hereby approved shall utilise low Nitrogen Oxide (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 manufacturer's 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 and implemented 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 in accordance with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 and 4/14 of the Cambridge Local Plan 2006.

### **Prior to the occupation: Post Construction Certification**

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

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

### **Prior to the occupation/use of the development, an extraction/filtration and abatement odour scheme**



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

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

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

**Prior to the first occupation – Land contamination completion report**

24. Prior to the first occupation of the development hereby approved the following shall be submitted to and approved in writing by the Local Planning Authority:
- A land contamination completion report demonstrating that the approved remediation scheme as implemented under condition 34 has been undertaken and that the land has been remediated to a standard appropriate for the end use.
  - Details of any post remedial sampling and analysis (as defined in the approved Material Management Plan as required by Condition 31) 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 ensure full mitigation through any agreed remediation measures and to demonstrate that the site and land is suitable for

approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

#### **Prior to occupation - Public Art**

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

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

#### **Prior to above ground works - Hard and soft landscaping**

26. Prior to above ground works, 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; hard surfacing materials; tree pit details and technical details of sustainable drainage features within landscaped areas. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); reinforced grass areas; planting for detention basins, swales, raingardens, green roofs, 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).

#### **Prior to occupation – Landscape maintenance**

27. No occupation of the proposed Cavendish III shall take place before a landscape maintenance plan and schedule for a period of 20 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the programme and arrangements for its implementation.

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

**Prior to occupation - Renewables maintenance**

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

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

**Prior to the occupation - Contamination remediation**

29. Prior to the occupation of the development the contamination remediation strategy hereby approved (Appendix 12.2 - Contaminated Land Desk Study; EM00033-RAM-ZZ-XX-RP-YE-0001 - Ramboll September 2017); Appendix 12.3 - Contaminated Land Interpretative Report; EM00033-RAM-ZZ-XX-RP-YE-0002 (Ramboll, September 2017) shall be fully implemented on site.

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.

**Prior to the occupation - Travel Plan**

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

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

**Prior to importation or reuse of material - Materials Management Plan (MMP)**

31. Prior to importation or reuse of material for the development a Materials Management Plan (MMP) shall be submitted to and

approved in writing by the Local Planning Authority. The MMP shall:

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

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.

**Prior to the installation of any artificial lighting - Artificial Lighting**

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

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

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

### **Standby Emergency Backup Generator Operation**

33. Any emergency backup generator shall only operate as follows:

(i) Emergency Use Only

Any emergency backup generator shall only be used in the event of standard mains electricity supply interruption / failure or in accordance with (ii) below. It shall not be used to supplement general energy demand, to feed electricity into the utility grid or as an alternative supply in the event of disconnection from the mains supply following for example non-payment or similar.

(ii) Hours of Running for Testing, Maintenance & Repair

Running of any backup generator as part of routine periodic testing, maintenance and repair shall only take place for the length of time specified by the manufacturer between the hours of 8am – 6pm Monday to Friday, 9am – 1pm Saturday and at no time on Sunday or Public Holidays. Periodic testing, maintenance and repair shall only occur for a maximum duration of 15 hours in any calendar year. Accurate records of any testing shall be kept on site and shall be available for inspection at the request of the local planning authority.

(iii) In the event that the emergency backup generator is operated for an *“unforeseen extended period of time”* the local planning authority shall be immediately informed and a review / reassessment of the local air quality impacts of such operation shall be undertaken. The air quality impacts review / reassessment shall be agreed in writing with the local planning authority and if unacceptable adverse air quality impacts / effects are likely to arise an emergency generator air quality mitigation scheme shall be submitted in writing for approval. The approved scheme shall be implemented within a timescale to be agreed and shall be retained thereafter.

For the avoidance of any doubt an *“unforeseen extended period of time”* shall be defined as intermittent or continuous operation for a

cumulative period greater than a week (168 hours) in any calendar month, exclusive of the permitted hours detailed in (ii) above for periodic testing, maintenance and repair.

Reason: To protect human health and amenity in terms of noise and local air quality in accordance with policies 4/13 and 4/14 of the Cambridge Local Plan (2006).

### **Unidentified/unexpected contamination**

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

- A site investigation strategy detailing the works required to assess the previously unidentified contamination
- 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 land contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

### **Heating and cooling**

35. Heating and cooling of the building shall only be provided by a ground source heat pump (GSHP) system with heat recovery supplemented by back up, low nitrogen oxides emitting gas boilers and general ventilation systems.

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

### **Energy Strategy**

36. The energy strategy for the approved buildings shall be implemented in accordance with the ground source heat pump driven cluster approach set out in the Cavendish III Energy and Sustainability Strategy (Hoare Lee, 03 October 2017). The development shall be implemented in accordance with the approved Strategy and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.

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, promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2006 policies 4/13 and 8/16, Supplementary Planning Document 'Sustainable Design and Construction' 2007).

### **Prior to commencement: works relating to JJ Thomson Avenue**

37. Prior to commencement of the works relating to JJ Thomson Avenue details of the materials, detailing of markings, and crossing points for the approved interventions shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

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

**Prior to commencement: works relating to JJ Thomson Avenue - Cycle parking, William Gates Building**

38. Prior to commencement of the works relating to JJ Thomson Avenue details of cycle parking in front of the William Gates Building shall be submitted to and approved by the local planning authority. These details shall ensure that there is no net loss in cycle parking numbers as a result of this development. The development shall be carried out in accordance with the approved details.

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

**18 months after occupation: Public Realm Phasing**

39. The proposed JJ Thomson Gardens, (to the south of the proposed Cavendish III) and the proposed north south green corridor ('Central Green Link') (as set out on landscape masterplan EM0003-ACM-ZZ-ZZ-DRG-LA-11-01 P02) shall be completed within 18 months following occupation of the approved Cavendish III building.

Reason: To ensure that the phasing of the development delivers key public realm on the site. (Cambridge Local Plan 2006 policies 3/4 and 3/7).

**Car parking review**

40. The proposed car park (33 spaces) to the east of the existing crescent shaped Vet School building and within the proposed JJ Thomson Gardens (as shown in EM0003-ACM-ZZ-ZZ-DRG-LA-11-01 P02) shall be reviewed following the expiration of 5 years from the date of this permission. The review shall include submission of details of current demand, usage and capacity of car parking at West Cambridge and fully justify its further retention for the needs of the Vet School.



Reason: In the interests of visual amenity and to ensure compliance with the car parking strategy for the site, Cambridge Local Plan policies 3/4 and 8/4.

**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 1 Section 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-spdpdf>

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

**INFORMATIVE: Ventilation associated with fume and microbiological cupboards / cabinets**

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

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

#### **INFORMATIVE: CAANI - Clean Air Act**

It is a requirement of the Clean Air Act 1993 that no furnace shall be installed in a building or in many fixed boiler or industrial plant unless notice of the proposal to install it has been given to the local authority. Formal chimney height approval may be required. Details of any furnaces, boilers or plant to be installed and calculations should be provided using the Chimney Height Calculation form (available [here](https://www.cambridge.gov.uk/chimney-height-approval): <https://www.cambridge.gov.uk/chimney-height-approval>).

#### **INFORMATIVE: Remediation Works Informative – Contaminated Land**

Approved Contaminated Land 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: Materials Chemical Testing Informative – Contaminated Land**

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

Environmental Quality Growth Team for further advice at Cambridge City Council on telephone number (01223) 457890.

**INFORMATIVE: Permitted Process - Medium Sized Combustion Plant Directive – Informative**

The Medium Combustion Plant Directive (MCPD), adopted in November 2015, is part of The EU Clean Air Package published in December 2013. It introduces 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 running 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 at Cambridge City Council on telephone number (01223) 457890.

**INFORMATIVE: Building ventilation fresh air intake louvres / points**

To limit building re-entrainment / recirculation to inside the building of exhaust emissions to air from any proposed fume cupboards, dust and odour extraction systems, combustion plant or similar (preventing exhaust from re-entering the facility through fresh air supply ventilation systems, doors, and windows), it is recommended that any fresh air intake louvres / points for building ventilation or heating, ventilation and air conditioning or handling (HVAC) systems are located as far as possible from fume cupboards, dust and odour associated flues/stacks discharge terminations and where possible upwind of the flues/stacks from prevailing winds.

## **INFORMATIVE: Food Registration / Safety Informative**

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

### Appeal process – S106

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

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## **CAMBRIDGESHIRE QUALITY PANEL**

### REPORT OF PANEL MEETING

#### **Scheme: The Shared Facilities Hub & JJ Thompson Garden**

**Date:** Friday 7<sup>th</sup> July, 2017

**Venue:** Maxwell Centre, Cambridge West Site

**Time:** 11:30pm – 13:30pm

#### **Quality Panel Members**

Robin Nicholson – Chair

David Prichard

Oliver Smith

Lynne Sullivan

Simon Carne

Nick James

#### **Panel secretariat and support**

Alokiir Ajang – Cambridgeshire County Council

Stuart Clarke – Cambridgeshire County Council

#### **Local Authority Attendees**

John Evans - Principal Planner (New Neighbourhoods) - Cambridge City Council

Jonathan Brookes – Principal Urban Designer – Cambridge City Council

#### **Applicant and Representatives**

Luigi Scalera – University of Cambridge

Mark Parsons – University of Cambridge

Julian Dickens – Jestico and Whiles

Heinz Richardson – Jestico and Whiles

### **1. Scheme description and presentation**

Consultants	Jestico and Whiles
Applicant	University of Cambridge
Planning status	Detailed application



## 2. Overview

The site is located on the west side of JJ Thompson Avenue. The land is currently used as paddocks for the Veterinary School.

The pre-application proposal is for a shared facilities building which will serve the university and it will include the following:

- Lecture space and study areas
- Library
- Pastoral and contemplation space
- Café and restaurant facilities
- A small shop

The proposed building falls within The Green and East Forum and adjoins Central Green Link within the March 2016 version of the draft Design Guide which accompanies the West Cambridge Campus masterplan.

The building will come forward as a full planning application.

Pre-application discussions have included Cambridge City Council, Community Forums and Disability Panel. This is the first time the scheme has been presented to the Quality Panel. The applicant anticipates submitting the planning application in mid-September 2017.

## 3. Cambridgeshire Quality Panel views

### Introduction

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

The Panel Chair stated that David Prichard and Oliver Smith had previously been involved with the development of the West Cambridge masterplan, however, they have had no recent involvement. It was agreed that their full engagement in the Quality Panel discussions would not be a conflict of interest.

The Shared Facilities Hub is a new venture for the University of Cambridge offering collaboration and a new flexible way of learning because each college usually delivers these facilities in-house. This is the first of the three proposed hubs on the West Cambridge Campus to encourage interaction, sharing of resources and learning between different departments.

JJ Thompson Gardens/The Green is about 3 hectares in size and the concept of the design is organised around 3 key parameters. 1. Biological; 2. Hydrological and 3. Social. The principle elements have not yet been established as this is dependent on the





development of the masterplan. The first phase of The Green will be delivered to integrate the Shared Facilities Hub with the Cavendish III building.

## Community

The Panel welcomed this landmark Shared Facilities Hub as the first of the proposed 3 hubs on the West Cambridge campus and considered it would become an important part of the West Cambridge social infrastructure.

The building will include a range of facilities which are focused around 3 main elements: 1. Nourish (Cafeteria, Café/Bar space); 2. Study (Library); 3. Collaborate (Teaching, Seminar, Meeting rooms). On the ground floor there will be a series of break-out areas for staff and students to use and they will have close access to the public realm spaces.

The ground floor entrance plaza will provide for people from the south east quarter and there will be a small retail unit, e.g. commercial and coffee bar zone. The Panel thought there was an opportunity to make the shop space more open and welcoming, which would encourage more social interactions between people from different departments.

The Panel were pleased to hear there is a public art and cultural strategy for the West Cambridge campus site which could be integrated into the Shared Facilities Hub and other buildings.

There is an opportunity to develop a 'productive landscape' in the gardens and around the building. This would reinforce the design ethos of wellbeing and community through providing allotments and the produce could also be used or sold in the café/shop.

The Panel enjoyed the early interior perspective with a great stair rising up along the edge of an atrium. While this has proved unworkable, there is an opportunity to further develop the social activity within the building with places where interactions can happen.

The application submission should demonstrate how the building can be flexible over time.

## Connectivity

The Panel supported the cycling and provision for storage but were concerned about security and thought the bikes should be overlooked.

The Panel questioned the closed off nature of the service yard and felt that, given its occasional use, it could be designed as a layby and made less prominent.

Removal of the internal running stair in the Shared Facilities hub was disappointing.

The Panel commented that the east to west flow of the proposed JJ Thomson Gardens is interrupted by the triangular 'book-end' rain gardens which they thought were unnecessary. Greater consideration should be given to integration with further phases of the Green.



## Character

The Shared Facilities Hub is a prototype with the ability to adapt to future needs; it aspires to be an accessible, open public building with a light and welcoming atmosphere. The Panel felt the Hub would be well-used and highlighted that as this is the first hub it is important for it to develop its own unique character.

The entrance and ground floor design aims to bring the Green (landscape) right into the building with indoor planting. This approach was supported.

The ground floor will be predominantly used for catering and the first and second floor will be mainly teaching and study space. As you rise up through the building, the spaces become more enclosed and intimate, similar to a traditional study space.

The ground floor façade is glazed and transparent and the applicant explained how it responds to its uses and to the environment, for example sunlight. The first floor is for the study space and it will act as an extension of the café, this space will offer a more relaxed layout. The second floor will include the seminar space and libraries.

The Panel supported the design of the elevations and discussed the quality of the materials and how the building will relate to the surrounding site and in particular the Cavendish III building. The applicant commented they were exploring metallic finishes, such as bronze.

The Panel considered there was an opportunity to provide carefully designed signage well integrated into the architecture.

The Panel liked the idea of a timber library wall weaving its way through the centre of the building but felt it had been weakened by the changes to the plan and needed to be integrated through the length of the building.

The Panel thought that the design was an elegant pavilion, a concept that could be pushed further, by making the western service yard end dual aspect.

Panel felt the roof with its raking plant enclosure was a disappointment. They thought the plant could be enclosed within small elegant enclosures on a green/brown roof. The Panel would like to see the roof more actively used, for example as a communal bar/ social space with views across the campus. The addition of roof lights should be considered.

The Panel felt there was lots of detail on the lower level façade which should also be developed on the upper levels.

There is an opportunity to make more use of the green spaces to the north and south if it were possible to narrow the kitchen elevation to allow additional social spaces and to open up the shop. However, the Panel recognised the challenges in relation to how this may affect the positioning of the services.

The applicant explained how the tree species will be native to the area and mainly planted along the principle circulation route. However the Panel commented that further thought



could be given to the design of the hard landscape (benches and other seating areas) to help make the café space work better.

The Panel were very concerned at the extent of the hard paving with 60% soft and 40% hard landscape and felt that it would be more valuable to have a higher ratio of green space for landscaping and socialising.

Greater consideration should be given to the relief of the landscape across the space and further opportunities for bunds to provide seating areas.

The Panel questioned whether there was a need for a contingency landscape plan in case the Vet School either does not move or delays its move.

### Climate

The Shared Facilities Hub is designed to be a passive building with solar panels and a ground source heat pump which will also serve the Cavendish III building. The building will include internal planting which is used to enhance the internal air conditions and the health of its users.

The Panel would have liked to have seen the sunlight and shadow impact study of the inside and outside of the building. This analysis must inform the layout of JJ Thomson to the north.

The Panel welcomed the inclusive approach to wellbeing and how this had been carefully built into the structure of the detailed design.

The water strategy includes rain gardens, permeable paving and the use of sustainable urban drainage systems (SuDS). The design is intended to collect water onsite and function as a part of the West Cambridge masterplan and wider landscape approach to water management.

The applicant explained how the garden space will include hydrological features such as rain gardens and how they intend to use water to create interactive, seasonal spaces for learning, contemplation and socialising.

The green is expected to seat around 300 people in the banked area and the applicant explained how they intend the green to attract people to sit outside but the Panel had concerns about the usability of the space.

The applicant described the ecology of the roof and how it will include photovoltaics and a green roof.

#### 4. Conclusion

The Panel felt the building showed strong character potential. The design is soon to become a planning application and the Panel were pleased to have the opportunity to comment on the application before submission.

The Panel were concerned about the quality of the landscape and felt that this needs to be carefully considered as it is fundamental to the integration of the two buildings and its relationship to the wider site. In particular, the relationship of the landscape with potential future phases to the west.

The Panel made the following recommendations, further details can be found above:

- The landscape needs further consideration; the Shared Facilities Hub and JJ Thompson Gardens are the first to be delivered and the quality is important as it will act as precedent.
- Further consideration should be given to sunlight and shadow impacts and their relationship to design of the landscape.
- There is an opportunity to make the roof more actively used, for example as a social space. This north facing space could provide interesting views which could be celebrated and creatively illuminated.
- Develop the productive landscape further to reinforce the approach to wellbeing and encourage social interactions between different groups (for example, the public and students).
- There is an opportunity to design high quality, integrated signage for legibility throughout the site, think about an alternative, special name other than the Shared Facilities Hub.
- Provide more green landscaping to address the 60% to 40% soft to hard landscape ratio.
- Provide a section drawing through the graduate housing, the Shared Facilities Hub, JJT Gardens and the Cavendish III Building to better understand the spaces.

As this is a landmark building and the first of its kind, the Panel encouraged the applicant to be more ambitious.

## APPENDIX 1 – The Shared Facilities Hub

Page 125



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## **CAMBRIDGESHIRE QUALITY PANEL**

### REPORT OF PANEL MEETING

#### **Scheme: Cavendish III Building**

**Date:** Friday 7<sup>th</sup> July, 2017

**Venue:** Maxwell Centre, Cambridge West Site

**Time:** 14:00pm – 16:00pm

#### **Quality Panel Members**

Robin Nicholson – Chair

David Prichard

Oliver Smith

Lynne Sullivan

Simon Carne

Nick James

#### **Panel secretariat and support**

Alokiir Ajang – Cambridgeshire County Council

Stuart Clarke – Cambridgeshire County Council

#### **Local Authority Attendees**

John Evans - Principal Planner (New Neighbourhoods) - Cambridge City Council

Jonathan Brookes – Principal Urban Designer – Cambridge City Council

#### **Applicant and Representatives**

Professor Richard Philips – Cavendish Laboratory

Luigi Scalera – University of Cambridge

Mark Parsons – University of Cambridge

Julian Dickens – Jestico and Whiles

Heinz Richardson – Jestico and Whiles

#### **1. Scheme description and presentation**

Consultants           Jestico and Whiles

Applicant             Cambridge University

Planning status       Detailed application



## 2. Overview

The site is located on the west side of JJ Thompson Avenue at the junction with Madingley Road. The land is currently used as paddocks for the Veterinary School and Merton Hall Farmhouse.

The pre-application proposal is for the relocation of the existing Cavendish II laboratory facility, in the south east corner of the West Cambridge Campus to the new location. The Cavendish III Building will include the following:

- Four levels of accommodation
- 38,600 sq. m of footprint (with approximately 85% plot of coverage)
- Research laboratories
- Workshops
- Shared collaboration / amenity space
- Office and teaching space

The building falls within the Green and Central Green Link key spaces within the Design Guide which accompanies the West Cambridge Campus outline application (16/1134/OUT). It is proposed to be built in two phases, Phase 1 provides for the majority of the building and Phase 2 is for a small addition in the north east corner of the plot.

The proposal will come forward as a separate full planning application.

Pre-application discussions have included Cambridge City Council, Community Forums and the Disability Panel. This is the first time the scheme has been presented to the Quality Panel.

## 3. Cambridgeshire Quality Panel views

### Introduction

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

The Panel Chair stated that David Prichard and Oliver Smith had previously been involved with the development of the West Cambridge masterplan, however, they have had no recent involvement. It was agreed that their full engagement in the Quality Panel discussions would not be a conflict of interest.

A representative from the Physics Department presented a brief history of the Cavendish Laboratory and explained that over the last 20 years the current building had served its users well, however, the requirement for the new building is that it needs to meet the requirements for modern day research and learning.

The Panel understand that it is a sensitive building because of the technical laboratory and associated conditions it requires. It has been important to understand the specifications and requirements of the client.



## Community

The public space at the entrance will create an environment for the public and learning outreach programmes and school visits. The Panel supported this ambition and the emphasis on collaborative learning and considered that it has great potential.

The Panel was concerned about the adaptability of the internal space, about the ability of the proposed arrangement with the offices above the laboratories to be reconfigured into clusters or other formats. The applicant explained that if patterns of work change, the building can be altered to fit another use such as laboratory or office space.

The applicant had considered how people will meet and interact in the circulation spaces. The Panel supported the generous 3m wide corridors as this would create places to dwell and meet but felt that additional stairs might make vertical connections easier. Panel were satisfied the internal arrangement reflected the needs of the building users.

The third floor common room could be an interactive space for its users with stunning views.

The Panel were pleased to hear that there is an art strategy within a wider cultural strategy for the West Cambridge campus with the building playing an important part in establishing this.

The Panel welcomed the ethos of well-being and were pleased to hear about the emphasis on the welfare of the students and staff.

Further information should be provided explaining how the proposed spaces can be adapted over time and how future expansion of the Cavendish will be accommodated.

## Connectivity

The Panel was concerned about the need for the entrance to be democratic and queried how various users will access the building. This includes the public and students by foot or bike. Panel considered the main flight of steps rather intimidating. There is an opportunity to accommodate additional landings as this would be another place for people to interact/ socialise. Well-positioned seating would also encourage this.

The applicant explained that the entrance is designed as a response to the current building which has many accesses (circa 28) to the building. This was accepted but the Panel felt there may be a way to make the ground floor entrance more easily visible.

The design aspires to create an enjoyable experience whilst walking around the building with a series of courtyards with views to look onto and through. Internal connectivity was supported.

Access and movement was discussed and the applicant explained how they intend to create a cycling and pedestrian network connected to JJ Thompson Avenue. They elaborated on how the layout is intended to provide direct routes and limit signage to



reduce visual clutter. The bike storage will be screened by planting. There will be a travel plan in place to promote sustainable travel options.

## Character

The primary function of the Cavendish III building is for scientific research and one of the key requirements for the client is for the building to be vibration free, due to the sensitive equipment used.

Through the evolution of the design and a vibration survey the south western part of the building was identified as the most suitable location for the laboratories. The main research spaces will be around the centre of the building with the utilities and services in 4 wings.

The Panel were most concerned about the need for a small Phase 2 right at the entrance to the campus because there is a possibility that it may not be delivered in the right way or at all. The Panel felt that it would be beneficial (and cheaper) to complete the building in a single contract.

The Panel felt the 3 primary courts were rather rigid but were partially reassured that each court will have its own distinct character; two pocket landscape gardens to the east of the site and two to the west; the Panel was concerned about the inaccessibility of the latter.

The ground floor is primarily occupied with laboratories and as the building progresses upwards the proportion of laboratories decreases and the amount of offices increases. The public area will include lecture theatres which will be visible out across JJ Thompson Avenue.

The Panel liked the gravitas of the building but encouraged the team to keep the vertical mullions simple and strong.

The Panel were keen for JJ Thompson Avenue and its landscape to be a part of the red line area as it is the “face” of the development. The modifications to JJ Thomson Avenue envisaged in the outline application should be delivered by this project.

## Climate

The Panel were content with the building’s response to the environment but was concerned about the natural ventilation of such deep spaces. They suggested that it will have a challenging energy profile as the building will use a lot of electrical equipment. The Panel felt that the University and the masterplan need to consider how it will work towards zero carbon energy.

Issues relating to adaptability and future climate issues were discussed and the applicant explained how there will be a ground source heat pump which will serve both the Cavendish III Building and the Shared Facilities Hub. All the offices and corridors will be



naturally ventilated. There will be low level louvres with photovoltaics on a brown and blue roof; the Panel encouraged the inclusion of a green roof.

Panel questioned potential overheating to the west facing glazed elevations. It was explained that vertical fins will mitigate potential overheating.

As part of the whole site water management, the Panel asked whether there would be planting over the water attenuation tanks and the applicant said they will be covered with hard landscaping.

The Panel were pleased to hear that applicant was carrying out daylight modelling, especially into the courts.

The Panel supported the applicant's ambition to achieve BREEAM excellent.

#### **4. Conclusion**

Overall the Panel was impressed by the handling of such a complex organisation and supported the way the scheme was developing. They were pleased to hear the building had evolved through collaborative work with various stakeholders and thanked Professor Philips for his useful and insightful explanation in support of a strong presentation of the design.

The Panel raised concerns about the delivery of Phase 2 as this is a prominent part of the building and entrance to the site and stressed the advantages of finding ways to deliver the whole building in a single phase.

The Panel made the following recommendations, further details can be found above:

- The external staircase currently comes across as institutional, so consider using landings for dwelling and sitting; this would allow users to see who is walking up and down the stairs and make the ground floor entrance more visible.
- Consider the range of places where people may dwell and interact, for example landings and seating areas, the interconnectivity between floors and the long term flexibility.
- Consider how lighting will be used at night.

The Panel highlighted the importance of delivery of Cavendish III, which will benefit the whole of the West Cambridge campus and beyond.

## APPENDIX 1 – Cavendish III

Page 132



## Appendix 2

### Extant 1999 masterplan as implemented – existing condition



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**Appendix 3**

**Outline Masterplan in context- 16/1134/OUT**



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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	16/1904/OUT	<b>Agenda Item</b>	
<b>Date Received</b>	31st October 2016	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	30th January 2017		
<b>Ward</b>	Romsey		
<b>Site</b>	Ridgeons 75 Cromwell Road Cambridge		
<b>Proposal</b>	Outline application for erection of up to 245 dwellings, including affordable housing, a nursery and/or community facility, open space, car parking, cycle parking and associated works following the demolition of all existing buildings on the site.		
<b>Applicant</b>	N/A C/O Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would deliver the Council's aspirations in the adopted and proposed site allocation including the delivery of housing.</p> <p style="padding-left: 40px;">The parameter plans are in accordance with the agreed Planning and Development Brief SPD.</p> <p style="padding-left: 40px;">The applicant has committed to S106 Agreement to secure open space, community facilities, education and transport contributions.</p>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site comprises the Ridgeons site on the western side of Cromwell road, measuring 3.31ha. The application site includes the main vehicle access onto Cromwell Road and the

secondary access further to the south, and Nos. 129, 131 and 133 Cavendish Road.

- 1.2 The site is currently in use as a builder's merchants. The main store and warehouse occupies the central area of the site. Two further warehouse buildings are located to the south. The remainder of the site is predominantly laid out with hard surfacing and used for storage, parking and deliveries. There is an attenuation pond in the northern corner.
- 1.3 The western boundary of the site adjoins the railway line. The surrounding area is predominantly residential, characterised by inter-war semi-detached properties on the eastern side of Cromwell Road and Victorian terraces to the south. To the north the site adjoins Winstanley Court which is a development of residential flats.

### **Planning context**

- 1.4 The southern part of the site (0.80ha) is allocated within the adopted Cambridge Local Plan (2006) for residential development (site allocation 5.14). The remainder of the site to the north is unallocated within the adopted Local Plan and its current use as a builder's merchant is not protected.
- 1.5 The entire application site is a proposed allocation in the Draft Local Plan 2014 (site R12). The draft allocation identifies the site as being suitable for housing with an approximate capacity for 245 dwellings.
- 1.6 A Draft Planning and Development Brief Supplementary Planning Document (SPD) has been prepared and was approved by the Development Plan Scrutiny Sub-Committee in July 2016. However the SPD has not been adopted pending the adoption of the new Local Plan .

### **Site constraints**

- 1.7 The site is outside the conservation area, however the southern boundary where it abuts Cavendish Road is adjacent to the northern boundary of the Mill Road Area of the Central Conservation Area. The site also faces parts of the conservation area on the opposite side of the railway line. The site therefore forms part of the setting of the conservation area.

1.8 The site falls outside the controlled parking zone and the air quality management area. The site is within Flood Zone 1. It is within the Cambridge Airport Safeguarding Zone. There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

2.1 The application seeks outline planning permission for erection of up to 245 dwellings, including affordable housing, a nursery and/or community facility, open space, car parking, cycle parking and associated works following the demolition of all existing buildings on the site. All matters are reserved with the exception of access for which approval of detailed plans is sought.

2.2 Four parameter plans and three detailed access drawings have been submitted for approval. These are listed as follows:

1. Movement and access parameter plan
2. Landscape parameter plan
3. Building heights parameter plan
4. Urban design principles parameter plan
5. Site access arrangements plan
6. Proposed emergency access and route for pedestrian and cyclists
7. Proposed access route for pedestrians and cyclists (southern boundary)

2.3 If the application is approved, these would establish the parameters within which the detailed development can be brought forward through reserved matters. The application is supported by an Illustrative masterplan and other material including a Design and Access Statement. These are for illustrative purposes only and would not form part of any planning permission.

2.4 The parameter plans and detailed access drawings are described further in the relevant sections of this assessment. In brief, the plans show the main access taken from Cromwell Road with secondary pedestrian and cycle links through to Cromwell Road and Cavendish Road. The site would be laid out with primary frontages around a central open space and a central spine road. Secondary routes would form a loop road

through the western part of the site, and tertiary and mews streets would divide up the southern end. The buildings would be up to three storeys on the eastern and southern parts, increasing to up to six storeys on the western side adjacent to the railway line. The illustrative material indicates mews properties up to three storeys along the railway line. Marker buildings would form focal points on the western side of the open space and street corners would be marked out with primary frontages.

2.5 During the course of the application, the plans were amended following comments from officers and consultees as follows:

- Landscape parameter plan – amended to include a minimum area of open space; to exclude roadways and parking areas from the open space,
- Building heights parameter plan – updated to include maximum building heights in addition to storeys; and to amend the annotation on setback of top storey to ‘at least’ 2m.
- Main access detailed plans – junction radii amended; and footpath along northern side of access and crossing point added.

2.6 The following documents have also been submitted:

- Archaeological Desk Based Assessment
- Air Quality Assessment
- Design and Access Statement
- Ecological Appraisals (Phase 1, Bat Survey, Redstart Bird Survey)
- Outline Energy Strategy
- Flood Risk Assessment and Drainage Strategy
- Phase 1 Contamination Assessment Report
- Landscape Statement (within DAS)
- External Lighting Report
- Noise and Vibration Assessment
- Planning Statement
- Public Art Strategy
- Statement of Community Involvement
- Sustainability Statement
- Pre-Design Site Waste Management Plan
- Transport Assessment
- Travel Plan

- Tree Survey and Arboricultural Impact Assessment
- Utilities Assessment

2.7 Additional technical notes relating to transport, ground contamination have been submitted in response to consultee comments, as well as an addendum to the Design and Access Statement and a response from the agent to other matters set out in the form of a letter.

### 3.0 SITE HISTORY

3.1 The site has an extensive planning history relating to the current use as a builder's merchant which can be viewed on the public access website. None are relevant 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 Plan 2006	Local	3/1 3/4 3/6 3/7 3/8 3/11 3/12 3/13
		4/3 4/4 4/6 4/8 4/9 4/11 4/13 4/15
		5/1 5/5 5/10 5/12 5/14
		8/1 8/2 8/3 8/4 8/5 8/6 8/10 8/11 8/12 8/13 8/16 8/18
		10/1

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p>
<p>Supplementary Planning Guidance (SPD)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide (February 2012)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p> <p>Ridgeons Site, Cromwell Road Planning and Development Brief (Draft December 2015)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p>

	<p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Modelling the Costs of Affordable Housing (2006)</p>
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#### 5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

For the application considered in this report, the following emerging policies are considered relevant:

- Site R12 Ridgeons, 75 Cromwell Road – site allocation
- Policy 33: ‘Contaminated land’
- Policy 36: ‘Air quality, odour and dust’
- Policy 68: ‘Open space and recreation provision through new development’
- Policy 73: ‘Community, sports and leisure facilities’
- Policy 82: ‘Parking Management’

## **6.0 CONSULTATIONS**

### **6.1 Policy Team (Planning Policy)**

No objection.

- Principle*

Part of the southern section of the site is allocated for residential use under site reference 5.14. The application site is allocated in the Emerging Local Plan under site reference R12 with an estimated capacity of 245 residential units. The Ridgeon's, Cromwell Road Planning and Development Brief was approved at the Development Plan Scrutiny Sub-Committee on 21 July 2016 in anticipation of the adoption of the Local Plan. The committee agreed that it should be carried forward for adoption as a Supplementary Planning Document at the same time as the Local Plan subject to the minor amendments. The brief is a material consideration for planning decisions. The Planning and Development brief notes that the site allocation has an approximate capacity of 245 dwellings. It does not state that this figure is a maximum capacity. Housing mix should be guided by Policy 5/10 (as noted above); the agreed character and form within the Planning and Development Brief and through consultation with the Council's Housing Services Team.

- Housing*



Paragraph 159 of the National Planning Policy Framework (NPPF) requires that local planning authorities assess their full housing needs to identify the scale and mix of housing and the range of tenures that the local population is likely to need. With this in mind it would be pertinent to apply more recent advice derived from the Strategic Housing Market assessment and found in Appendix 6 of the draft Affordable Housing SPD and take the following as a guide to housing mix:

- No more than 20% one bedroom general needs;
- At least 40% two bedroom general needs;
- 30% three bedroom;
- 10% four bedroom.

Further discussion should also be had with the Council's Housing Services Team to discuss housing mix.

- Community facilities*

The applicant should consult with the Council's Community Facilities team to help identify and provide a sustainable form of community facility.

- Open space*

The council adopted the Open Space and Recreation Strategy (2011) as a material consideration and as part of the technical evidence base for the Local Plan Review in October 2011. The application site is located in Romsey ward which the strategy identified as having a wide range of facilities for children of all ages but these were heavily used. There is also a lack of formal pitch provision in the ward and new developments had delivered inadequate open spaces to the detriment of existing open spaces. There is an identified need for public open spaces in Romsey. The proposal should take every opportunity to maximise on-site provision for both informal and formal playspaces.

## 6.2 Policy Team (Growth Projects Officer)

08.11.2016 & 21.08.2017

Request a statement that responds to the broad initial Affordable Housing SPD requirement in terms of the percentage

of affordable housing, the tenure split, bed spaces, siting and design.

15.09.2017

The 40% affordable housing commitment satisfies our need in the outline and that we will seek further detail at the reserved matters application stage.

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

Initial comment 09.11.2016

Objection. The access fails to provide a footway on both sides. There is an un-dimensioned pinch-point on the footway at the entrance. The illustrative masterplan omits footway provision outside many dwellings. The applicant needs to confirm whether they would seek adoption of the roads within the site.

Comment on applicant's response 30.08.2017

The access has been modified to provide adequate footways into the site, although the northern footway then terminates. Depending upon the final layout and, as the applicant points out, the layout is indicative (and therefore not accepted or binding), continuous footway provision may be required.

Recommend conditions relating to:

- o layout of the site, including roads, footways, cycleways, buildings, visibility splays, parking provision and surface water drainage;
- o future management and maintenance of the proposed streets
- o construction traffic management

### 6.4 **Cambridgeshire County Council (Transport Assessment Team – Major Developments)**

Comment 17.02.2017 & 20.02.2017 & 15.09.2017 & 07.11.2017

Objection. There are number of issues that need to be addressed within the Transport Assessment until the mitigation

package required for the additional pedestrians and cycle trips generated by the development can be agreed. Travel Plan should be secured through condition.

#### Comments 29.11.2017 & 12.01.2018

No objection. Subject to the following being provided/ secured through condition/ S106 agreement, in order to mitigate the development's impact on the highway network:

- The 3.5m wide cycle and pedestrian route provision through the site should be secured through condition.
- The development will result in additional cycle trips which were not experienced on the highway network as part of the Ridgeons site. The County Council therefore considers that in order to mitigate the development impacts that a contribution of £58,195 be provided towards the southern section of the Chisholm Trail east of the railway. This contribution has been calculated based on the expected cyclists, and rail trip generation associated with the development, compared to the expected levels of use identified for the southern section of the Chisholm trail identified in the TA for Phase 1 of the Chisholm trail.

Agreed contributions towards cycle route provision on Cromwell Road between the site southern entrance and to the junction with Coldhams Lane/Cromwell Road junction not required.

## 6.5 Environmental Health

29.11.2016 20.03.2017 & 24.03.2017 & 18.06.2017 & 02.12.2017

Objection. There is ambiguity concerning potential impacts from contaminated land and from noise impacts with the potential to cause significant adverse harm to health, quality of life / amenity. There is insufficient information and inadequate assessment of potential contaminated land and noise impacts to allow an informed decision to be reached.

05.10.2017 – noise and vibration assessment

The Noise and Vibration Assessment is acceptable and demonstrates that noise and vibration issues do not preclude

this site from residential development. Whilst the detailed design of the development (internal layouts, balconies/terraces) is not yet available, the applicant should seek to mitigate and limit noise through careful consideration of the location of external amenity space and noise sensitive rooms. Noise protection and mitigation on the development (construction and operational) can be controlled through conditions. Some may be more appropriate for the reserved matters stage.

#### 09.11.2017 – ground contamination

A significant amount of soil sampling and analysis has been carried out on the site. With the exception of pockets of TPH (hydrocarbons) and arsenic contamination and wider spread Polycyclic Aromatic Hydrocarbon (PAH) contamination, little has been found by way of gross contamination that would prevent redevelopment of this site to a mixed residential end-use from an Environmental Health perspective. However, we consider that the site has yet to be fully characterised, in particular the north and eastern of the site and following demolition of the main warehouse building. Recommend conditions for further ground contamination investigation, mitigation and remediation works.

#### Final comment 7 Nov 2017

Acceptable subject to conditions for contaminated land, construction management plan, construction and delivery/collection hours, odour control, plant noise, noise insulation and external lighting.

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

#### 28.11.2016

A series of four parameter plans have been submitted which will guide the overall structure, open space and scale and massing of a future reserved matters application. These plans have been informed by and are consistent with the draft SPD.

#### *Movement and access parameter plan*

The overall approach to the movement and access on the site is consistent with Figure 123 in the SPD. The parameter plan

identifies a further refinement of the access and movement patterns on the site that will create a well-connected route network for pedestrians and cyclists and a simple and logical route for motor vehicles. The parameter plan identifies 'route options for Chisholm Trail strategic cycle route' that allow for future flexibility for when the actual routing and alignment is agreed.

□ *Landscape parameter plan*

The Landscape plan is consistent with Figure 132 in the SPD through defining a central linear open space with more active uses (Locally Equipped Area for Play or LEAP) to the southern wider section. The parameter plan goes further to establish landscape fingers between the potentially taller apartment buildings to the west of the site. The overall landscape approach is considered acceptable in design terms but the overall area of open space shown on the plan should be identified.

□ *Building heights parameter plan*

Whilst the maximum number of storeys is consistent with the SPD, we are concerned about the overall maximum building heights. The parameter plan has to identify the upper height range because the purpose is to fix the maximum development envelope.

A percentage is also being applied to limit no more of a building footprint to be 3 storeys. The percentage is intended to help create a degree of articulation across the development.

The height caps, setbacks and maximum percentages must be considered alongside the circulation routes and minimum widths of open spaces which will all combine to ensure that a well-articulated form of development is secured on the development site.

□ *Urban design principles parameter plan*

The urban design principles plan provides a helpful step between the level of detail possible in both the SPD and the other parameter plans and a future Reserved Matters application.

The plan establishes primary and secondary frontages and associated wording establishes where richer and more simple architectural detailing will be appropriate.

The 'marker building' is identified from the SPD along with a further one that terminates the view from the main vehicle access into the site and a further two that signify buildings to address the proposed open space.

The parameter plan provides a level of prescription that will be helpful in guiding the form of a future Reserved Matters application and, when read in conjunction with the other parameter plans, is considered acceptable in design terms.

□ *Illustrative masterplan*

Needs to make the footpath to the eastern edge of the open space narrower and increase the width of the green space. Build outs for the trees on the mews lane to the west should be shown to break up the linear nature of this route.

Final comment 08.11 2017

The minimum area of open space to be provided (0.55ha) should be increased. The building heights are acceptable. A wider strip of planting should be provided on the northern side of the access. The proposed materials for the access are not stated. Question whether centre lines are required across the raised table and the site access 'street'.

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

02.02.2017

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

28.08.2017

The amount of open space to be provided needs to be clarified.

## 6.8 County Council (Chisholm Trail Team)

- The Chisholm Trail is a traffic free shared use route 3.5m wide. We would expect to see this standard, or some equivalent continued through the whole length of the site from Cromwell Road.
- The Chisholm Trail will be proposing modifications to the highway along the west side of Cromwell Road so as to achieve a space of 3.5m almost the whole way from the Coldham's Lane junction
- The inclusion of two dwellings beside the entrance road from Cromwell Road precludes the provision of an adequate width for the Chisholm Trail as it enters the site.
- The general site plan shows the continuation of the Chisholm Trail hard against the side of the distributor Road. We would prefer to see the Trail separated from the road by a line of trees so as to enhance its visual quality and amenity.
- We would anticipate that any road crossings within the site would be by means of raised pavement crossings which gave priority to pedestrians and cyclists.
- Plan 001 shows the walking and cycling routes where two options are shown in the south west corner of the site for the onward route via a new bridge to the City Depot site. At this stage it is not known which of the two options would be preferred by Network Rail, but in either case it is likely that the Chisholm Trail will have had to rise above ground level by the time it leaves the Ridgeons Land. The detailed design and layout of the planned buildings should make provision for this, either adjacent to or as part of the buildings themselves.
- The links onto Cavendish Road, Sedgwick Street and Cromwell Road are welcome for maximum permeability and convenience.

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

As part of the Chisholm Trail scheme there is a unique opportunity to install a cycle/pedestrian bridge over the railway line connecting this development to the new development at the Mill Road Depot. A bridge at this location would provide a significant addition to the network of cycling and walking routes and a major improvement to connectivity for cyclists and pedestrians in this part of the city. This project is in its early

stages so details of where the ramp would need to land and how much space within this site would be needed are not yet known. However, given the important potential benefits, a mechanism for safeguarding land within the development to accommodate a bridge ramp should be sought.

The vehicular access to the north of the site should have a footway on both sides of the road. There should be a 1.2m minimum gap between bollards at the pedestrian./cycle accesses. Details of the bollards should be conditioned. As well as Cambridge City Council Cycle Parking Standards any Reserved Matters application should comply with the Cambridge City Council Residential Cycle Parking Guide.

#### **6.10 Access Officer**

The Design and Access Statement makes no mention of use by disabled people. Including how disabled people will move through the site, and the number and design of Code 2 and Code 3 Housing. Further discussions required.

#### **6.11 Network Rail**

The developer should comply with the comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land including agreement of future maintenance arrangements, drainage details, boundary and landscaping details, external lighting, plant and materials, noise and vibration, and scaffolding.

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

No objection to the Sustainability Statement and Outline Energy Strategy which incorporate a range of sustainability measures. In terms of renewable energy, the Outline Energy Strategy suggests the proposed 800 m<sup>2</sup> of photovoltaic panels would deliver carbon reduction of 21.13%, which exceeds the requirements of policy 8/16 and as such is an approach that is supported. Moving forward to future reserved matters applications, it is suggested that a revised Energy Strategy with revised carbon calculations based on the more detailed design be submitted. Recommend conditions for renewable energy statement, water efficiency and site waste management plan.



### 6.13 Refuse and Recycling

The refuse plan is acceptable. Detailed comments regarding dropped kerbs, bin store locks, collection points and collection distances.

### 6.14 Environment Agency

Initial comment 28.11.2018

Objection.

This site is located above a principal aquifer. Groundwater beneath the site is known to be shallow and the site is known to be contaminated. The site is considered to be of high sensitivity and the proposed development presents potential pollutant linkages to controlled waters. Our records indicate that in the past, Cambridgeshire County Council expressed concerns about the levels of contamination at the site and required that a decontamination scheme be implemented. We do not have any records indicating that such a scheme has been put into effect and we anticipate that the associated costs have increased significantly.

It is very likely that site conditions as well as contamination levels below the site and in the groundwater may have altered. Therefore we are unable to support the planning application until satisfactory investigation findings and an associated risk assessment have been undertaken.

December 2016 – November 2017 – various correspondence and advice regarding ground investigation works.

14.12.2017 Comment on revised information

Objection withdrawn. Sufficient information has been provided to demonstrate that risks of pollution to controlled waters are understood and can be addressed through appropriate measures, subject to further monitoring and mitigation works. Recommend these can be controlled through conditions.

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

No objection. Supportive of the variety of SuDS features and green roofs proposed. Recommend condition for surface water drainage scheme and maintenance.

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

No objection subject to condition for surface water drainage works.

**6.17 Anglian Water**

The foul sewerage system and Cambridge Water Recycling Centre at present has available capacity for these flows. The surface water strategy is acceptable in principle however the results of the soakaway testing are not yet available. Recommend that the applicant needs to consult with Anglian Water and the Environment Agency once these results are available, in order to show compliance with the surface water hierarchy. Recommend condition for surface water management strategy and informative for discharging trade effluent from trade premises to a public sewer

**6.18 Head of Streets and Open Spaces (Biodiversity Officer)**

No objection subject to conditions for ecological design strategy including recommendations on sensitive lighting, installation of a minimum of 51 no. bat boxes, provision of suitable bird breeding and foraging habitats and bird boxes, and provision of varied habitats including hedgehog domes.

**6.19 Cambridgeshire County Council (Archaeology)**

The site is located in an area of high archaeological potential. Although a relatively unstudied part of the City, finds of prehistoric and Roman date in the vicinity, including Roman coins to the north suggest activity. There is also evidence for Saxon burials recorded to the west of the site and pottery of medieval date to the north west. It is likely that important archaeological remains will survive in the area and that these would be severely damaged or destroyed by the proposed

development. No objection but recommend that the site should be subject to a programme of archaeological investigation.

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

No objection.

**6.21 Cambridgeshire Fire and Rescue**

No objection subject to fire hydrants being secured through S106 or planning condition, and development should be in accordance with building regulations with regard to access and facilities for the Fire Service.

**6.22 Cambridge Airport**

No objection.

**6.23 Cambridge Past Present and Future**

Support the principle of development. Concerns regarding prematurity given the ongoing examination of the draft Local Plan, options regarding the location of a new railway bridge and community facility, the size and scale of the development in terms of numbers of units and heights of building, the number of affordable units and what constitutes affordable, the amount of green space, the relationship of the Chisholm Trail and the site, and public art provision.

**6.24 Developer Contributions Monitoring Unit (DCMU)**

See 'Planning Obligations Section of this report.

**6.25 Cambridgeshire County Council (Education)**

See 'Planning Obligations Section of this report.

6.26 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:

- 17 Cromwell Road
- 19 Cromwell Road
- 53 Cromwell Road
- 21 Cavendish Place
- 17 Romsey Road
- 73 Brampton Road

7.2 A representation objecting to the proposal has also been received from a representative of Cromwell Road Residents.

7.3 The representations can be summarised as follows:

### Principle and housing provision

- Too high proportion of flats proposed.
- More housing for elderly and disabled should be provided.
- Affordable housing inappropriate for quiet, private residential area.
- Density too high and cannot be supported by local infrastructure
- Proposed development would exacerbate oversubscription at St Phillips School.
- Site provides opportunity for new school or pre-school provision.
- Proposed nursery should be integrated into new school.
- Object to wording of 'nursery and/or community facility' and potential for this facility to be turned into dwellings in the future.

### Response to context

- Over-development on the site and density too high
- Unsustainable development
- Density, height and style of buildings out of character with surrounding area and conservation area.
- Design should reflect the heritage and vibrancy of the surrounding area.
- Impact of massing on views from Fairfax Road and Sleaford Road.

- Creating a 'wall' alongside the railway line which would also be visible in views from passing trains impacting on continuity within the conservation area.

### Residential amenity

- Existing site is a good neighbour.
- Impact of flats on No. 17 Cromwell Road
- Light and noise pollution
- Loss of privacy
- Loss of light and overshadowing.
- Sense of enclosure from scale of buildings
- Living conditions with flats

### Open space provision

- Inadequate and unusable design of open space which fails to provide space for recreation and exercise for future residents or residents of Romsey.
- Lack of alternative or accessible open space and play facilities within the vicinity
- Proposal does not provide outdoor space for the proposed nursery.
- Object to further intensification of use of Coldham's Common as an alternative to open space provision on site which is also too distant and inaccessible from the site.
- Unable to demonstrate a commutable open space contribution towards reasonable alternative.
- No available space within Romsey to deliver informal green space, allotments or playing fields or to purchase suitable sites through commuted sums.

### Transport impacts

- Impact of additional traffic along Cromwell Road
- Traffic generated by nursery/community facility and Chisholm Trail.
- Insufficient car parking with impact on overspill parking on surrounding streets impacting on residential amenity and character.
- On-street parking should be kept to a minimum to avoid risk to pedestrians and cyclists
- Cycle route should not go through this area which is too busy and noisy

- Cavendish Road not suitable access route for cyclists
- Completion of Chisholm Trail is essential to give new residents alternative to avoid adding traffic congestion and should be a condition on consent.
- Chisholm Trail Cycle Bridge over the railway linking Romsey and Petersfield is welcomed and sufficient space should be designated for this on the site.

### Other matters

- Potential for Great Crested Newts and protected spaces such as common toad using the pond at the northern end of the site which needs to be assessed.
- No net gain for biodiversity on the site, better enhancements are required and should be integrated into the design.
- Nat8ive planting and creation of corridors through the site should be included.
- Public art needs to be integrated into the design and relevant to the site and surrounding context.
- Object to applicant's request to extend period within which to submitted reserved matters.
- 21 day consultation period inadequate given scale of application documents.

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. Affordable Housing and Housing Mix
3. Context of site, design and external spaces
4. Impact on heritage assets
5. Residential amenity
6. Highway safety
7. Car and cycle parking

8. Refuse arrangements
9. Access
10. Ground contamination
11. Drainage and flood risk
12. Ecology
13. Archaeology
14. Renewable energy and sustainability
15. Public Art
16. Implementation Period
17. Third party representations
18. Planning Obligations (s106 Agreement)

### **Principle of Development**

- 8.2 The adopted Cambridge Local Plan (2006) allocates the southern part of the site amounting to 0.8ha for housing (site allocation 5.14). Thus the principle of redevelopment for housing on this part of the site is positively supported by the adopted Local Plan in accordance with policy 5/1.
- 8.3 The northern part of the site is unallocated within the adopted Local Plan. The existing use is as a builders' merchant's yard. This use is not protected under the policies of the adopted Local Plan. Thus the loss of this use is acceptable in principle.
- 8.4 Local Plan policy 5/1 supports proposals for housing development on windfall sites subject to the compatibility with adjoining uses. The site is within a predominantly residential area and shares boundaries with residential properties along Cromwell Road and Cavendish Road. The northern part of the site would be an extension to the existing residential site allocation and by inference, the proposed is considered to be an appropriate for this part of the site also.
- 8.5 Moreover, the whole site including the northern part is a proposed housing allocation site in the draft Local Plan 2014. This is a draft allocation, however some weight can be given to residential redevelopment of the whole site through the draft Local Plan. The draft Planning and Development Brief SPD

(2015) which promotes residential development on the whole site has been agreed by the Council as a material consideration in decision making for planning applications, albeit not formally adopted.

- 8.6 Thus, the principle of residential use on the allocated southern and unallocated northern parts of the site is considered to be acceptable in accordance with the adopted Local Plan policy 5/1.
- 8.7 The proposal also includes a nursery and/or community on the site. The need for these facilities was identified during consultation on the preparation of the Planning and Development Brief SPD and is discussed in the 'planning obligations' section below. The proposal is in accordance with the SPD and the provision of these facilities is supported in principle in accordance with Cambridge Local Plan (2006) policy 5/12 and 10/1.

### **Affordable Housing and Housing Mix**

- 8.8 The proposal commits to the delivery of 40% of the proposed residential dwellings as affordable housing. Based on the proposed 245 dwellings, this would deliver 98 affordable units. This is in accordance with adopted Local Plan policy 5/5 and the Affordable Housing SPD (2008). The 40% affordable housing commitment would be secured through a S106 Agreement.
- 8.9 The outline application does not seek to fix the tenure split of the affordable housing or the housing mix. The Council's Growth Projects Officer has advised that this is acceptable and these details will be agreed at the reserved matters stage. This allows a degree of flexibility for the mix to respond to the site conditions and housing need at the time when the reserved matters application is submitted.
- 8.10 Nonetheless, the applicant has provided an indicative housing mix for affordable housing within the Design and Access Statement and demonstrated on the illustrative masterplan that this could be accommodated on the site in compliance with the proposed parameter plans. The indicative mix for the 98



affordable units has been prepared on the basis of the standards within the Council's Draft Affordable Housing SPD.

	<b>1-bed dwellings</b>	<b>2-bed dwellings</b>	<b>3-bed dwellings</b>	<b>4-bed dwellings</b>
<b>% provision</b>	No more than 20%	At least 40%	30%	10%
<b>Indicative mix based on 98 affordable units</b>	19 (19.4%)	40 (40.1%)	30 (30.6%)	9 (9.2%)

8.11 Local Plan policy 5/10 requires housing development sites of 0.5ha - or capable of accommodating 15 or more dwellings - to provide a mix of dwelling sizes and types for market as well as affordable housing. The Ridgeons Site SPD also encourages a range of building and housing types in a mixture of houses and flats. The mix of housing types will be agreed through reserved matters. However I am satisfied that the parameter plans have been prepared to promote and accommodate a mix of housing types.

8.12 For these reasons, in my opinion the proposal accords with Cambridge Local Plan (2006) policies 5/5 and 5/10, subject to the completion of a S106 Agreement and details to be secured through reserved matters.

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

8.13 This section considers the four parameter plans and the detailed access plans that have been submitted for approval. The illustrative material that accompanies the parameter plans is referred to.

#### Movement and Access Parameter Plan (MAPP) and detailed access plans

8.14 The MAPP proposes the main access at the same point as the existing main entrance from Cromwell Road between Nos. 73 and 77. This would form the sole vehicular access (other than emergency access) as well as pedestrian and cycle access. A second pedestrian, cycle and emergency access would be

taken from Cromwell Road between Nos. 53 and 55. This would also allow access to be retained to the residents and businesses at Nos. 23-73 Cromwell Road. A third pedestrian and cycle access would be provided to connect to the existing track between Nos. 21-23. Finally, a fourth pedestrian and cycle access is proposed onto Cavendish Road adjacent to No. 1 Cavendish Place. The pedestrian and cycle only accesses would be controlled to prevent vehicular access other than for emergency vehicles.

- 8.15 Within the site, the MAPP shows a hierarchy of primary, secondary, tertiary and smaller 'mews' routes. The MAPP does not seek to agree the exact alignment of these internal routes, however it would establish the overarching strategy for vehicle, cycle and pedestrian connectivity across the site. The primary route through the site would run north-south through the site connecting to the main access from Cromwell Road. A secondary route on the western side would form a loop through the site with the main route. The southern part of the site would be served by tertiary routes which would feed smaller 'mews' streets. A minimum of four pedestrian routes at least 11m wider are proposed to connect the open space in the middle of the site with the western part of the loop road.
- 8.16 Overall, the approach to movement and access is consistent with the SPD. I share the view of the Urban Design Team that the proposal would create well-connected network for pedestrians and cyclists and a simple and logical route for motor vehicles. In my opinion, the access points and hierarchy of routes shows good connectivity and permeability through the site and with existing routes.

□ *Chisholm Trail*

- 8.17 The Chisholm Trail is a Greater Cambridge City Deal Project that seeks to deliver a designated cycle and pedestrian link from the Science Park in to the north to Addenbrooke's and beyond to the south. The application site connects the northern part of the trail which passes over Coldham's Common to the railway sidings to the south that will provide the off road link to the railway station and Addenbrooke's. In accordance with the SPD, the proposal commits to a designated cycle and pedestrian link through the site to deliver this section of the

Chisholm Trail. This would be secured through a condition requiring details of the route and connections at the boundaries to be submitted. The route is expected to be 3.5m wide and to utilize off road routes where possible.

8.18 The final alignment of the Chisholm Trail is still to be agreed and so the MAPP identifies various route options. The County Council's aim is to provide a western link from the site to the railway sidings which would provide a route for the Chisholm Trail avoiding Cavendish Road. This requires access to be agreed from other land owners – namely Network Rail – which is currently under negotiation and is outside the scope of the current application. The MAPP secures these preferred route options within the proposed development. However, should access onto the Network Rail sidings not be agreed and the Chisholm Trail to be routed via Cavendish Road, then the proposal includes a fallback option to use the proposed pedestrian and cycle access onto Cavendish Place.

8.19 As part of the Chisholm Trail, there is a potential opportunity to install a cycle/pedestrian bridge over the railway line connecting Romsey with Petersfield via development on this site and the Mill Road Depot site on the opposite side of the railway line. The Cycling and Walking Officer has advised that this project is in the early stages and depends on consultation with stakeholders, including negotiating permission from Network Rail for the bridge to cross its land. The applicants have agreed in principle for the bridge ramp to be located within the site. Should plans for the bridge come forward in the future, this would be in the form of a standalone planning application which would need to include landing areas and ramps. However, the condition I have recommending requiring details of the Chisholm Trail and its connections at the site boundaries would ensure that development on the Ridgeons site is compatible with plans for the bridge, should these progress.

8.20 Connecting northwards, the MAPP shows route options for the Chisholm Trail to connect onto Cromwell Road using the main northern access or either of the two proposed pedestrian/cycle accesses to the south. The detailed plans for the main northern access do not show a designated off-road cycle path, however cyclists would be able to use the carriageway. The detailed plans for the pedestrian, cycle and emergency access to the

south do show a 3.5m wide cycle route. The County Council has plans to upgrade Cromwell Road once Ridgeons relocate from the site to provide a 3m wide cycle link on the western side of Cromwell Road, so use of the second access would connect to a suitable wider network. The third access between Nos. 21-23 Cromwell Road could also provide a link for the Chisholm Trail. However, this would utilise unregistered land which is outside the applicant's control and the scope of the outline application, so cannot be secured at this stage.

□ *Details access drawings*

- 8.21 The detailed plans submitted for approval comprise the main access, the secondary pedestrian/cycle/emergency access onto Cromwell Road and the pedestrian/cycle link to Cavendish Place.
- 8.22 The plans for the main access show the existing carriageway would be narrowed to a minimum of 5.5m wide to provide a more domestic character. A raised table is proposed which would cover the junction extending to parts of Cromwell Road outside the application site boundary and subject to a separate S278 consent that will be required.
- 8.23 During the course of the application, requests were made from the Highways Authority and the Cycling and Walking Officer for footpaths to be provided on both sides of the access (as opposed to on the southern side only). Revised plans were submitted showing a footpath on the northern side providing pedestrian access into the site. This would terminate at a crossing point directing users to cross onto the footpath on the southern side. The crossing point would be set back from the junction and would be demarcated by tactile paving on both sides. The Highways Authority is satisfied this provides adequate footpaths into the site. I am satisfied with this arrangement which does not preclude plans coming forward for a longer footpath on the northern side in the reserved matters applications.
- 8.24 The Urban Design team has requested a wider strip of planting on the northern side of the main access to allow more meaningful planting to be provided. This was not raised by the Landscape Officer and I consider that a suitable landscaping

scheme can be secured through conditions, which can also take account of parking arrangements. The Urban Design team has also commented that the proposed materials for the raised table need to be submitted to ensure that it provides a contrast to the prevailing materials, and have questioned whether centre lines are required across the raised table and the site access 'street'. This is a highway matter and I consider the arrangement as shown to be acceptable.

- 8.25 Detailed plans for the two pedestrian, cycle and emergency accesses onto Cromwell Road and Cavendish Road have also been submitted for approval. This shows modification of the existing secondary vehicle access onto Cromwell Road to prevent vehicular access, other than for access to the rear of the neighbouring properties and emergency access into the site. The existing bell-mouth would be removed and replaced with a dropped kerb access. The width would be 5.3m closest to the junction and narrowing to 3.7m. Bollards would be positioned approximately 40m from the junction. The access onto Cavendish Place would be 3.5m wide and shows indicative bollards set back 2m into the site. The Cycling and Walking Officer has recommended there should be a 1.2m minimum gap between bollards and that details of the bollards should be conditioned. I am satisfied that this is covered under the landscaping condition.

#### Landscape Parameter Plan (LPP)

- 8.26 The delivery of accessible and useable open space on the site is one of design principles set out within the site SPD. The SPD envisions an open space in the heart of the new development, allowing views and accessibility for new and existing residents. The LPP sets out the proposed areas of open space and general landscaping principles. While the detailed landscaping of these spaces is reserved, the illustrative masterplan and Design and Access Statement provide an indication of how these spaces could be used.
- 8.27 The proposed LPP is consistent with the SPD, defining a central linear open space with a larger green area to south with space for more active uses including a Locally Equipped Area for Play (LEAP). The LPP also shows a triangular area in the northern corner. The parameter plan also establishes a minimum of at

least four landscape fingers between the apartment buildings on the western side of the central open space with a minimum width of 11m. The LPP also shows the primary route through the site and the two connections to Cromwell Road would be tree lined.

8.28 In terms of the amount of open space, the site SPD does not set a minimum onsite provision. However, the areas of open space shown on the LPP are similar in scale to those shown on the open space plan within the SPD. During correspondence with the agent, the area of the open space shown on the LPP was confirmed to be 0.64ha comprising:

- Central open space: 0.44 ha
- Four landscape fingers: 0.10 ha
- Northern triangle: 0.10 ha

8.29 Following comments from the Urban Design team, the LPP was updated to fix a minimum amount of open space that would be delivered. The applicant initially requested that the figure be set at 0.55ha to provide a degree of flexibility to allow for unknown constraints that could emerge in the detailed design stage including, for example, the eventual alignment of the Chisholm Trail. Officers acknowledge that some degree of flexibility is required in order to ensure that the parameter plans are deliverable. However, recognising that the delivery of open space is important to the quality of the development and the aspirations for the site, officers negotiated a higher minimum provision at 0.60ha which was agreed and shown on a revised LPP. A minimum of 65% of the total central open space would provide recreational space free from any drainage attenuation measures above ground.

8.30 The Council's Open Space and Recreation Strategy (2011) sets standards for informal open space, provision for children and teenagers, outdoor sports and allotments that developments should deliver. This is calculated based on the number of future occupants. At the outline stage, this is unknown as the final number of dwellings and the mix of dwelling types has not been fixed. However, the applicant has estimated 579 occupants based on the indicative housing mix, which can be used to estimate the open space provision. I have provided this in the table below.

8.31 The central open space, landscape fingers and northern triangle would provide informal open space. The applicant has committed to providing one local equipped area for play (LEAP) and local areas of play (LAPs) as shown on the LPP. This was an aspiration set out in the SPD based on consultation with local residents and other stakeholders. Outdoor sports and allotments would be through offsite commuted sums to identified projects, as set out in the planning obligations section of this report.

<b>Type of open space</b>	<b>Adopted standard per 1000 people</b>	<b>Requirement based on 579 occupants</b>	<b>Onsite provision</b>	<b>% Onsite provision</b>
<b>Informal open space</b>	1.87 ha	1.08 ha	0.43 ha	40%
<b>Provision for children and teenagers</b>	0.3 ha	0.17 ha	0.17 ha	100%
<b>Outdoor sports</b>	1.2 ha	0.69 ha	No on-site provision	0%
<b>Allotments</b>	0.4 ha	0.23 ha	No on-site provision	0%

8.32 In terms of the amount of each use, for the purposes of this assessment, I have deducted the 0.17ha provision for children and teenagers from the 0.60ha minimum green space to calculate a minimum 0.43ha informal open space. The buffer zones for the LEAPs and LAPs would be provided within the informal open space. This amounts to 40% onsite provision of informal open space against the standards (based on the estimated future occupancy). The remaining 60% (or final amount based on actual housing mix) would be covered through planning obligations. The Council has identified projects within the Romsey Ward including towards the provision and/or improvement of facilities at Coldham's Common and Great Eastern Street.

8.33 The Local Plan and the Open Space and Recreation Strategy do not provide any specific guidance about the percentage of

open space that must be provided onsite as opposed to commuted sums for offsite provision. The Inspector on the Pym Court development (elsewhere on Cromwell Road) (11/0902/REM) accepted that a shortfall of onsite provision against the standards would not involve any material conflict with any of the relevant policies or guidance. Policy 3/8 states that 'provision should be on-site as appropriate to the nature and location or development or whether the scale of development indicates otherwise through commuted payments'. For the current application, in my opinion, there are material considerations which indicate that the proposed onsite provision is appropriate

8.34 Firstly – and significantly - as previously stated, the LPP is consistent with the site SPD in terms of the areas of open spaces shown. The SPD is a material consideration which was prepared in consultation with local residents and in the context of the current open space standards. I must give significant weight to this and conclude that the Council has already agreed in principle to the general areas of open space shown.

8.35 Secondly, the site SPD envisions an accessible open space which should be 'welcoming and capable of fulfilling a range of activities for different age groups' (para 4.4.1), such as children's play, informal ball games, picnics, places to rest and community events. The illustrative masterplan and the Design and Access Statement give an indication of how the spaces could be landscaped and used, including how sustainable urban drainage features would add to the variety of landscapes. This shows a large open space for recreation in the southern part, an undulating land-form within the linear park, and a rainwater garden in the northern part of the linear park. The northern triangle of open space shows attenuation ponds, wildflower meadow grass and new tree planting which will give this space a different character to the central park. In my opinion, the illustrative masterplan demonstrates how the open space would be high quality and in accordance with the vision of the site SPD.

8.36 Finally, the future occupants would have good access to alternative offsite open spaces. The site is within half a mile of Coldham's Common and 500m of the Great Eastern Street open space area. Coldham's Common in particular provides



ample accessible open space for recreation, including grass sports pitches, astroturf pitches, paddling pool and informal open spaces, as well as a large equipped area of play in the southern part. The financial contributions towards improvements to these facilities would directly benefit the future occupants. The Inspector on the Pym Court development (11/0902/REM) established that Coldham's Common provides a reasonable alternative to onsite provision. The additional distance to the Ridgeons site compared to Pym Court is not significant in my opinion.

- 8.37 Third parties have raised concerns about the distance and accessibility of Coldham's Common from the site. The common would be accessed from the site via a footpath along the western side of Cromwell Road. There are several uncontrolled crossing points over the accesses into Winstanley Court, Hampden Garden and Pym Court, however these are relatively minor junctions. There is an alternative uninterrupted footpath on the eastern side of Cromwell Road. The footpaths on both sides connect to controlled crossing points over Coldham's Lane directly to the common. The Highways Authority has not raised an issue with increased use of this junction as a result of the proposal, and the Cycling and Walking Officer has not raised concerns about this junction in relation to the site's connections to the wider pedestrian and cycle network.
- 8.38 Third parties have also raised concerns about the intensification of use of the common for recreation. The common is well-managed by the Council for recreational and environmental purposes. The financial planning obligations to be secured through the proposed development would improve the recreation facilities and landscaping on the site. The Council's Biodiversity Officer has not raised concerns about the site's impacts on wider environmental sites including the common. In my opinion, the common could accommodate an increase in use from the proposed development without significant harm.
- 8.39 For these reasons, in my opinion the onsite provision is acceptable in terms of the amount and quality of the spaces proposed, and given the availability of alternative open spaces. This approach is consistent with the Inspector's decision on the Pym Court scheme (11/0902/REM) which makes it clear that it would be difficult to defend a reason for refusal based on the

argument that the percentage provided is too low. The Landscape Officer supports the proposal and has recommended conditions for a hard and soft landscaping scheme, landscape maintenance plan and replacement planting, landscape management plan and boundary treatments. I have applied these conditions.

#### Building Heights Parameter Plan (BHPP)

- 8.40 This parameter plan shows the building storeys consistent with the SPD, proposing buildings up to three storeys on the eastern and southern parts of the site, increasing to up to six storeys on the western part adjacent to the railway line. The lower development on the eastern and southern parts would relate well to the existing dwellings along Cromwell Road and Cavendish Road so that the development would sit comfortably with its surroundings. The taller development on the western part would be furthest away from existing properties and adjacent to the railway line where larger-scale development can be accommodated. It would also successfully define the western edge to the open space.
- 8.41 During the course of the application, the Urban Design team requested that the BHPP should include maximum building heights to fix the maximum development envelope. This is because variations in floor to ceiling heights can result in buildings with the same number of storeys having different overall heights. The applicant has submitted a revised BHPP which sets a maximum height for 6 storey buildings 21m and for 3 storey buildings are being 12m high. The Urban Design team is satisfied that these heights would be appropriate for the site and the surrounding context. This would set the maximum envelope for development on the site; however the site-specific urban design, residential amenity and other material considerations will determine the final heights of each building through under reserved matters.
- 8.42 The BHPP provides further details to secure variety in building heights across the site to help create visual interest and character, as required by the SPD. The notes annotated on the drawings state that on the western part of the site, no more than 25% of the footprint can be 6 storeys. It also identifies a requirement for at least 25% of buildings over 4 storeys must

have the uppermost floor set back of 2m. The southern and eastern parts must have no more than 75% of the building footprint to be 3 storeys. The Urban Design team has advised that the setbacks and maximum percentages – alongside the heights, circulation routes and minimum widths of open spaces – combine to ensure a well-articulated form of development is secured on the development site. I accept this advice.

#### Urban Design Principles Parameter Plan (UDPPP)

- 8.43 This plan provides a step between the level of detail possible in both the SPD and the other parameter plans and a future Reserved Matters application. The general approach – consistent with the SPD – is to create primary frontages with richer architectural detailing onto the central and northern open spaces and secondary frontages along the western loop road and lower hierarchy roads in the southern part of the site. Corners are identified for primary frontages and marker buildings are identified within the larger development on the western part of the site. The Urban Design team supports these urban design principles.
- 8.44 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

#### **Impact on heritage assets**

- 8.45 The site is outside the conservation area, however the southern boundary where it abuts Cavendish Road is adjacent to the northern boundary of the Romsey Town character area within the Mill Road Area of the Central Conservation Area. The site also faces parts of the conservation area on the opposite side of the railway line. The site therefore forms part of the setting of the conservation area. This is a relevant consideration under Local Plan policy 4/11. The SPD also identified listed buildings within the wider area, however the development site would not affect the setting of these assets, in my opinion.
- 8.46 As discussed above, the parameter plans have been prepared on the basis of splitting the site into different character areas within the site, as indicated in the Design and Access Statement. The lower building heights and arrangement of mews streets in the southern part would relate well to the

character of traditional development within the adjacent conservation area, which is part of the Romsey Town Area characterised by terraced properties. The arrangement of properties around a central open space would be similar to traditional forms of development within the wider area.

8.47 I am satisfied that the larger development on the western side can be accommodated on the site without significant harm to the setting of the conservation area. This approach to 'build up' building heights towards the back of the site and adjacent to the railway line has been supported on the sites to the north. While the Ridgeons site is closer to the conservation area, I am satisfied that parameter plans will provide a good transition in scale to the Romsey Town Area to the south. The significant width of the railway line would minimise harm to the setting of conservation area to the west, subject to detailed design.

8.48 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/11.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

8.49 The nearest residential properties are those along the western side of Cromwell Road, those on the northern side of Cavendish Road, Nos. 77-83b Coldham's Lane and the flats within Winstanley Court. At the outline stage, the relevant matters to consider in terms of the impact on residential amenity are the impact of the proposed built form and environmental health matters.

#### *Built form*

8.50 The neighbouring houses are predominantly two storey or three storeys with some flatted development in Winstanley Court up to 5 storeys (plus a pitched roof). The properties along Cromwell Road and semi-detached or detached with rear gardens. Typically, these gardens are long and provide some buffer to the application site. However, some relationships are more sensitive including Nos. 17-21 Cromwell Road, Nos. 127-131 Cavendish Road and Nos. 77-83b Cromwell Road, which

have shorter gardens. Cavendish Place is unusual in being built with the rear elevation on the boundary with the application site and no rear garden.

8.51 The proposed BHPP shows the transition in building heights from up to six storeys on the western side of the site to a maximum of three storeys on the eastern and southern sides. This would manage the transition within the site so that the development immediately adjacent to existing dwellings is of a comparable scale. The proposed layout in the MAPP shows the rear of properties backing onto the Cromwell Road, Cavendish Road and Cavendish Place properties. The triangle of open space shown on the LPP at the northern end would provide a buffer with the neighbouring properties to the east.

8.52 The illustrative masterplan shows how the proposed density of development could be accommodated within the parameters (subject to details). I am confident that this shows the amount of development and the proposed parameters are appropriate for the site. The site layout and building heights respond to the surrounding context – including the scale of neighbouring properties and the varying lengths of their gardens – such that the development envelope would have an acceptable relationship in terms of overbearing and overshadowing. The site specific impact on individual neighbouring properties will be carefully considered during the reserved matters applications.

□ *Environmental Health matters*

8.53 The Environmental Health team has recommended conditions for a construction management plan and to control construction and delivery/collection times in order to protect residential amenity, and I accept this advice. The conditions the Environmental Health team have recommended regarding noise and odour control in order to protect the amenity of future and neighbouring occupiers would be dealt with through reserved matters applications when more details are known for example about the community facility.

8.54 In my opinion the outline 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

8.55 At the outline stage, the amenity considerations are the amount of open space, and the impact of noise and vibration from the railway. Ground contamination is considered in the separate section below. Other matters will be considered through the reserved matters.

### *Open space*

8.56 I have provided my assessment of the open space provision in the section above on the LPP. In my opinion, the proposed onsite provision is acceptable and would be mitigated by commuted sums towards offside provision. The Council would expect units of more than 1-bed to have access to private amenity space as these could be occupied by families. Private amenity space should be brought forward in the form of gardens or useable patios/balconies/terraces.

### *Noise and vibration*

8.57 The Environmental Health team has reviewed the Noise and Vibration Assessment submitted by the applicant and has advised that the noise and vibration levels based on monitored and modelled data would not preclude residential development on the site, including external amenity spaces adjacent to the railway line. The impact can be 'designed-out' in the detailed design, including consideration of the internal layout, as well as ventilation systems without opening windows and glazing specifications.

8.58 In my opinion the outline application has established that a high-quality living environment and an appropriate standard of residential amenity for future occupiers can be provided, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Highway Safety**

8.59 The footpaths and radius of the junction of the main vehicle access onto Cromwell Road were revised during the course of the application to address concerns of the Highways Authority.

The revised proposal includes a footpath on the northern side of the access and a crossing point demarcated by lowered kerbs and tactile paving. The main access also includes a raised table covering the Cromwell Road junction. No concerns were raised regarding the detailed drawings for the secondary pedestrian/cycle/emergency accesses onto Cromwell Road and Cavendish Road.

- 8.60 The detailed access drawings would be secured through conditions including additional conditions requested by the Highways Authority, albeit in a reworded form in some instances. The delivery of works within the public highway – namely the raised table on Cromwell Road - would be secured through the S106 Agreement and S278 consent. Subject to this, I accept the advice of the Highways Authority and in opinion the outline proposal and detailed access arrangements would have an acceptable impact on highway safety in accordance with Cambridge Local Plan (2006) policy 8/2.

### **Transport Impacts**

- 8.61 The Highways Authority has reviewed the applicant's transport statement and subsequent technical notes. The proposal would result in fewer motorised vehicular trips on the highway network during the AM peak, however there would be increases during the PM peak compared to the existing use. The development does however result in additional daily cycle trips of 499 and additional daily pedestrian trips of 867 on to the surrounding highway network. The Highways Authority has advised that the development is not expected to result in a severe impact on the capacity of nearby junctions.
- 8.62 The proposal would bring forward a section of the Chisholm Trail through the site, which would be secured through a condition. The Transport Team has commented that this goes some way towards mitigating this impact, however there will also be a notable number of additional pedestrian and cycle trips travelling north and south of the site utilising the Chisholm Trail. The development is expected to have the greatest impact on the southern section of the Chisholm Trail which would connect the site to the railway station. Therefore a financial contribution is requested towards the delivery of the southern section of the Chisholm Trail which meets the CIL Regulations.

8.63 The Transport Team had requested that cycle route provision on Cromwell Road between the site southern entrance and to the junction with Coldhams Lane/Cromwell Road junction should be provided by the developer. In response, the applicant contended that the majority of the journeys from the site would be to the south of the site towards the station and not to the north. The Transport Team agreed the development impact on Cromwell Road could not be considered to be severe and therefore the County Council withdraw its request for mitigation for this impact. I accept this advice.

8.64 Subject to a condition securing the deliverance of the Chisholm Trail, S106 contributions and to a travel plan condition as recommended by the Highways Authority, in my opinion the impact on the local highway network would be acceptable and the proposal would comply with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

8.65 The outline application does not seek to fix the car and cycle parking provision on the site which should be brought forward through reserved matters in accordance with the Council's adopted standards and the aspirations of the SPD. The applicant has shown in the Design and Access Statement and the illustrative masterplan how the standards could be met on the site.

*Car parking*

8.66 The SPD suggests a car parking ratio of one space per dwelling with visitor parking spaces provided on a ratio of 0.25 spaces per dwelling. In accordance with this and the Council's standards for nursery and community uses, the Design and Access Statement has calculated car parking provision as follows:

<b>Use</b>	<b>Number of spaces required by SPD/standards</b>
Residential parking (1:1 Ratio)	245



Visitor parking (0.25:1 Ratio)	61
Nursery / community use	2
Car club	2
<b>TOTAL</b>	<b>310</b>

8.67 The SPD recommends car parking should be provided in a variety of typologies including on-street bays, on-plot spaces, parking courts and under-croft parking. The illustrative masterplan and Design and Access Statement show how 310 spaces could be accommodated on the site using basement parking (190 spaces), on-street parking (105 spaces), on-plot parking (18 spaces). This is considered to deliver a balance between convenient parking, impact on street character and delivery of open space.

8.68 In my opinion, the application has satisfactorily demonstrated that acceptable parking levels can be delivered on the site within the parameter plans. The detail on the number of spaces and the typologies will be secured through reserved matters. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

*Cycle parking*

8.69 The Design and Access Statement suggests options for cycle parking including a mix of communal and private stores. I am satisfied that the detail can be secured in accordance with the adopted standards and guidance through the reserved matters and conditions. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

**Refuse arrangements**

8.70 Similarly, the outline application does not seek to agree refuse and recycling details which should be brought forward in accordance with the RECAP Waste Management Design Guide through the reserved matters. The applicant has provided an illustrative refuse and recycling strategy within the Design and Access Statement. This shows communal stores for the apartment blocks and private stores for the houses, and shows a potential route for refuse vehicles through the site. I am

satisfied that this demonstrates suitable refuse arrangements can be delivered on the site, subject to details.

### **Access**

8.71 The Access Officer has commented that the application submission makes no mention of use by disabled people, including how disabled people will move through the site, and the number and design of Code 2 and Code 3 Housing. These are matters that would be considered through reserved matters. The applicant has been made aware of these concerns which should be subject to further discussions going forward.

### **Ground contamination**

8.72 The current and previous uses of the site include: a builder's merchant; a location for warehouses; storage yards; vehicle washing; under and above ground storage tanks; chemical storage and; electricity substation, which are uses known to be potentially contaminative. A significant amount of site investigation work has already taken place, although the intrusive works are not yet complete. This has been closely examined from a human health perspective by the Environmental Health team and harm to controlled/groundwaters by the Environment Agency, who have advised as follows.

8.73 The Environmental Health team has advised that, with some exceptions, little has been found by way of gross contamination that would prevent redevelopment of this site for residential use. However, the contamination risks on the site have not yet been fully investigated, in particular the north and eastern parts of the site and the areas beneath the buildings. Further ground contamination investigation, mitigation and remediation works have been recommended by the Environmental Health team as being necessary and sufficient to mitigate risks to human health, and I accept this advice.

8.74 The site directly overlies a principal aquifer which is highly permeable and supports water supply and river base flow on a strategic scale. The overlying soils are classified as having a high leaching potential, meaning they can readily transmit a wide variety of pollutants to the groundwater. The Environment

Agency has liaised closely with the applicant's consultants during the course of the application and is satisfied that sufficient information has been provided to demonstrate that risks of pollution to controlled waters can be addressed through conditions for further onsite and offsite monitoring.

- 8.75 I accept the advice of the Environment Agency and have combined their requested conditions with those recommended by the Environmental Health team and Lead Local Flood Authority.

### **Drainage and flood risk**

- 8.76 A Flood Risk and Drainage Statement has been submitted which has been reviewed by the Council's Sustainable Drainage Engineer and the Lead Local Flood Authority. The proposed redevelopment offers the opportunity to reduce the total volume of run-off and the peak discharge rate by decreasing the area of impermeable hard surfacing and buildings. The proposal is to incorporate sustainable urban design features into the open space to manage the outflow of water into the Cromwell Road sewer. Onsite attenuation is proposed in the form of retention swales, shallow drainage basins and attenuation tanks beneath the open space, subject to reserved matters. Consultees support the proposal in principle and have recommended conditions for a detailed surface water drainage strategy and maintenance plan. I accept this advice and in my opinion, the sustainable drainage strategy could enhance the informal open space by introducing a variety of landscape features.

### **Ecology**

- 8.77 A Preliminary Ecological Appraisal and bat and bird surveys have been submitted. The site is dominated by hard-surfacing and buildings, and the habitats on the site are identified as being of low ecological importance. Evidence of breeding birds was recorded and the potential for roosting bats was also identified, however no bat roosts were found on the site. The Council's Biodiversity Officer is supportive subject to a condition for an Ecological Design Strategy incorporating recommendations on sensitive lighting, installation bat boxes, provision of suitable bird breeding and foraging habitats and

bird boxes, and provision of varied habitats including hedgehogs domes. I accept this advice and in my opinion redevelopment of this site would enhance opportunities for biodiversity.

### **Archaeology**

- 8.78 The County Archaeology team has advised that the site is within an area of high archaeological potential and has requested a condition for a programme of archaeological investigation. I accept this advice and have applied this condition.

### **Renewable energy and sustainability**

- 8.79 The Sustainability Officer has reviewed the Sustainability Statement and Outline Energy Strategy submitted with the application and supports the range of measures put forward, including sustainable drainage features and green roofs, among others. In terms of renewable energy, the applicant has chosen photovoltaic panels as the preferred technology and demonstrated that the proposed 800sqm of panels would exceed the 10% reduction in carbon emissions target within policy 8/16. As such, this approach is supported. I have recommended the conditions requested by the Sustainability Officer to secure the implementation of renewable energy technologies, water efficiency measures and a site waste management plan. Subject to this, in my opinion the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

### **Public Art**

- 8.80 The Public Art SPD (2010) requires the delivery of public art within major developments. This is in the interest of creating successful, high quality, attractive environments in support of policies 3/4 and 3/7 of the Cambridge Local Plan (2006). The applicant has submitted a Public Art Strategy which outlines the designing, commissioning and procurement of public art for the site, including a public engagement strategy. The strategy identifies a number of themes to respond to the local context, including celebrating building and railway industries, the history of Ridgeons, the Chisholm Cycle Trail, and the history of

Romsey Town and the surrounding area. The opportunities for public art have been broadly identified as being within the buildings and landscape alongside the railway line, entrances to the site and, in particular, pedestrian and cycle routes, and within the central green space. I have recommended a condition for a Public Art Delivery Plan to be submitted for approval in order to secure delivery of public art on the site. Subject to this, in my opinion the proposal is in accordance with the Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan (2006).

### **Implementation Period**

8.81 The applicant has requested a longer period to prepare and submit applications for reserved matters, from the standard three years to seven years. This is on the basis that Ridgeons are in the process of relocating to an alternative site and there is a degree of uncertainty about the precise timings for releasing the site. A request has also been made to extend the implementation period from the standard 2 years to 3 years. In my opinion, there are no extraordinary circumstances that would justify extended periods. Should consent be granted and lapse, then the consent would be a material consideration for the determination of a resubmission.

### **Third Party Representations**

8.82 I have addressed third party representations as follows:

<b>Representation</b>	<b>Response</b>
<u>Principle and housing provision</u>	
Too high proportion of flats proposed.	The outline application suggests an indicative mix. The final mix will be agreed through reserved matters and will be assessed against Local Plan policy 5/10 and the site SPD which requires an appropriate mix.
More housing for elderly and disabled should be provided.	Provision of housing for elderly and disabled people will be considered as part of the overall housing mix

	during the reserved matters stage in accordance with planning policy.
Affordable housing inappropriate for quiet, private residential area.	The site and surroundings is appropriate for residential use, including market and affordable. I do not consider this to be a reason why affordable housing should not be provided on site as required by Local Plan policy 5/5.
Density too high and cannot be supported by local infrastructure	The maximum number of units is compliant with the site SPD. The impact on local infrastructure has been assessed and mitigations are proposed to the local infrastructure, either onsite or through financial contributions.
Proposed development would exacerbate oversubscription at St Phillips School.	Financial contributions towards the provision of new secondary school would be sought in order to mitigate the impact on St Phillips School.
Site provides opportunity for new school or pre-school provision.	The S106 Agreement would secure either the onsite delivery of an Early Years nursery or financial contributions towards an offsite facility.
Proposed nursery should be integrated into new school.	The options for the delivery of an Early Years nursery will be considered through the reserved matters.
Object to wording of 'nursery and/or community facility' and potential for this facility to be turned into dwellings in the future.	The wording allows for a degree of flexibility for a nursery and/or community facility to come forward on the site depending upon demand in consultation with the County Council and other

	stakeholders. If onsite provision is required, then delivery of the facility would be secured through reserved matters.
<u>Response to context</u>	
Over-development on the site and density too high	As above and within assessment.
Unsustainable development	The site is suitable for residential development in terms of its location. Sustainability measures would be incorporated through sustainable urban drainage, biodiversity enhancements and renewable energy technologies, among other measures. I consider the proposal to be sustainable.
Density, height and style of buildings out of character with surrounding area and conservation area.	I have considered this within my assessment and with reference to the site SPD. I consider this to be acceptable.
Design should reflect the heritage and vibrancy of the surrounding area.	The detailed design of the buildings and landscape will be reserved matters.
Impact of massing on views from Fairfax Road and Sleaford Road.	See relevant section of assessment.
Creating a 'wall' alongside the railway line which would also be visible in views from passing trains impacting on continuity within the conservation area.	See relevant section of assessment.
<u>Residential amenity</u>	
Existing site is a good neighbour.	Noted.
Impact of flats on No. 17 Cromwell Road	I have addressed this in my report with regards to the site layout and building heights. The impact of specific
Light and noise pollution	
Loss of privacy	

Loss of light and overshadowing.	buildings on neighbouring properties will be considered as part of reserved matters.
Sense of enclosure from scale of buildings	The Environmental Health team has recommended conditions regarding external lighting and noise from external spaces.
Living conditions with flats	This cannot be assessed at the outline stage as there are no detailed floor plans or elevations of units.
<u>Open space provision</u>	
Inadequate and unusable design of open space which fails to provide space for recreation and exercise for future residents or residents of Romsey.	I have addressed this in the relevant section of my report.
Lack of alternative or accessible open space and play facilities within the vicinity	
Proposal does not provide outdoor space for the proposed nursery.	Detailed plans for the nursery have not been submitted at this stage, so this cannot be assessed.
Object to further intensification of use of Coldham's Common as an alternative to open space provision on site which is also too distant and inaccessible from the site.	I have addressed this in my report.
Unable to demonstrate a commutable open space contribution towards reasonable alternative.	The City Council has identified financial contributions towards informal open space projects which meet the relevant CIL tests and provide reasonable alternatives.
No available space within Romsey to deliver informal green space, allotments or playing fields or to purchase suitable sites through commuted sums.	



<u>Transport impacts</u>	
Impact of additional traffic along Cromwell Road	The Highways Authority has reviewed the applicant's Transport Assessment and is satisfied that the impact is acceptable and can be mitigated through delivery of the Chisholm Trail on site and financial contributions towards the trail offsite.
Traffic generated by nursery/community facility and Chisholm Trail.	
Insufficient car parking with impact on overspill parking on surrounding streets impacting on residential amenity and character.	See relevant section of my report.
On-street parking should be kept to a minimum to avoid risk to pedestrians and cyclists	A detailed site layout and car parking layout has not been submitted at this stage.
Cycle route should not go through this area which is too busy and noisy	The County Council has identified the development should deliver an important part of the Chisholm Trail.
Cavendish Road not suitable access route for cyclists	The County Council has a preference to route the Chisholm Trail via the railway sidings to avoid Cavendish Road, however this is dependent on agreement with Network Rail and outside the scope of this application.
Completion of Chisholm Trail is essential to give new residents alternative to avoid adding traffic congestion and should be a condition on consent.	Noted.
Chisholm Trail Cycle Bridge over the railway linking Romsey and Petersfield is welcomed and sufficient space should be designated for this on the site.	The condition I have recommended for details of the Chisholm Trail and connections at the site boundaries will secure space required for the delivery of the new bridge, should this project come forward.

Other matters	
Potential for Great Crested Newts and protected spaces such as common toad using the pond at the northern end of the site which needs to be assessed.	The Preliminary Ecological Appraisal including a protected species scoping survey. The appraisal did not identify the site as having habitats with a high potential for Great Crested Newts.
No net gain for biodiversity on the site, better enhancements are required and should be integrated into the design.	The detail of biodiversity enhancements will be secured through the Ecological Design Strategy.
Native planting and creation of corridors through the site should be included.	
Public art needs to be integrated into the design and relevant to the site and surrounding context.	The Public Art Delivery Plan secured by condition will ensure the delivery of suitable public art. The submitted Public Art Strategy includes a programme of public engagement.
Object to applicant's request to extend period within which to submitted reserved matters.	I have covered this in my assessment.
21 day consultation period inadequate given scale of application documents.	The standard consultation date is appropriate and the site has been subject to extensive public consultation through the preparation of the site SPD.

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

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

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and

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

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

8.85 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. I have summarised the Heads of Terms below. Financial contributions would be calculated using formulae based on the final housing mix agreed through reserved matters.

<b>Heads of Terms</b>	<b>Summary</b>
<b>City Council Infrastructure</b>	
Informal open space	Onsite provision with shortfall to be provided through offsite contribution
Provision for children and teenagers	Onsite provision
Indoor sports	Offsite contribution
Outdoor sports	Offsite contribution
Community facilities	To be secured on site and/or contribution towards offsite provision, potentially to the Mill Road Depot site.
Affordable housing	40% provision on site. Tenure and dwelling type mix to be submitted for approval.
<b>County Council – Education / Refuse</b>	
Early years	Onsite early years nursery to be provided on site or financial contribution towards offsite provision
Primary School	Offsite contribution

Secondary School	Offsite contribution
Life Long Learning (Libraries)	Offsite contribution
Strategic waste	No contributions sought
Monitoring	£650
<b>County Council – Transport</b>	
Public highway	Delivery of site accesses including works within the public highway.
Chisholm Trail	Contribution towards the creation of the southern section of the Chisholm Trail towards the railway of £58,195.

8.86 I have discussed the Heads of Terms in more detail below.

#### City Council Infrastructure

*Open Space*

8.87 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. This requirement covers informal open space, provision for children and teenagers, indoor sports facilities, and outdoor sports facilities.

<b>Contribution</b>	<b>Formulae (estimate based on indicative housing mix)</b>	<b>Identified projects</b>
<b>Informal open space</b>	Onsite provision with any shortfall mitigated through financial contributions towards offside provision calculated on basis of:  £242.00 per dwelling comprising a studio apartment;	This site is within half a mile of Coldham's Common and 500m of the Great Eastern Street open space area.  The Council seeks to split with 50% going to each of the following projects:

	<p>£363.00 per 1-bedroom dwelling;  £484.00 per 2-bedroom dwelling;  £726.00 per 3-bedroom dwelling;  £968.00 per 4-bedroom dwelling;</p>	<ul style="list-style-type: none"> <li>- for the provision of and/or improvement of and/or access to Informal Open Space facilities at Coldham's Common, to include landscaping, tree planting and improvements to access to / from and around Abbey Pool.</li> <li>- for the provision of and/or improvement of and/or access to Informal Open Space facilities at Great Eastern Street.</li> </ul>
<b>Provision for children and teenagers</b>	Onsite provision (0.17ha).	None required.
<b>Indoor sports</b>	<p>£269.00 per dwelling comprising a studio apartment;  £403.50 per 1-bedroom dwelling;  £538.00 per 2-bedroom dwelling;  £807.00 per 3-bedroom dwelling;  £1,076.00 per 4-bedroom dwelling;</p> <p>(£155,616 plus</p>	<p>This proposed development is within half a mile of the Abbey Sports Complex facility, which is on the Council's 2016/17 'target list' of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development.</p> <p>A contribution is</p>

	indexation)	requested towards the provision of and/or improvement to the fitting out of a stores building to form a sports hall and/or urban zone at the Abbey Sports Complex.
<b>Outdoor sports</b>	<p>£238.00 per dwelling comprising a studio apartment;  £357.00 per 1-bedroom dwelling;  £476.00 per 2-bedroom dwelling;  £714.00 per 3-bedroom dwelling;  £952.00 per 4-bedroom dwelling;</p> <p>(£137,683 indexation) plus</p>	<p>This proposed development is within half a mile of the Abbey Sports Complex facility, which is on the Council's 2016/17 'target list' of outdoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development.</p> <p>A contribution is requested towards the improvement to and enhancement of the artificial grass pitch carpet (from sand to rubber crumb) at Coldham's Common.</p>

8.88 The Landscape Parameter Plan (LPP) secures a minimum of 0.60ha open space onsite, comprising informal open space and provision for children and teenagers.

8.89 As shown in the earlier sections of this report, the onsite provision of informal open space represents a shortfall against the adopted standards. The exact provision of onsite open space will be subject to reserved matters applications that come forward when the open space is fixed. The S106 Agreement will secure onsite delivery with any shortfall to be secured through commuted sums towards the offsite facilities identified.

8.90 In relation to provision for children and teenagers, the applicant proposes 0.17ha of onsite provision and shows the provision of one LEAP and several LAPs on the LPP. The S106 Agreement would secure the delivery of 0.17ha of onsite provision. No offsite contributions are required.

8.91 Contributions towards indoor sports and outdoor sports will be provided offsite in accordance with the Planning Obligations Strategy and projects for improvements to existing facilities have been identified, as stated above.

□ *Community facilities*

8.92 The site SPD discusses the potential need for a medical practice, an early year's nursery and community floor space to be provided on site, which was identified through discussions with the NHS and the County Council, and public consultation. At the time of preparing the SPD, the need for these land uses had not been confirmed by the NHS and the County Council, therefore the outline application seeks to allow a degree of flexibility.

8.93 The current application proposes the inclusion of 'a nursery and/or community facility'. The S106 Agreement would require a scheme for the delivery of community facilities to be submitted for approval, including the size, type of facility and location, as well as to secure the delivery of the facility and its fitting out. In the event that a community facility is not brought forward on the site, the S106 Agreement would secure contributions towards the provision offsite community facilities, which would be calculated on the basis of the following formula.

<b>Contribution</b>	<b>Formulae (estimate based on indicative housing mix)</b>	<b>Identified projects</b>
<b>Community facilities</b>	£1,256.00 per 1 and 2 bedroom dwellings; £1,882.00 per 3-and 4bedroom dwellings.  (£367,816 plus indexation)	The proposed development is within 700m walking distance of the Mill Road Depot site within the current street network and would be within 400m should a new bridge

		<p>come forward.</p> <p>Contributions requested towards the provision of and/or improvement of facilities at the Mill Road depot site.</p> <p>In the event that the Mill Road depot community facility does not come forward, contributions would go towards an alternative project to be identified by the DCMU. An update will be provided on the amendment sheet.</p>
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8.94 The Community Facilities team has advised that their preference would be for the commuted sum to contribute towards a new community facility on the Mill Road Depot site. This would meet the CIL tests. The planning application for Mill Road Depot site has been submitted, however does not include the delivery of a community facility, which is expected to be the subject of a separate planning application. Since the facility does not have planning permission and is not guaranteed to go ahead, the DCMU is in the process of reviewing whether an alternative project which meets the CIL tests can be identified. An update will be provided on the amendment sheet.

*Affordable housing*

8.95 The application commits to make a provision for affordable housing at a 40% level. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement. The tenure and mix of affordable housing would be agreed at the reserved matters stage. Subject to the completion of a S106 planning obligation to secure the requirements of the Affordable Housing SPD (2008), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).



## County Council Infrastructure

### □ *Education*

8.96 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an appendix to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

<b>Early years</b>	Onsite early years nursery to be provided on site in accordance with a scheme submitted to and approved in writing by the local planning authority, or a financial contribution towards offsite provision to be sought on formulaic basis.  £18,462 per pupil.
<b>Primary School</b>	The site is within the catchment area of St Philip's Primary School. There is insufficient capacity to accommodate additional places generated by the proposed development. Contributions are sought towards a new '3 Form of Entry' primary school to accommodate demand from development on this site and others.  £23,810 per pupil.
<b>Secondary School</b>	The catchment school is Coleridge Community College. There is insufficient capacity in the school to accommodate additional places generated by the proposed development. Contributions are sought towards building a new '8 Form of Entry' secondary school to accommodate demand from development on this site and

	<p>others.</p> <p>£29,150 per pupil.</p>
<b>Life Long Learning (Libraries)</b>	<p>The residents from this development would be served by the library in Rock Road. This development will have a significant impact on the local library provision, which requires a financial contribution in order to mitigate. A contribution is required towards enhancements to the existing library.</p> <p>£42.12 per person.</p>

8.97 The County Council has advised that mitigation towards Early Years is required which may need to be provided on-site if there is no other local capacity available. The S106 makes provision either for on-site provision or off-site contributions depending on need within the Romsey Area.

- Strategic waste*

8.98 This development falls within the Cambridge and Northstowe HRC catchment area for which there is currently insufficient capacity. However, the HRC already has five S106 contributions pooled and therefore under the CIL Regulations, the County Council is unable to seek further contributions.

- Transport*

8.99 The County Council has requested the following are secured through S106 Agreement:

- Delivery of the site accesses including work within the public highway, in accordance with the detailed access plans and subject to S278 consent.
- 3.5m wide cycle and pedestrian route through the site to deliver this part of the Chisholm Trail.
- Contribution towards the creation of the southern section of the Chisholm Trail towards the railway of £58,195.

8.100I am content for the provision of the Chisholm Trail through the site to be secured through conditions rather than a S106

Agreement. The contribution towards the ern section of the Chisholm Trail would be secured through the S106. The applicant has agreed these contributions.

### Planning Obligations Conclusion

8.101 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) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010.

## **9.0 CONCLUSION**

9.1 The Council has set out its aspirations for the Ridgeons site within the adopted and proposed site allocations and the Draft Planning and Development Brief SPD which has been agreed as a material consideration. The applicants have been involved in the preparation of the SPD including consultation with local residents and stakeholders, including discussions on the provision of community facilities on the site and the delivery of the Chisholm Trail. The outline application is in accordance with the principles set out in the SPD. The applicant has agreed to the heads of terms of the S106 Agreement as set out above. I recognise the concerns of third parties, however I am satisfied that the issues raised have been carefully considered throughout the consultation on the SPD and this application. As such, in my opinion, the proposal represents an important step forward for the delivery of housing and other facilities on the site which will make a significant contribution towards housing delivery in the city and local infrastructure.

## **10.0 RECOMMENDATION**

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

## **Start Date**

1. All applications for approval of the reserved matters shall be submitted to the local planning authority before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

3. No development shall commence until approval of the details of the appearance, landscaping, layout (including internal access arrangement) and scale within that phase (hereinafter called the reserved matters) has been obtained from the local planning authority in writing.

Reason: To ensure that all necessary details are acceptable (Cambridge Local Plan 2006 policies 3/2, 3/4, 3/7, 3/11, 3/12, 4/2, 4/3, 4/4, 8/2, 8/4).

## **Planning Parameters**

4. The development shall be carried out in accordance with the approved Parameter Plans as set out below. This includes accordance with the approximate position, layout and quantum of space of built form and open space, and details contained within annotations. A minimum 0.60ha open space shall be provided on site.

Approved Parameter Plans:

075\_PL\_001 (Movement and Access Plan)  
075\_PL\_002 REV C (Landscape Plan)  
075\_PL\_003 REV B (Building Heights Plan)  
075\_PL\_004 (Urban Design Principles Plan)

Reason: To ensure that the development is implemented in accordance with the approved parameters upon which the application has been determined (Cambridge Local Plan policies 3/2, 3/4, 3/7, 3/8, 3/11, 3/12, 3/13, 4/13).

5. The development shall be carried out in accordance with the approved Detailed Access Plans as set out below, or in accordance with alternative details submitted to and approved in writing by the local planning authority prior to construction.

Detailed Access Plans:

PL01 REV C (Proposed Site Access Arrangement)

PL02 REV B (Proposed Emergency Access and Route for Pedestrians and Cyclists)

PL03 REV B (Proposed Access Route for Pedestrians and Cyclists – Southern Boundary)

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.

### **Chisholm Trail**

6. The development shall provide a cycle and pedestrian route connecting the Chisholm Trail through the site. The route shall be a minimum of 3.5m wide and shall be provided in accordance with details that have been agreed by the local planning authority. The details shall include the route, connections at the site boundaries, crossing points within the site and construction specification. The route shall be fully completed in accordance with a timetable agreed by the local planning authority.

Reason: In the interest of delivering a strategic cycle and pedestrian network and connectivity through the site (Cambridge Local Plan policy 8/5).

### **Phasing Plan**

7. Prior to or concurrently with the submission of the first of the reserved matters application(s) for the development of the outline site and updated as required in the context of any further

reserved matters application(s), a Phasing Plan shall be submitted to the Local Planning Authority for approval. The Phasing Plan shall include the proposed sequence of development across the site, and include indicative timing information - by reference to the commencement or completion of development of any phase or the provision of any other element or to any other applicable trigger point - and access arrangements for the provision of the following features within the built-up area:

- a) major infrastructure including all accesses, roads, footpaths and cycleways
- b) equipped children's play areas
- c) informal open space
- d) nursery and/or community facilities
- e) foul water drainage and pollution control features.
- f) surface water drainage features, including ponds, attenuation tanks, pipe work, controls and outfalls.
- g) landscaping/planting provisions.
- h) biodiversity enhancements for birds and bats

No development shall commence until such time as the phasing plan has been approved in writing by the Local Planning Authority. The provision of the features shall be carried out in accordance with the approved timing contained within the phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications, to assist with the phased discharge of conditions, and in order to ensure that provision of features essential to the site are delivered in a timely manner to meet the needs of occupants (Cambridge Local Plan policies 3/2, 3/4, 3/7, 3/8, 3/11, 3/12, 3/13, 4/13).

### **Contamination**

#### **8. 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.

- A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site

- Site investigation strategy based on the information identified in the desk study, the PRA, and a detailed risk assessment, including a revised CSM

(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.

9. 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 8 and in accordance with the approved investigation strategy agreed under clause (b) of condition 8, 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) An options appraisal and 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. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

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.

10. 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 9 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.

11. 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 9 and implemented under condition 10 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



12. 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 include:

- a) details of the volumes and types of material proposed to be imported or reused on site
- b) details of the proposed source(s) of the imported or reused material
- c) details of the chemical testing for ALL material to be undertaken before placement onto the site
- d) the results of the chemical testing which must show the material is suitable for use on the development
- e) an inspection and sampling strategy for the testing of excavation formations;
- f) a procedure for screening contamination discovered in the development phase to be screened against criteria outlined in the remediation strategy
- g) a stockpile validation strategy
- h) detailed material re-use criteria
- i) details of arisings processing
- j) 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.
- k) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in a) to j) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

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.

13. 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 the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 9 above. The approved remediation shall then be fully implemented under condition 10.

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.

**Archaeology**

14. No development (or phase of) (other than demolition and site clearance to ground level) shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. An evaluation report presenting the findings from the investigation works shall be submitted to and approved in writing by the local planning authority prior to commencement of construction works.

Reason: In the interests of archaeology.

**Demolition/Construction**

15. 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)

16. 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)

17. Prior to the commencement of development (or phase of), a site wide Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
- d) Delivery times for construction/demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- e) Soil Management Strategy.
- f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
- i) Maximum vibration levels.

- j) Dust management and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - supplementary planning guidance 2014
- k) Prohibition of the burning of waste on site during demolition/construction.
- l) Site lighting.
- m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- n) Screening and hoarding details.
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- q) External safety and information signing and notices.
- r) Consideration of sensitive receptors.
- s) Prior notice and agreement procedures for works outside agreed limits.
- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.

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

18. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF) paragraphs 109, 120, 121

19. Prior to the commencement of development (or phase of), a route for all traffic associated with the construction/demolition hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. This shall include measures to control and manage traffic using the agreed route and to ensure no other local roads are used by construction/demolition traffic (or site traffic). Development shall be carried out in accordance with the agreed details thereafter.

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

20. Throughout the period of construction/demolition, temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site.

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

21. Prior to commencement of development, the new highway boundaries hereby permitted shall be marked out on site on all parts of the development fronting the highway.

Reason: To prevent any building being constructed within the proposed highway boundary (Cambridge Local Plan 2006 policy 8/2).

22. Prior to the commencement of development (or phase of), a Detailed Waste Management Plan (DWMP) shall be submitted to and approved in writing by the Local Planning Authority for that phase. The DWMP shall demonstrate how the construction of the reserved matters approval will accord with the details of the principles of the Outline/Pre-Design Waste Management Plan. The DWMP shall include details of:

- a) The anticipated nature and volume of waste;
- b) Measures to ensure the maximisation of the reuse of waste;
- c) Measures to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
- d) Any other steps to ensure the minimisation of waste during construction;

- e) The location of facilities pursuant to criteria b/c/d;
- f) Proposed monitoring and timing of submission of monitoring reports;
- g) The proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.

The implementation, management and monitoring of construction waste shall be undertaken in accordance with the agreed details. No individual building subject to a Detailed Waste Management Report shall be occupied until the Waste Management Closure Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the sustainable management of construction waste (Cambridge Local Plan 2006 policy 3/1 and Cambridge City Council Sustainable Design and Construction SPD 2007).

### **Environmental health**

23. Prior to commencement of development (or phase of) (other than demolition and site clearance), a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units shall be submitted to and approved in writing by the local planning authority. This shall have 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. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings. The noise insulation scheme shall be fully installed in accordance with the agreed details prior to first occupation of the development (or phase of) and shall thereafter be maintained in perpetuity.

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)

24. Prior to commencement of development (or phase of) (other than demolition, site clearance and below ground works), a scheme for the protection of external amenity space from noise shall be submitted to and approved in writing by the local planning authority. This shall include full details and specifications for protection of external amenity space from noise (including public areas, balconies and terraces), taking into account the existing noise climate and current UK noise standards for external amenity. The noise insulation scheme shall be fully installed in accordance with the agreed details prior to first occupation of the development (or phase of) and shall thereafter be maintained in perpetuity.

Reason: To protect future occupiers of the flat from excessive noise and disturbance (Cambridge Local Plan; Policy 4/13)

25. Prior to first occupation of the development (or phase of), equipment for the purpose of extraction and filtration of odours shall be fully installed in accordance with details that have been submitted to and approved in writing by the local planning authority prior to installation. The approved extraction/filtration scheme shall be retained thereafter.

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

26. Prior to first occupation of the development (or phase of), a scheme for the insulation of plant in order to minimise the level of noise emanating from the said plant shall be fully installed in accordance with details that have been submitted to and approved in writing by the local planning authority prior to installation. The approved insulation shall be retained thereafter.

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

27. Prior to commencement of use of the nursery and/or community facility, noise insulation measures shall be fully installed in accordance with details that have been submitted to and approved in writing by the local planning authority prior to commencement of construction of the facility. These details shall give consideration to the potential variety of uses of the facility in order to minimise the level of noise emanating from the use within neighbouring residential premises, having regard to internal noise generation and acoustic performance of building fabric, glazing, openings and ventilation system requirements. Development shall then be carried out in accordance with the approved details and shall thereafter be maintained in perpetuity.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

28. 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 lighting shall be installed in accordance with the approved details.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

## **Highways**

29. Prior to commencement of the development (or phase of) (other than demolition, site clearance and below ground works), full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority providing the following details:
- a) The layout of the site, including roads, footways, cycleways, buildings, visibility splays, parking provision;



- b) foul and surface water drainage works insofar as they relate to roads, footways, cycleways and to prevent surface water run-off onto the adjacent public highway;
  - c) The siting of the building(s) and means of access thereto.
  - d) Visibility splays
  - e) Parking provision
  - f) Turning Areas
  - g) Loading Areas
- Development shall be carried out in accordance with the agreed details and retained thereafter.

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

30. Prior to first occupation of any dwelling hereby permitted, the following works shall be carried out:
- a) the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority;
  - b) the junction of the access with the highway carriageway shall be laid out with 6m radius kerbs;
  - c) the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification;
  - d) the gradient of the vehicular access shall not exceed 1:12 for a minimum distance of 5.0m (or longer if in connection with a commercial development) into the site as measured from the near edge of the highway carriageway.
  - d) sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear;
  - e) sufficient space shall be provided for off-street parking spaces to park clear of the public highway;
  - f) on-site parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with agreed details. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

Development shall be carried out in accordance with the agreed details and retained thereafter.

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

31. Prior to first occupation of the development (or phase of), details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be 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 (Cambridge Local Plan 2006 policy 8/2),

32. 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 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).

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

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

34. Prior to first occupation of the development hereby permitted, a Travel Plan (Residential Travel Plan) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details thereafter.

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

## Sustainability

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

The proposed renewable energy technologies shall be fully installed and operational prior to first occupation of any approved buildings and shall thereafter be maintained in accordance with 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 and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policies 4/13 and 8/16).

36. All future reserved matters applications shall be accompanied by a water efficiency specification for each dwelling type based on either the Water Efficiency Calculator Methodology or the Fittings Approach set 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).

## **Landscape**

37. Prior to commencement of development (or phase of) (other than demolition, site clearance and below ground works), a hard and soft landscaping scheme shall be 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); 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.
  - 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 plan indicating the positions, design, materials and type of boundary treatments to be erected.

The hard and soft landscaping scheme shall be implemented in accordance with the approved details prior to first occupation of the development (or phase of) or in accordance with an alternative timetable agreed in writing by the local planning authority, and shall be retained thereafter.

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

38. Landscape management and maintenance shall be carried out in accordance with details that have been submitted to and approved in writing by the local planning authority prior to first occupation of the development. These details shall include:
- a) a Landscape Maintenance Plan and schedule for a minimum period of five years. The schedule shall include details of the arrangements for its implementation.

b) a Landscape Management Plan, including long term design objectives, management responsibilities and long term maintenance schedules for all landscape areas, other than small privately owned, domestic gardens.

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.

### **Drainage**

39. Prior to commencement of development (or phase of) (other than demolition and site clearance), a surface water drainage scheme shall be submitted to an approved in writing by the local planning authority. The surface water drainage scheme shall:
- a) be in accordance with the details contained within the Flood Risk Assessment ref: 616338-REP-CIV-0;
  - b) 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.
  - c) 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;
  - d) provide full calculations detailing the existing surface water runoff rates for the QBAR, Q30 and Q100 storm events;
  - e) provide full results of the proposed drainage system modelling in the above-referenced storm events (as well as Q100 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) 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
- d) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to first occupation of the development (or phase of) or in accordance with an alternative timetable agreed in writing by the local planning authority, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In the interests of surface water management.

### **Ecology**

- 40. Prior to commencement of development (or phase of) (other than demolition and site clearance), an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the local planning authority. The EDS shall include the following.
  - a) Purpose and conservation objectives for the proposed works.
  - b) Review of site potential and constraints.
  - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
  - d) Extent and location/area of proposed works on appropriate scale maps and plans.

- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance or nest box specification
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures, as appropriate

The EDS shall be implemented in accordance with approved details prior to first occupation of the development (or phase of) or in accordance with an alternative timetable agreed in writing by the local planning authority, and shall be retained thereafter.

Reason: In the interests of biodiversity protection and enhancement.

### **Public Art**

41. Prior to the commencement of development (other than demolition, site clearance and below ground works) or in accordance with an alternative timetable otherwise agreed in writing by the local planning authority, a Public Art Delivery Plan (PADP) shall be submitted to and approved in writing by the local planning authority and shall include the following:

- a) Details of the public art and artist commission;
- b) Details of how the public art will be delivered, including a timetable for delivery;
- c) Details of the location of the proposed public art on the application site;
- d) The proposed consultation to be undertaken;
- e) Details of how the public art will be maintained;
- f) How the public art would be decommissioned if not permanent;
- g) How repairs would be carried out;
- h) How the public art would be replaced in the event that it is destroyed;

The approved PADP shall be fully implemented in accordance with the approved details and timetabling. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan (2006).

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

**INFORMATIVE:** Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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



**INFORMATIVE:** 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:** 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:** 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:** An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

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

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1886/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd November 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	28th December 2017		
<b>Ward</b>	Trumpington		
<b>Site</b>	13 Brookside Cambridge		
<b>Proposal</b>	Alterations and extensions including the addition of 2no. dormers to the front elevation; 1no. dormer to the rear elevation; an upwards extension to the rear closet wing; a new access from the ground floor level to the rear garden via an external staircase; a double height rear infill extension including lowering of the basement floor; internal alterations to the building layout; and the demolition and erection of a new garage.		
<b>Applicant</b>	Mr & Mrs Wortley c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed access and external staircase would not compromise the privacy, harmfully overshadow or visually enclose the neighbour at no.14 Brookside.</li> <li><input type="checkbox"/> The proposed ground-floor element of the extension would not allow for harmful views across to neighbouring properties.</li> <li><input type="checkbox"/> The proposed works would preserve the character and appearance of the conservation area and Buildings of Local Interest.</li> </ul>
RECOMMENDATION	APPROVAL

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

- 1.1 The application site, no.13 Brookside, comprises a four-and-a-half storey terraced townhouse situated on the east side of Brookside, designed in gault brick with a slate pitched roof. Nos.13 and 14 Brookside were built as a pair and have lower ridge heights than the adjacent properties on either side. The property has a long narrow rear garden and a single-storey outbuilding which fronts onto Brookside Lane to the east of the site. The surrounding area is predominantly residential in character and is formed of similar sized terraced townhouses.
- 1.2 The site falls within the Central Conservation Area.  
The building is a Building of Local Interest.  
The site falls within the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the following works:
- Addition of two dormers to the front elevation;
  - Addition of one dormer to the rear elevation;
  - Upwards extension to the rear closet wing;
  - New access from the ground-floor to the rear garden via an external staircase with 1.8m high privacy screen;
  - Double height rear infill extension including lowering of the basement floor;
  - Internal alterations to the building layout; and
  - Demolition of existing garage and erection of replacement garage.
- 2.2 Planning permission (15/1806/FUL) was granted under delegated powers on 4 December 2015 for works of a similar nature to that proposed under this current application (17/1886/FUL). The development then commenced and a S73 application (17/0007/S73) was submitted retrospectively to include a ground-floor balcony/ external staircase abutting the boundary of no.14 Brookside, as well as internal alterations for the ground-floor of the double height rear infill extension to be extended over the void internally. Following third party representations and the officer site visit it was ascertained that the works commencing on-site were not entirely in accordance with the approved plans. This included the heights and positions of certain elements which are understood to have occurred due

to inaccurate surveying of the building under the originally approved plans.

- 2.3 This S73 application (17/0007/S73) was later withdrawn as some of the amendments to the approved scheme were not considered to be minor in nature by officers.
- 2.4 Applications were then individually submitted, against officer advice, to distinguish the main elements that were considered to be material and those that were accepted to be non-material in nature. It was explained by officers that this method of submitting multiple applications is not feasible in terms of building out any development that may be approved as each element of the scheme is dependent on the other to be built in accordance with the approved plans.
- 2.5 These applications (17/0937/FUL, 17/0938/FUL and 15/1806/NMA1) have been effectively held in abeyance until the latest application (17/1886/FUL) has been determined. It is understood that if the current application (17/1886/FUL) is granted planning permission then these other applications will be withdrawn.
- 2.6 The main differences between that of the approved development (15/1806/FUL) and the proposed development (17/1886/FUL) are summarised in the table below:

<b><u>Element</u></b>	<b><u>Approved Development (17/0937/FUL)</u></b>	<b><u>Proposed Development (17/1886/FUL)</u></b>
Two front dormers	Two curve roofed dormers set in from the eaves, ridge and sides of the front roof plane. Sash window design. Condition 6 controlled the details of this and was agreed on 29/11/2016 (drawing number 116.510).	The proposed drawings are identical to that of the approved drawings in this respect. However the dormers, as built on-site, do not appear to reflect that of the approved drawing agreed through condition 6 of the original permission.
Rear Dormer	One rectangular barrel dormer with a series of three timber	The roof of the dormer is now flat rather than having a slight curve. There appears to be

	sash windows with intermediate timber framing posts and lead clad roof and side cheeks.	more spacing beneath the bottom of the dormer frame and the bottom of the sash windows which gives it more of a horizontal, as opposed to the original vertical, emphasis aesthetically.
Upwards extension to the rear closet wing	A closet wing extension rising up an extra storey in height. This measured up to 11.2m in height.	The height of the closet wing had been increased by approximately 0.1m to meet the eaves of the main roof. The fenestration has been altered with narrower windows and slight re-positioning of windows.
New access from the ground-floor to the rear garden via an external staircase with 1.8m high privacy screen	This was not part of the originally approved development.	A door has been inserted on the rear elevation of the closet wing at the ground-floor level which is situated approximately 2.75m above the ground-level of the garden. A platform approximately 1.4m in depth extends from this door and then a further staircase of approximately 2m in depth leads out onto the rear garden. A 1.8m high privacy screen is proposed to run along the platform and staircase.
Double height rear infill extension including lowering of the basement floor	A two-storey infill extension with a large double-height glazed screen with a grid pattern design and glazed roof lantern above. The extension measured approximately 6.1m to the ridge of the flat roof and around 3.85m wide.	The footprint of the basement level of the extension has been increased by approximately 2.8m <sup>2</sup> by way of extending underneath the platform/ access to the rear garden adjacent. The basement floor level has been lowered. Consequently when measured from the basement level the proposed development appears approximately 6.9m in height, an increase of around 0.8m compared to the approved plans. The height to the parapet

		of the extension is approximately 0.4m greater than that which was approved. The depth of the proposed extension is just under 0.2m deeper than that of the approved plans. The fenestration of the ground-floor element of the proposed extension has been modified to increase the level of brickwork and introduce a timber sash style set of windows, positioned centrally in the extension.
Internal alterations to the building layout	The basement level of the double-height rear extension would be used as a living space with an internal staircase leading up to the ground-floor of the original house. The ground-floor of the extension would serve as a void to the basement below. Removal of original staircase down to the basement. Other minor internal alterations to all floors.	The internal staircase within the proposed double-height extension would be removed and a staircase in a similar location to that of the original building would be installed instead. The ground-floor of the double-height extension would extend approximately 1.2m further out over the adjacent void over the basement compared to the approved drawings. Other minor internal alterations that are not in accordance with approved plans.
Demolition of existing garage and erection of replacement garage.	A pitched roof garage occupying the near full-width of the garden.	The garage wall adjacent to no.12 Brookside has been set in by approximately 0.1m.

2.7 The application has been called in for determination at Planning Committee by Councillor Robertson on the grounds that the proposed development, compared to that of the approved development, detrimentally affects the neighbours' amenity (overlooking/ visual enclosure/ loss of light) and the appearance of the building. The privacy screen will not prevent overlooking and will take light from the semi-basement of no.14. The application is contrary to Local Plan (2006) policies 3/14 and 4/11.

2.8 For clarity, this report references certain aspects of development as 'proposed', in that they form part of the overall proposal for consideration, although it is acknowledged that the majority of the works are either fully or partially retrospective.

2.9 The application is accompanied by the following information:

1. Drawings
2. Originally approved drawings
3. Planning statement
4. Overlooking analysis

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
17/0937/FUL	Replacement of ground floor rear window with a door and installation of new wrought iron staircase providing access between the garden level and the internal ground floor.	Pending consideration.
17/0938/FUL	Replacement of a glazed screen with a Timber Sash Window at Ground floor level to the rear extension, works include raising of the parapet.	Pending consideration.
15/1806/NMA1	Non-material amendment application on 15/1806/FUL for changes to window location in rear elevation, lowering of basement level, re-alignment of division between upper and lower	Pending consideration.



17/0007/S73	sections of rear glazed screen of extension and enlargement of rear extension to full width Section 73 application to vary condition 2 of planning permission 15/1806/FUL to show proposed ground floor balcony, external staircase and internal alterations to layout.	Withdrawn.
15/1806/FUL	Demolition and erection of new garage. Two new dormers to front elevation, single dormer to rear, extension upwards of closet wing and infill extension from basement to first floor plate.	Permitted.

**4.0 PUBLICITY**

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

**5.0 POLICY**

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

5.2 Relevant Development Plan policies

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

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

Central Government	National Planning Policy Framework March 2012
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Guidance	National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u>  Roof Extensions Design Guide (2003)  Buildings of Local Interest (2005)
	<u>Area Guidelines</u>  New Town and Glisson Road Conservation Area Appraisal (2012)

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

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

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

## 6.0 CONSULTATIONS

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

- 6.1 For practical use we recommend a minimum internal size of a double garage should be 6m deep x 5.5m wide.

### **Environmental Health**

- 6.2 No objection subject to construction hours condition and dust informative.

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

- 6.3 No objection subject to the same compliance conditions included as per the original approval (15/1806/FUL).
- 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 in objection to the application:

- 12 Brookside
- 14 Brookside
- 22 Brookside
- 4 Pemberton Terrace

- 7.2 The representations in objection can be summarised as follows:

#### Impact on heritage assets/ design

- The design, size and appearance of the development is not in keeping with the surrounding area.
- The development has destroyed the character and appearance of the building of local interest.
- The development fails to preserve or enhance the character or appearance of the conservation area.
- The rear extension has been built five brick courses higher than the original approved plans and dominated greater than 50% of the original character of the rear of the property.
- The change from a glazed screen to a sash window on the rear elevation would be ugly and obtrusive.

#### Impact on residential amenity

- Overshadowing/ Loss of light

- Overlooking/ Loss of privacy
- Visual enclosure/ Overbearing impact
- There are differences between the rear stairs of nos.10 and 11 and that proposed under this application. The stairs of no.11 are a gross intrusion of no.12's privacy and this previous mistake should not set a precedent for the proposed stairs.
- The reduction in the ground-floor depth above the void is welcomed but a condition should be imposed to prevent this being filled in as this could harmfully overlook neighbours.
- Concerned that the flat roof of the rear extension may be used as a balcony and this space should be conditioned to not be used as such.

### Other

- The notified neighbour list should include other properties in the wider area.
- The application should be treated as retrospective as everything has been built with the exception of the rear window/ glazed screen and a rear door.
- The Conservation Officer should visit neighbouring properties and the site.
- All previous neighbour objections to applications 17/0937/FUL, 17/0938/FUL and 15/1806/NMA1 should be read and considered within this application.
- Had the approved planning application been carried out correctly then none of the distress that has been caused would have occurred.
- The applicants are lawyers and should know better than to not build in accordance with the approved plans.
- Had the works in the current application been included in the original permission (15/1806/FUL) then objections would have been raised.
- No details of the rear dormer have been agreed under conditions 5 and 6 of permission 15/1806/FUL.
- The front dormers have not been built in accordance with the details approved under the discharge of condition 6 of permission 15/1806/FUL.
- The granting of these retrospective works would set a precedent for future developers to build not in accordance with the plans and seek permission afterwards.
- Damage caused by unauthorised excavation of the basement.
- Unauthorised removal of chimney.
- There is an error in the address referred to in paragraph 2.06 of the Design and Access Statement.

- There has been damage to trees.
- Breaches of party wall.
- The relocation of the waste pipe from the external wall to be accommodated internally within the basement is welcomed and should be conditioned.
- The work should be undertaken by a builder recognised by the Considerate Constructors Scheme. The builder to date has been expelled from the scheme due to neighbour complaints.

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

- 2 Bateman Mews (applicant)

7.4 The representation can be summarised as follows:

- There is already inter-overlooking across properties in this location.
- There are other external staircases at nos.10 and 11 Brookside.
- No.12 has permission for two external balconies which will allow for overlooking when constructed.
- No.14 has external steps at the rear which overlook the garden of no.13.
- Disagree that the proposed privacy screen would be overbearing.
- There would be no harmful overshadowing caused.
- In terms of the dormer windows, it is self-evident that works on site have not yet been completed.
- No objection to a condition which prevents the flat roof of the rear extension being used as a balcony.
- There is a party wall surveyor dealing with any damages that may have occurred in terms of excavation.
- The tree officer concluded that it was unlikely that any tree roots had been affected and that we could rebuild the wall.
- The party wall matters are irrelevant to the application.
- We have no objection to a soil pipe related condition.
- The contractor plans to re-join the considerate contractor scheme once this project has been completed.

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

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

8.1 The proposed works would be visible from the street scene of Brookside, as well as Brookside Lane to the east of the site. There are a variety of other extensions visible along this row of terraced townhouses. The view of the front of the site from Trumpington Road is identified in the New Town and Glisson Road Conservation Area (2012) appraisal as an “Important Positive View”.

8.2 The Building of Local Interest (BLI) and the immediate neighbouring BLIs are characterised in the New Town and Glisson Road Conservation Area (2012, 59) appraisal as follows:

*“8 to 12 consecutive:*

*A row of villas, 3 storeys with basements and attics of gault brick in Flemish bond and limestone dressings. Wrought iron railings with finials to front and following steps to pavement. Each villa has door to left and bay windows to right. Bays run from basement to 1st floor, canted with limestone around windows of 1/1 timber sashes (2/2 to basements). Doors have doorcases of limestone with acanthus leaf consoles supporting small flat canopies, 4 panelled doors with semi-circular fanlights. Above are 1/1 sashes. Slate roof above projecting cornice, rows of stacks between villas and dormers.*

13 & 14

*As above but slightly lower in height and bay windows running from basement to ground floor only. Windows 2/2 no dormers and doors with upper panels glazed and rectangular fanlights.”*

- 8.3 I will assess the impact of each aspect of the proposed works on the character and appearance of the conservation area and special interest of both the BLI itself and the adjacent BLIs. I will then summarise with what I consider to be the cumulative impact of these works on the heritage assets.

#### Front dormers

- 8.4 The principle of two in-set dormers within the front roof plane has been established under the previous permission and there are other examples of dormers along the front roof plane of Brookside. The dormers are identical to what was approved under the original drawings and so technically I do not consider these dormers materially harm the character or appearance of any of the heritage assets.
- 8.5 However, it is acknowledged from visiting the site and the neighbour representations that the dormers have not been constructed in accordance with the more specific details agreed under the discharge of condition 6 of permission 15/1806/FUL. The dormers, as built, have a fake barrel vaulted façade, masking the flat roof of the dormer behind. The finish and design of this is poor and contrary to what was agreed under the condition and in my opinion, as they stand, they harm the appearance of the BLI and the conservation area due to the poor quality materials and alien treatment of these dormers.
- 8.6 Notwithstanding the above, this application is technically separate from that of the previous permission and the remedying of this poor design could be agreed through condition. I have therefore suggested a condition that within three months of any permission granted, the fake façade of the front dormers are removed and that either details of the finish of the dormers are submitted to and agreed in writing by the local planning authority, or, are built in accordance with the details as approved under the original discharge of condition (drawing number 116.510).

### Rear dormer

- 8.7 The rear dormer, as built, is largely in accordance with what was originally approved. The fenestration and spacing has been altered marginally but this is not considered to have an adverse impact on the character and appearance of the relevant heritage assets. It remains legible, in my view, as a subservient addition to the original roof and the changes, compared to what was approved, retain this general subservient appearance and respect the character of the original BLI and that of adjacent BLIs in my opinion. The Urban Design and Conservation Team have raised no objection to the dormer and I am of the opinion that it preserves the character and appearance of the conservation area.
- 8.8 It is acknowledged that third parties have identified that no details of the rear dormer have been submitted under conditions 5 or 6 of the original permission (15/1806/FUL) and that this aspect has therefore been built without permission. However, it needs to be made clear that both conditions 5 and 6 of the original permission have both been fully discharged and that consequently there is no requirement for the applicant to submit further information on the rear dormer. Nevertheless, I have shown the drawings and photographs of the rear dormer to the Urban Design and Conservation Team who are satisfied with the rear dormer, as built. In light of the retrospective nature of this element, I do not consider it necessary or reasonable for a condition regarding the rear dormer to be included should permission be granted.

### Upwards extension to the closet wing

- 8.9 The closet wing extension, as built, is broadly similar to that which was originally granted planning permission. The material differences between the approved development and what has been built relates to the window proportions, positions and the lack of a brick course arch work above the second-floor window of this wing. In my opinion, this element of the works preserves the character and appearance of the conservation area and does not detract from the special interest of the BLI or adjacent BLIs.



New access from the ground-floor to the rear garden via an external staircase with 1.8m high privacy screen

- 8.10 In my opinion, the access and external staircase leading out to the garden would not detract from the special interest of the BLI and would preserve the character and appearance of the conservation area. The proposed rear door aligns with the windows above and the platform and staircase read as subservient additions to the original building and do not detract from the appearance of the rear elevation in my view. The additional mass of this part of the works, once completed, is largely obscured from public views along Brookside Lane to the east by the series of outbuildings adjacent to this lane. There are other examples of external staircases along the rear of Brookside, such as nos.10 and 11, and I do not consider the proposed works would appear alien from public viewpoints within the conservation area.

Double height rear infill extension including lowering of the basement floor

- 8.11 This element of the proposed works would be the most visually significant alteration compared to what was previously approved. The original permission was for a double-height extension that had a near-fully glazed rear elevation, separated by a narrow dividing frame in-between the basement and ground-floor levels. The proposal seeks to keep a large glazed elevation at basement level but to introduce a timber sash window at ground-floor level. The footprint of the basement has also been increased to expand out underneath the proposed ground-to-garden access and has also been increased in height by way of lowering the basement level and raising the height of the parapet of the roof.
- 8.12 The additional height and increase in mass would inevitably increase the visual bulk of the development in comparison to what was originally approved. The removal of the large glazed façade and replacement with a smaller timber sash window would, to an extent, give the development a heavier appearance due to the exposure of greater expanses of brickwork.
- 8.13 In my opinion, the proposed double height rear infill extension would not have a harmful impact on any heritage assets. Whilst

the proposed development is slightly larger in mass than what was approved, I do not consider this additional mass has gone above and beyond the threshold for what is deemed as being visually dominant or out of character with the terrace of Brookside. The proposed extension would clearly read as a later addition to the historic terrace and the finish of the sash window at ground-floor level would relate to the presence of other sash windows along this elevation. There would be an ornamental hierarchy of windows established whereby the ground-floor sash window would be narrower than the wide glazed basement windows below, as well as positioned centrally beneath the first-floor and second-floor windows. There would still be a large proportion of the original rear elevation and more traditional closet wing extension visible from public viewpoints and I do not consider the massing appears disproportionately awkward on the rear elevation. The Urban Design and Conservation Team have raised no objection to the works.

#### Internal works and replacement garage

- 8.14 The replacement garage is near-identical to what was originally permitted and its design with a simple pitched roof would be in keeping with the character of the conservation area.
- 8.15 The internal works would not have any material impact on the external fabric of the building and I am confident that the character and appearance of the conservation area, as well as the special interest of the BLI, would be retained.

#### Summary

- 8.16 Overall, I consider that the proposed works would preserve the character and appearance of the conservation area. The proposed development would inevitably increase the massing and size of the extensions when compared to what was approved. However, I do not consider that this increase would be so great as to result in the appearance and character of the BLI being destroyed or harmfully affected. This is because the extensions would still be read, in my view, as later and subservient additions to the original property. The remaining works, including the external staircase, would respect the architectural features of highest importance to the BLI's status

and preserve the character and appearance of the adjacent BLIs and conservation area.

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

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.18 The main considerations are the impact of the proposed works on the neighbouring properties at nos.12 and 14 Brookside. These neighbours have raised several concerns which mainly relate to the double-height extension, rear access and staircase and internal alterations to the void area. I have visited both of these neighbouring properties.
- 8.19 The upwards closet wing extension, front and rear dormers, and, replacement garage are similar to what was originally approved. In my opinion the amendments to these aspects would not have any significant bearing on residential amenity compared to that of the assessment under permission 17/1937/FUL to warrant a different conclusion being reached.

#### Impact on no.12 Brookside

- 8.20 Although the fenestration of the double-height extension has not been completed, the main shell of the extension and brickwork is in place and it is possible to see what the impact of the physical works on no.12 is. In terms of loss of light, the extension projects out to the same depth as the closet wing of no.12 and is situated to the north of this neighbour. In my opinion, the double-height extension does not harmfully overshadow or restrict daylight reaching this neighbour's garden and adjacent ground-floor window.
- 8.21 Whilst the large extension is clearly visible from this neighbour's garden when looking back towards the application site, I do not consider it can be deemed to be visually overbearing on this neighbour's amenity space. There are still relatively open vistas out to the north-east, east and south that the development does not interrupt. This neighbour does have a ground-floor window in close proximity but this serves a bathroom and consequently

I do not consider the main habitable outlooks of this neighbour would be harmfully affected.

8.22 The main consideration is what impact the proposed ground-floor sash window and the rear access and staircase would have on the privacy of this neighbour.

8.23 The original permission had a large ground-floor void area in the double-height extension which would have only allowed limited views of the latter end of this neighbour's garden. During the construction of this extension, it was established that there were plans to fully utilise this space and have a floor that allowed for occupants to stand immediately adjacent to the large area of glazing. Officers were of the opinion that this would have introduced harmful overlooking opportunities of no.12's private garden amenity area to the detriment of their amenity. In response to these concerns, the void has been partially reinstated and set approximately 2.5m back from the edge of the ground-floor window. Furthermore, the full-width glazed ground-floor has been removed and would be replaced with a narrower sash window. The combination of the reinstatement of a void and narrowing of the window would only allow for views out to the latter part of this neighbour's garden. In my opinion, the double-height extension would retain sufficient privacy for this neighbour's garden. I have recommended a condition for the void above the basement level to be retained in perpetuity as I am concerned that the infilling of this space at a later date may allow users to harmfully overlook no.12's garden. I have also recommended a condition to prevent the flat roof of the double-height extension from being used as a roof terrace.

8.24 This neighbour has also raised concerns regarding potential overlooking from the platform of the rear access on the other end of the rear elevation. However, at 2.25m in size with a privacy screen limiting where people can stand, I do not consider that this element of the proposed works would compromise the privacy of this neighbour. The limited size of this space severely restricts the ability of this platform to be used as a terrace and I am of the opinion that it would be more likely to be practically used as a means of access to the garden rather than as a terrace or other means of external amenity space. In addition, the ground-floor of the extension acts as a screen to prevent direct views back towards this neighbour and

any views from people standing on this space would be at an oblique angle. In my opinion, given the position of the access on the opposite side of the terrace and its limited size, I consider the privacy of this neighbour would not be harmfully impacted by the works.

#### Impact on no.14 Brookside

- 8.25 The double-height extension has not had a harmful impact on the amenity of this neighbouring property in my opinion. The degree of impact caused by the additional mass by way of the raised parapet, increase in footprint at basement level and additional approximately 0.2m depth, compared to what was approved, has preserved the amenity of this neighbouring property. The main two-storey mass of the proposed extension continues to be set approximately 2.2m away from this neighbour's boundary and, for the most part, out of sight of their habitable rear windows. The proposed increase in footprint has introduced a wall approximately 0.4m higher than the adjacent party wall of this neighbouring property. However given that this is set in off the party wall and only in the region of 0.4m higher than this, I do not consider this has a visually overbearing impact. The views out from the rear ground-floor sash windows would only offer limited views of the end of this neighbour's garden.
- 8.26 Overall, having visited this neighbouring property, I consider the impact of the double-height extension, as built, has not had a harmful impact on this neighbour's amenity in terms of loss of light or visual enclosure.
- 8.27 In my opinion, the most sensitive matter of this assessment is the impact of the proposed access and privacy screen on this neighbouring property. When the platform and staircase was applied for without a screen or means of protecting privacy officers had concerns with the overlooking and loss of privacy that would be experienced in the adjacent garden of no.14. The current application includes a private screen measuring 1.8m high from the platform and each step down to the garden. This screen would be set in from the boundary of no.14 by approximately 0.6m.
- 8.28 In terms of overlooking, I consider that the proposal would not compromise the privacy of this neighbour. The provision of a

1.8m high screen running along the platform and staircase would prevent any harmful views back over this neighbouring property in my opinion. This is however subject to the screen being of a robust material that successfully obscures views in this direction and I have recommended a condition for the details of this to be agreed prior to use of this staircase and platform.

8.29 Whilst the provision of a privacy screen mitigates any potential overlooking, careful consideration of the impact of this screen physically on the windows and garden of this neighbour needs to be borne into consideration. The total height of the screen when measured from the neighbouring garden would be approximately 3.5m high and subsequently the impact of this mass from a visual enclosure and loss of light perspective needs to be assessed.

8.30 In terms of loss of light, I am of the opinion that the impact on this neighbour would not be so significant as to harmfully overshadow this neighbour. It is appreciated that there is a basement kitchen window and half-glazed door in close proximity, as well as a ground-floor family room window that may be affected by the proposed development. I do not consider the additional height of the proposed balcony screen, particularly when it is set in 0.6m from the boundary of no.14, would block significant levels of light reaching the nearest habitable rooms of this neighbour. There may be some overshadowing experienced in specific periods of the morning hours but given that the screen will step down with the staircase as it projects deeper into the garden, this level of light loss would be acceptable in my view. The screen would largely be concealed behind the two-storey mass of the double-height extension and subsequently I do not consider the garden of this neighbour would be harmfully overshadowed either.

8.31 At approximately 3.5m in height from this neighbour's ground level, the proposed screen would inevitably introduce a degree of visual massing that would be perceived from the garden and nearest habitable windows of this neighbour. Whilst I accept that the screen would be visible from the garden and windows of this neighbour, I am of the opinion that its physical presence would not be visually oppressive. The proposed screen would be set in from the boundary of no.14 and step down in height dramatically as it projects deeper into the garden. In addition, it

would likely be constructed in an alternative material to the brick walls below and adjacent which would, in my view, help break up the massing and be less prominent than a 3.5m high orthodox brick wall. The drawings also indicate that a planted boarder along the terrace could also be introduced to soften the view of the physical screen and I have recommended a condition for details of this to be agreed prior to first use of the rear access. The garden of no.14 would still have relatively open outlooks to the south-east, east and north that would not be interrupted by the proposed development. Although I acknowledge the screen would be in close proximity to this neighbour's main patio area, I consider the overall openness and quality of this adjacent amenity space would be sufficiently retained.

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

### **Highway Safety**

8.33 It is noted that the Highway Authority has requested internal dimensions of the proposed replacement garage. However, as the layout is identical to what was originally approved, I do not consider it reasonable to request this and am of the opinion that the proposal does not pose a threat to the highway safety of Brookside Lane.

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

### **Third Party Representations**

8.35 Some of the third party representations have been addressed in the main body of this report. Those representations that are outstanding have been addressed in the table below:

<b><u>Comment</u></b>	<b><u>Response</u></b>
There are differences between the rear stairs of nos.10 and 11 and that proposed under this application. The stairs of no.11	This application has been assessed on its own merits and the privacy of both immediate neighbours

<p>are a gross intrusion of no.12's privacy and this previous mistake should not set a precedent for the proposed stairs.</p>	<p>considered.</p>
<p>The notified neighbour list should include other properties in the wider area.</p>	<p>All direct neighbours were notified of the application in accordance with consultation requirements. Site and press notices were also published for wider consultation.</p>
<p>The application should be treated as retrospective as everything has been built with the exception of the rear window/ glazed screen and a rear door.</p>	<p>It is acknowledged that the majority of works are retrospective. The works have been assessed in the same manner as a proposed application.</p>
<p>The Conservation Officer should visit neighbouring properties and the site.</p>	<p>The Conservation Officer is not required to do this. I have shown the Conservation Officer photographs of the site and surroundings for reference.</p>
<p>All previous neighbour objections to applications 17/0937/FUL, 17/0938/FUL and 15/1806/NMA1 should be read and considered within this application.</p>	<p>The previous neighbour objections to the earlier applications are considered to be covered in the summary of the third party representations. These objections have been addressed either in this table or in the main body of this report.</p>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Had the approved planning application been carried out correctly then none of the distress that has been caused would have occurred.</li> <li><input type="checkbox"/> The applicants are lawyers and should know better than to not build in accordance with the approved plans.</li> <li><input type="checkbox"/> Had the works in the</li> </ul>	<p>The applicant has committed no offence in undertaking works and applying to regularise works retrospectively. The applicant has been made aware of the risk that this may incur if the development is not lawfully regularised. The objections of neighbours and material differences between what was previously approved and what</p>



<p>current application been included in the original permission (15/1806/FUL) then objections would have been raised.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The granting of these retrospective works would set a precedent for future developers to build not in accordance with the plans and seek permission afterwards.</li> </ul>	<p>is sought permission under this application have been assessed and taken into consideration. I do not consider the granting of the retrospective works would set a precedent as the application has been assessed in the same way as a proposed application.</p>
<p>Unauthorised removal of chimney.</p>	<p>The removal of a chimney does not require planning permission as it is not development.</p>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Damage caused by unauthorised excavation of the basement.</li> <li><input type="checkbox"/> Breaches of party wall.</li> </ul>	<p>These are building regulation/ civil/ legal matters and not planning considerations.</p>
<p>There is an error in the address referred to in paragraph 2.06 of the Design and Access Statement.</p>	<p>This is acknowledged.</p>
<p>There has been damage to trees.</p>	<p>This alleged damage has already taken place and I do not consider that the planning process is able to rectify this. I have recommended an informative to make the applicant aware that any future works to trees may require separate tree works consent.</p>
<p>The relocation of the waste pipe from the external wall to be accommodated internally within the basement is welcomed and should be conditioned.</p>	<p>Waste pipes and plumbing are covered by building regulations and I do not consider it reasonable to impose a specific condition to control this. In any case, no physical waste pipes are shown externally on the plans and in my opinion the approved drawings condition</p>

	would control this. If any external pipes were installed at a later date then these may require planning permission if they were deemed to materially affect the external appearance of the building.
The work should be undertaken by a builder recognised by the Considerate Contractors Scheme. The builder to date has been expelled from the scheme due to neighbour complaints.	There is no planning requirement for works to be undertaken by a recognised builder of the Consideration Contractors Scheme. I have recommended a considerate contractors informative.

## 9.0 CONCLUSION

- 9.1 The works that have been undertaken and those proposed, under this application do not, and would not, in my opinion harm the amenities of neighbouring properties. The works, both proposed and retrospective, would respect the setting and special interest of the BLIs and preserve the character and appearance of the conservation area.

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

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

3. All new brickwork shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

Reason: To avoid harm to the special interest of the Building of Local Interest and the Conservation Area. (Cambridge Local Plan 2006, policies 4/11 and 4/12)

4. The roofing details of the development hereby permitted shall be carried out in accordance with the details agreed under the discharge of condition 5 of the previous permission (15/1806/COND5).

Reason: To avoid harm to the special interest of the Building of Local Interest and the Conservation Area. (Cambridge Local Plan 2006, policies 4/11 and 4/12)

5. Within 3 months of this permission being granted the front dormers of the development hereby permitted shall be either; constructed in accordance with the details approved under 15/1806/COND6, as per drawing no.116.510, or, 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, shall be submitted to and approved in writing by the local planning authority. Within 3 months of the written approval, by the local planning authority of the details, the dormer windows shall be constructed in accordance with the approved details unless any other variation to this timetable is agreed in writing by the local planning authority.

Reason: To avoid harm to the special interest of the Building of Local Interest and the Conservation Area. (Cambridge Local Plan 2006, policies 4/11 and 4/12)

6. The void area above the proposed basement layout, as labelled 'void' on drawing no.13B.CA.P2, shall be retained as a void area only and shall at no time be developed or used as additional floorspace for the ground-floor of the development hereby permitted.

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

7. The flat roof of the double-height extension of the development hereby permitted shall not be used as an external terrace and shall only be accessed for maintenance purposes only.

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

8. Prior to first use of the rear ground-floor access and external staircase of the development hereby permitted, details of the type of privacy screen of the rear ground-floor to garden access and staircase shall be submitted to and approved in writing by the local planning authority. The screen shall be implemented prior to the first use of the rear ground-floor access in accordance with the approved details and thereafter retained.

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

9. Prior to first use of the rear ground-floor access and external staircase of the development hereby permitted, details of the type of soft landscaping or planting, and its maintenance, adjacent to the rear ground-floor to garden access and staircase shall be submitted to and approved in writing by the local planning authority. The soft landscaping or planting shall be implemented in accordance with the approved details and thereafter retained and maintained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/14).

**INFORMATIVE:** No consent is granted or implied for any works to trees, for which a separate tree works application may be necessary.

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

**INFORMATIVE:** Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1848/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1st November 2017	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	27th December 2017		
<b>Ward</b>	Arbury		
<b>Site</b>	87 Histon Road Cambridge		
<b>Proposal</b>	Erection of a 1.5 storey 2 bed dwelling to the rear of 87 Histon Road with access from North Street, with integrated store for bins and bikes.		
<b>Applicant</b>	Mr & Mrs Lentin c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal is in keeping with the character of the area</li> <li>- The proposal would not have any significant adverse impact on the amenity of surrounding occupiers</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is land to the rear of 87 Histon Road. The site is accessed from private land to the rear of Canterbury Close and north of North Street. The area is predominantly residential in character. There are a mix of different dwellings and outbuildings in this area sited on land to the rear of the properties on Histon Road and fronting onto North Street. Over recent years there have been many applications on the land to the rear of the properties on this part of Histon Road. As a result, the character of North Street has changed and has now begun to resemble a residential street rather than a back track.
- 1.2 The site falls within the Central Conservation Area and falls within the remit of the Castle and Victoria Road Conservation Area Appraisal.

## 2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the construction of a 1.5 storey 2 bedroom dwelling on the land to the rear of Histon Road. The building would be accessed from a strip of unadopted land to the north of North Street. The ownership of this land is unknown so the applicants have signed certificate D and taken out an advert in the Cambridge News.
- 2.2 The proposed building would be 1.5 storey with a pitched roof. The ground floor would be finished in brick with grey cladding to the upper floor. There is an oriel window to the front elevation at first floor; this would be clad in zinc. An off-street parking space is to be provided to the front of the dwelling. Bike and bin storage is also to be incorporated to the frontage but within the building. Living accommodation would be provided at the ground floor with two bedrooms at first floor.

## 3.0 SITE HISTORY

- 3.1 There is no site history.

## 4.0 PUBLICITY

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

## 5.0 POLICY

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

PLAN		POLICY NUMBER					
Cambridge Plan 2006	Local	3/1	3/4	3/7	3/10	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)
Material Considerations	<u>City Wide Guidance</u>  Cambridge and Milton Surface Water Management Plan (2011)  Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u>  Castle and Victoria Road Conservation Area Appraisal (2012)

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

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

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

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

## **6.0 CONSULTATIONS**

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

- 6.1 The proposal will displace the car parking provision for the existing dwelling and, as this dwelling will continue to retain access to residents' Permits within the Residents' Parking Scheme operating in the area, this additional demand is most likely to appear on-street in competition with existing residential uses. This is unlikely to impact on highway safety but may impact on residential amenity. New residents will not be eligible for parking permits and this should be included as an informative. A construction traffic management plan condition is requested.

### **Environmental Health**

- 6.2 No objection: In the interest of amenity conditions are recommended in relation to construction hours, piling and collections/deliveries during construction.

### **Drainage**

- 6.3 No comments received. An update will be provided on the amendment sheet.

## **Urban Design and Conservation Team**

- 6.4 No objection: Over the last few years, a number of small, modern properties have been built at the end of the gardens of Histon Road, which has given North Street a new, modestly-built character. The majority of these dwellings and workshops are in gault brick with slate roofs and timber or zinc cladding. Generally these narrow plots have gable ends facing the street, and the proposal follows this approach. The scale, form and majority of materials proposed are acceptable. However, the use of fibre cement rain screen vertical cladding is out of keeping with the palette of materials used in the vicinity. Timber or zinc would be preferable. Conditions are required in relation to material samples, cladding details, window details and roofing details.

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

- 6.5 It is considered that there are no material Landscape issues with this proposal.
- 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:
- 9 Canterbury Close
  - 10 Canterbury Close x2
  - 11 Canterbury Close x3
  - 12 Canterbury Close
  - 14 Canterbury Close
  - 83 Histon Road
  - 85 Histon Road
  - 91 Histon Road
  - 93 Histon Road
  - Camcycle (The Bike Depot, 140 Cowley Road)

## 7.2 The representations can be summarised as follows:

### Access/traffic/parking

- Roads are already over capacity with traffic
- The access to the site is very narrow and is an unadopted road
- Cycle parking area is small and difficult to negotiate as shared with bins
- Car parking area is inadequate

### Design/impact on character of the area

- Getting the right materials will be key
- The building is higher than neighbouring 2 storey properties so should not be classed as 1.5 storeys.
- Not suited to the street
- Building shares many characteristics with recent approved applications

### Residential amenity

- Concerned about overlooking of garden of no. 85 Histon Road
  - Concerned about inaccuracies in the plans
  - Concerned about loss of light
  - Concerned about overlooking
  - Concerned about disruptions during construction
  - Will increase noise and disturbance
  - The adjoining workshop at 85 Histon Road does not have a first floor window
  - The proposed first floor window will look directly into the bedroom of 9
  - Would be overbearing
- No 10 Canterbury Close is already impacted by the house to the rear of 79 Histon Road

### Other

- Loss of animal habitat
- There are already large scale houses in castle which address housing needs and therefore there is no need for 1 inaccessible, impractical home which is detrimental to the area
- Sewers are over capacity
- The site edged red seems to indicate that the applicants own the access from North Street
- Would prefer to see trees rather than a new building
- Trees in the garden of 87 Histon Road were cut down prior to the submission of this application
- Concerned about the quality of the drawings submitted

- Reject the permission at 89 as precedent as residents have major concerns about this scheme also
- Accept the need for more housing but these properties will not be affordable

7.3 Councillor Mike Todd-Jones has commented on the application. His representation can be summarised as follows:

- Requests that application is determined at planning committee
- Displaced parking will harm residential amenity
- Will result in a loss of morning light to 9, 10 and 11 Canterbury Close
- Will result in overlooking of 9, 10 and 11 Canterbury Close

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. Third party representations
8. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 Policy 5/1 states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The character of the surrounding area is predominantly residential. As a result the proposal accords with policy 5/1

8.3 The proposal would be built on land to the rear of 87 Histon Road. As a result policy 3/10 which relates to the sub-division of

plots is relevant. This policy requires consideration to be given to the impact on amenities of neighbours (part a), amenity space/car parking (b), impact on the character of the area (c), effect on listed buildings/BLI (d), impact on trees (e) and whether the proposal would compromise comprehensive redevelopment (f). In this case parts (d) and (f) are not relevant. I have addressed the other parts of policy 3/10 below.

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

- 8.4 The proposal is similar in design to other recent approval on North Street and to the rear of no. 89 which is also accessed from this unadopted road to the north of North Street. The dwelling is designed to have an outbuilding-like character which mimics the existing studio/workshop to the rear of 85 Histon Road. The design of the building is considered to reflect the character of the area and is similar to other recently approved developments in the vicinity.
- 8.5 The Conservation Officer is satisfied that the proposal respects the character and appearance of the Conservation Area subject to a number of conditions regarding material samples, and further details of cladding, windows and roofing materials. I have only recommended the condition regarding material samples as I consider the other requested details to be more appropriate for extensions to existing buildings rather than for a new build property.
- 8.6 I note that representations have raised concerns that trees have been removed from the site prior to the submission of the application. Whilst this should have required consent given the location of the site in a Conservation Area, I consider that the trees had limited amenity value due to their rear garden location, and that the loss of vegetation has not harmed the character of the area. Whilst it is unfortunate that trees have been removed, I have based my assessment on the situation at the time of the application.
- 8.7 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

- 8.8 The proposal would sit in line with the approved new dwelling at 89 Histon Road. This has not yet been implemented but were the scheme to be implemented, I am satisfied there would be no significant impact on the occupier of the new dwelling. As it stands the proposal would result in some overshadowing and enclosure to the end of the garden of 89 Histon Road. However, this is a similar arrangement to others on the street. As only the end of the garden would be impacted, I am satisfied that this impact would not be significantly harmful to warrant a refusal of permission.
- 8.9 The neighbour to the south at 85 Histon Road has a workshop/studio building at the end of the garden so the proposal would not result in any significant enclosure to this occupier. Given the orientation of the plots, with no. 85 to the south of the application site, there would be no significant overshadowing of this occupier.
- 8.10 There is one window proposed to the first floor rear elevation of the new building. A condition is recommended ensuring this window would be obscure glazed up to 1.7m above finished floor levels to ensure it will not result in any overlooking of the neighbouring gardens. A condition restricting any additional first floor windows being installed under permitted development is also recommended.
- 8.11 There is a distance of approx. 16m between the new dwelling and the nearest building on Canterbury Close. As a result I am satisfied that the proposal would not have any significant impact on the residents of these properties in terms of enclosure or overshadowing. There is a first floor bedroom window which faces these properties but this has been designed to be angled looking down towards North Street, similar to the recent approval at no.89. As a result I am satisfied that it would not adversely impact on the privacy of these properties on Canterbury Close.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

#### Amenity for future occupiers of the site

- 8.13 The proposal would offer a high quality living environment to future occupiers of the site with an adequate provision of outdoor amenity provided to serve the new dwelling while maintaining a garden space for the host dwelling at 87 Histon Road. The garden for the new dwelling would accommodate approx. 29sqm of private outdoor amenity space to the rear. The building itself would provide approx. 38 sqm of living accommodation. I am satisfied that this is adequate provision for a two bedroom property in this location and in line with other recent approved schemes nearby. A small garden would be retained to the host dwelling at 87 Histon Road.
- 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, 3/10 and 3/12.

#### **Refuse Arrangements**

- 8.15 An integral bike and bin store is to be provided to the front of the building. I am satisfied that this arrangement would be acceptable.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

#### **Highway Safety**

- 8.17 The Highway Authority has not raised any concerns regarding highway safety subject to the incorporation of a construction traffic management condition. I share this view. I accept that the site is on unadopted highway and accessed from a narrow accessway. However, subject to the incorporation of this condition and the construction hours condition specified by the Environmental Health Officer, I am satisfied that the construction work can be carried out in a manner that would not significantly harm the amenity of surrounding occupiers.



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

### **Car and Cycle Parking**

8.19 Bike storage would be included with bin storage to the front of the property. I am satisfied that this space is adequately large to provide bin storage for the dwelling and the required space for two cycles.

8.20 An informative will be included to notify the applicant that residents of the new unit will not be eligible for parking permits. I am satisfied that the removal of the existing garage would be acceptable given the sustainable location of the site. One off street car parking space would be provided to the new unit; I am satisfied that this level of provision would be acceptable.

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

### **Drainage**

8.22 The sustainable Drainage Engineer has not commented on the application. I note that on previously approved applications nearby, a condition was required regarding details of surface water drainage. I will include comments from the sustainable drainage engineer on the amendment sheet but have included a condition and informative relating to surface water drainage in anticipation of their request.

### **Third Party Representations**

8.23 I have addressed the majority of the third party representations within the body of my report. I will address any outstanding matters below:

<b>Representation</b>	<b>Response</b>
Roads are already over capacity with traffic	I do not consider the addition of 1 dwelling will result in a significant increase to traffic in the area.
The access to the site is very narrow and is an unadopted road	The narrowness of the access is noted. A construction traffic management plan is recommended. See paragraph

	8.17
Cycle parking area is small and difficult to negotiate as shared with bins	I am satisfied that the shared bike and bin store is acceptable. See paragraph 8.19
Car parking area is inadequate	See paragraph 8.20
Getting the right materials will be key	A condition regarding material samples and cladding details is recommended
The building is higher than neighbouring 2 storey properties so should not be classed as 1.5 storeys.	I am satisfied that the description of the building as 1.5 storey is accurate. The proposal has a low eaves height with the rooms in the first floor contained predominantly within the roof.
Not suited to the street	See paragraphs 8.4 and 8.5
Building shares many characteristics with recent approved applications	I agree.
Concerned about overshadowing of garden of no. 85 Histon Road	See paragraph 8.9
Concerned about inaccuracies in the plans	I am satisfied that the plans are accurate
Concerned about loss of light	See paragraphs 8.8 – 8.11
Concerned about overlooking	See paragraphs 8.8 – 8.11
Concerned about disruptions during construction	See paragraph 8.17
Will increase noise and disturbance	I do not consider that one additional dwelling will have a significant impact in terms of noise disturbance to surrounding occupiers.
The adjoining workshop at 85 Histon Road does not have a first floor window	Noted.
The proposed first floor window will look directly into the bedroom of 9 Canterbury Close	See paragraph 8.11
Would be overbearing	See paragraphs 8.8 – 8.11
No 10 Canterbury Close is already impacted by the house to the rear of 79 Histon Road	I am satisfied that there would be no significant impact to the occupiers of Canterbury Close. See paragraph 8.11
Loss of animal habitat	The area is not afforded any

	special protection in terms of wildlife
There are already large scale houses in castle which address housing needs and therefore there is no need for 1 inaccessible, impractical home which is detrimental to the area	There is no evidence before me to suggest that housing needs are being met in the area. The proposal would provide an additional residential unit on a site compatible with residential use. This complies with policy 5/1.
Sewers are over capacity	I await comments from the Sustainable Drainage Officer
The site edged red seems to indicate that the applicants own the access from North Street	The applicants have signed certificate D indicating that they do not own this land. It is a validation requirement for the red edge of the site plan to show access to the highway.
Would prefer to see trees rather than a new building	Noted but the proposal is considered to comply with policy.
Trees in the garden of 87 Histon Road were cut down prior to the submission of this application	See paragraph 8.6
Reject the permission at 89 as precedent as residents have major concerns about this scheme also	The permission at 89 has already been granted
Accept the need for more housing but these properties will not be affordable	The proposal is not for affordable housing.

### Planning Obligations

8.24 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.

8.25 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 design of the new building is considered to be in keeping with other recent developments on land to the rear of properties on this part of Histon Road. The proposal is not considered to have any significant adverse impact on residential amenity. The new dwelling would provide a high standard of amenity for future occupiers 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. 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. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

6. Notwithstanding the details proposed within the application, prior to the commencement of development, samples of the facing materials shall be submitted for the written approval of the local planning authority. The development shall be carried out in accordance with the approved details.

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

7. Bike and bin storage, as shown on drawing no. 477 (PL)10, shall be fully implemented prior to the occupation of the dwelling. The bike and bin storage shall be retained in accordance with these details thereafter.

Reason: To ensure adequate and secure bike and bin storage for future occupiers of the site (Cambridge Local Plan 2006 policies 3/7, 3/10 and 8/6)

8. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

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

9. The window on the east elevation 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 3/12).

10. The curtilage (garden) and boundary treatments of the proposed property 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. 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), no new first floor windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

12. 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)

**INFORMATIVE:** The principle areas of concern that should be addressed by the traffic management plan are:

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

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

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

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- ii. provide a management and maintenance plan for the lifetime of the development.
- iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.



**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1453/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	29th August 2017	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	24th October 2017		
<b>Ward</b>	Cherry Hinton		
<b>Site</b>	29 Fernlea Close Cambridge CB1 9LW		
<b>Proposal</b>	Retrospective single storey front extension, part single storey, part two storey rear extension, first floor side extension and change of use to 8-person HMO (House in Multiple Occupation).		
<b>Applicant</b>	Mr A Mashuk		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The extensions and use as a large HMO would not harm the surrounding area or neighbouring properties compared to previous consents or permitted development.</p>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 29 is a two storey semi-detached dwelling on the south-western side of Fernlea Close. The property has a large rear garden and was originally built with an outbuilding to the side which is attached to a similar structure belonging to the neighbouring property.
- 1.2 The property sits within a cul-de-sac of similar semi-detached properties. The surrounding area is residential in character. The site is not within a conservation area. There are no protected trees on the application site. The site falls outside the controlled parking zone. There are no other relevant site constraints.

## 2.0 THE PROPOSAL

- 2.1 The proposal is for retrospective consent for a single storey front extension, part single storey / part two storey rear extension, first floor side extension and change of use to 8-person HMO (House in Multiple Occupation).
- 2.2 The property has consent for extensions that were approved in 2011, 2013 and 2014. The current application seeks to regularize extensions that have been undertaken not in accordance with the previous consents. However, the previous consents are material considerations that must be given appropriate weight. The main differences between the current application and previous consents are:
- Two storey rear extension projecting approximately 4.8m compared to 4m as approved in 2013.
  - First floor side extension along length of the elevation removing the step-back approved in 2013 extension.
  - Amended front roof slope.
  - Combining the front extension from the 2013 consent which extends across the width of the frontage with the 2014 consent which projects to the side, and amending the roof from hipped to monopitched.
  - Amending the single storey side extension from flat roof (2013 consent) to monopitched.
  - Incorporating the rear roof extension from the 2014 consent.
  - Change in roof profile of the single storey rear extension and amendments to fenestration on the rear elevation.
  - Insertion of first floor windows on the side elevation of the side extension.
  - Internal rearrangements.
- 2.3 During the course of the application, the description of development was amended from specifying 6-beds to 8-persons. This is standard practise to control the number of occupants, rather than the number of bedrooms. Third parties were not consulted on this change as there was no change to the number of bedrooms or the arrangement of rooms. During the site visit, it was observed that the attic bedroom had been divided into two rooms, rather than one as shown on the proposed plans. The control over the number of occupants would not be affected by this.

2.4 The site visit also revealed an outbuilding in the rear garden and associated landscaping works, including a gate in the rear fence. The outbuilding was fitted with a kitchenette and bathroom, indicating independent occupation. However, the applicant's representatives have confirmed that the outbuilding is currently being used by a member of the same household on a temporary basis. This is being investigated as a separate enforcement matter as to whether the structure and the use requires planning permission. The outbuilding is not shown on the proposed plans and does not form part of the current application.

### 3.0 SITE HISTORY

Reference	Description	Outcome
11/1018/CLUPD	Side and rear dormer and front velux window	Certificate granted
11/1019/FUL	Part single storey part two storey rear extension.	Approved
13/0027/FUL	Part single storey part two storey rear extension.	Approved
14/0287/FUL	Single storey front extension, part single storey, part two storey rear extension and two storey side extension.	Appeal allowed

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

#### 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge	Local	3/1 3/7 3/11 3/14

Plan 2006	4/13 5/7 8/2 8/6 8/10
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### 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)  Roof Extensions Design Guide (2003)

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

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

will have considerably more weight than emerging policies in the revised Local Plan.

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

## **6.0 CONSULTATIONS**

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

A clear and dimensioned plan is required showing the three front garden parking spaces to demonstrate that these can be provided without vehicles overhanging, and obstructing, the public highway. The proposal seeks to justify a level of off-street car parking provision within the site less than one per sub-unit. 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.

### **6.2 Environmental Health**

I have spoken with an Officer from our Residential Team who has recently inspected the premises against current housing/HMO standards and regulations. I confirm that from an Environmental Health perspective, there are no issues regarding this application.

### **6.3 Streets and Open Spaces (Trees Team)**

No objection.

### **6.4 Sustainable Drainage Engineer**

No comments received.

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

## 7.0 REPRESENTATIONS

7.1 The application has been called in by Councillor Dryden on the grounds that it relates to an enforcement matter, that there are more than 6-beds within the property than shown on the proposed plans, and parking issues.

7.2 The owners/occupiers of the following addresses have made representations objecting to the proposal (unless otherwise stated):

- 12 Fernlea Close
- 18 Fernlea Close
- 21 Fernlea Close
- 23 Fernlea Close
- 25 Fernlea Close
- 27 Fernlea Close
- 28 Fernlea Close
- 30 Fernlea Close
- 32 Fernlea Close (neutral)
- 29 Railway Street

7.3 The representations can be summarised as follows:

- Extensions out of keeping with the street
- Overlooking from windows
- Loss of privacy from window inserted into the shed rear elevation.
- Overshadowing and loss of light to window on side elevation of No. 29
- HMO use would be out of character with demographics of the area
- HMO use would result in high turnover of occupancy
- Increase in noise and disruption from HMO use
- Increased demand for on-street parking
- Resulting access, turning, amenity and highway safety issues
- Gate in rear fence increases traffic along footpath at rear
- New studio at the rear of the property out of keeping with the surrounding area
- Downstairs bathroom at the front of the house overlapping the outbuilding could have been better incorporated.
- Impact of noise and disturbance and access issues during construction.

- Inconsiderate during construction.
- Lack of transparency – property referred to as a dwelling on previous recent appeal
- Inaccuracies on the drawings including gap shown between neighbouring outbuilding and side extension.
- Building inconsistent with previous consents.
- Development should have been stopped if it was proceeding without planning consent
- Building and drains encroaching into neighbouring property
- Trespassing onto neighbouring property during construction

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

## **8.0 ASSESSMENT**

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

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

### **Principle of development**

8.2 The proposed used as an 8-person HMO would be as a large HMO (sui generis use). It should be noted that the property could be used as a small HMO for up to 6 people without the need for planning permission. Policy 5/7 states that development of large HMOs will be permitted subject to:

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

- 8.3 I have considered criteria a and b in the relevant sections below. The site is in close proximity to Cherry Hinton High Street which provides amenities and local services as well as public transport, pedestrian and cycle links. In my opinion, the principle of development is acceptable in accordance with policy 5/7.

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

- 8.4 The property forms part of a semi-detached pair, however the previous consents have already established the principle of significant alterations to the property, including front, side and rear extensions. The extensions would be larger than the consented schemes. However, in my opinion, the scale, form, design and materials are appropriate for the property and the surrounding area. I do not consider these to overwhelm the existing property or to be unduly dominant within the street scene. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.5 The main amenity concern is the relationship with the neighbouring property Nos. 25-27, and to a lesser extent the impact on the attached property No. 31. I have also considered the impact on the wider residential area.

□ *Nos. 25-27*

- 8.6 This is a two storey building to the south-east of the application site. The property is split into a ground and first floor flat. It is separated from the application site by a side passageway. There are windows on the ground and first floor side elevation facing towards the proposed extensions. The ground floor flat – No. 27 – has an outbuilding attached to an outbuilding for No. 29 which sits between the properties. The property has a long rear garden.
- 8.7 A part single storey / part two storey side extension has already been permitted. The extension as built would be two storeys along the length of the side extension and would project approximately 0.8m longer at the rear. It has a sloped roof



rather than a pitched roof. The single storey side elevation is approximately 2.6m from the ground level as shown on the proposed plans and would be approximately 0.6m from the boundary. The two storey side elevation is approximately 4.9m high and approximately 1.9m from the boundary.

8.8 I have visited the site and I am comfortable with the relationship. The extensions would enclose the neighbouring property more than the original house and the previous extensions, however in my opinion this would not have an undue overbearing impact. The occupant of No. 27 has raised a concern about loss of privacy from a window inserted in the existing outbuilding which has been incorporated into the living accommodation. This outbuilding sits on the boundary and therefore this window affords direct views into the neighbouring garden. I appreciate the concern of the neighbour. However, this window could be inserted under permitted development. As such, the Council does not have control over this. In my view, this is an unfortunate situation which arises from the particular arrangement of the attached outbuildings and should be resolved in discussions between the neighbours to obscure the window.

8.9 There would be some views from the first floor windows on the side elevation. Two of these windows serve a landing which is not considered to afford significant views. The third window is a small secondary bedroom window. This would not result in a significant loss of privacy in my opinion. There would be some oblique views from the first floor window on the rear elevation of the rear extension towards the neighbouring gardens. However, this would be similar to the approved extensions and would be an acceptable relationship in my opinion.

□ *No. 31*

8.10 The single storey rear extension projects approximately 3m along the boundary with No. 31 and would be approximately 2.6m high to the eaves with a sloped roof. The two storey rear extension is approximately 3m from the boundary and projects approximately 4.8m. The extensions are to the south of the No. 31. I am satisfied that the scale of the extension would not harm the residential amenity of No. 31 in terms of overbearing, overshadowing and loss of light compared to the approved scheme and permitted development rights.

□ *Wider area*

8.11 Third parties have raised concerns about the impact of additional demand for on-street car parking impacting on residential amenity. I have assessed the car parking provision against the adopted standards in the section below. In my opinion, the proposed use is not considered to generate significant additional demand for on-street parking compared to a 6-bed HMO. I note the concerns from third parties about the current pressure on on-street parking. In my opinion, the existing competition for on-street parking would serve to discourage the occupants from owning cars. The properties within Fernlea Close have on-plot parking and there is a prevalence of dropped kerbs. Parking which obstructs access to driveways is a highways matter. As such, in my opinion, the proposal is unlikely to generate significant additional demand for on-street parking and, should this arise, it would not significantly adversely impact on the residential amenity of neighbouring properties.

8.12 Third parties have also raised concerns about noise and disruption from the proposed HMO use. The impact of 8 occupants compared to 6 occupants under permitted development would not be significant, in my view. I am satisfied that the site is suitable for the number of occupants in terms of its relationship with neighbouring properties. Nonetheless, I have recommended a standard condition for an HMO management plan to be submitted in order to control this impact.

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

Amenity for future occupiers of the site

8.14 The extended property provides suitable internal accommodation for the 8 no. occupants. The floor plans show 7 no. bedrooms plus a small study, with associated communal kitchen/living space and bathroom facilities. The external amenity space at the rear provides a good level of external amenity space. (The outbuilding at the rear is not considered as part of the amenity provision, as it does not currently benefit

from planning permission). Use of the property as an HMO is also controlled through licensing.

- 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, 3/14 and 5/7.

### **Highway Safety**

- 8.16 Third parties have raised concerns about the increased demand for on-street parking and comings-and-goings associated with the HMO impacting on highway safety. Concerns have been noted about the impact on access and turning within the cul-de-sac. The Highways Authority has reviewed the application and advised that the parking situation is unlikely to have highway safety implications. I have to accept their advice on this matter. The proposal is unlikely to generate a significant transport impact compared to a 6-person HMO which could operate without the need for planning permission. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

*Car parking*

- 8.17 The proposed site plan shows space for parking 3 no. vehicles off-street on the driveway. The Highways Authority has requested a dimensioned plan showing the size of the spaces to ensure there is no overhang. The hard-standing does not form part of this application and therefore there is no planning control over the number of vehicles that park here or whether they overhang the pavement.
- 8.18 In my opinion, the space in front of the building is suitable for parking multiple vehicles. The proposed 3 no. parking spaces would exceed the adopted standards for a single dwelling (the Council has no adopted standards specifically for HMOs). However as this is an existing situation, the car parking provision is acceptable, in my view.

8.19 The premises could be occupied by up to 6 individuals without the need for planning permission. The additional demand for parking resulting from 8 individuals is not considered to be significant. Third parties have raised concerns about inadequate car parking impacting on residential amenity and highway safety, which has been considered above.

□ *Cycle parking*

8.20 The property includes outbuildings which can be used for parking bicycles, which would be accessed via the gate in the rear fence. In my opinion, this is acceptable and no further details of cycle parking are required.

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

**Refuse Arrangements**

8.22 The site includes a bin storage area at the front of the property. The bins storage capacity is the same as for a single dwelling and thus the existing arrangements are acceptable in this instance. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 in this respect.

**Third Party Representations**

8.23 I have addressed the third party representations as follows:

<b>Representation</b>	<b>Response</b>
Extensions out of keeping with the street	See assessment above.
Overlooking from windows	See assessment above.
Loss of privacy from window inserted into the shed rear elevation	I have addressed this in my assessment.
Overshadowing and loss of light to window on side elevation of No. 29	See assessment above.
HMO use would be out of character with demographics of the area	As previously stated, the property – and others within the surrounding area - could change from a family dwelling to a 6-person HMO without the

	need for planning permission. An 8-person HMO would not differ significantly from a 6-person HMO in terms of demographics.
HMO use would result in high turnover of occupancy	As above. I have no evidence to suggest there would be a higher turnover of occupants for an HMO use or that this would have a significant impact on residential amenity of neighbouring properties.
Increase in noise and disruption from HMO use.	As above. See assessment.
Increased demand for on-street parking	See assessment.
Resulting access, turning, amenity and highway safety issues	See assessment.
Gate in rear fence increases traffic along footpath at rear	The insertion of a gate in an existing boundary is permitted development and outside the control of this application. The use of the outbuilding at the rear is not included in the current application and is subject to a separate enforcement matter.
New studio at the rear of the property out of keeping with the surrounding area	This is outside the scope of the current application and subject to a separate enforcement investigation.
Downstairs bathroom at the front of the house overlapping the outbuilding could have been better incorporated.	I have to assess the application as submitted and cannot consider alternate arrangements.
Impact of noise and disturbance and access	The construction is largely complete, as witnessed during

issues during construction.	my site visit. I do not consider it necessary to impose construction hours conditions.
Inconsiderate during construction.	The construction is largely complete, as witnessed during my site visit.
Lack of transparency – property referred to as a dwelling on previous recent appeal	This is not relevant to the current application.
Inaccuracies on the drawings including gap shown between neighbouring outbuilding and side extension.	I have followed this up in response to the third party's comments to receive revised plans.
Building inconsistent with previous consents	The current application seeks to regularise inconsistencies between the build and the previous consents.
Development should have been stopped if it was proceeding without planning consent	The works have been investigated by the enforcement team and action taken as appropriate.
Building and drains encroaching into neighbouring property	This is a boundary issue which the neighbour has been advised to seek legal advice on.
Trespassing onto neighbouring property during construction	This is a civil matter and not a planning matter.

## 9.0 CONCLUSION

- 9.1 It is regrettable that the applicant has undertaken works outside the scope of the previous consents. The Council has taken action to investigate this and the current application seeks to regularise the extensions and the use as a large HMO. I have visited the site with an Enforcement Officer. I have carefully revised the concerns of third parties. I am satisfied that the works do not harm the surrounding area or the amenity of neighbouring properties. For these reasons, in my opinion there would not be reasonable grounds to recommend refusal.

## 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. The HMO shall be occupied by no more than 8 people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2006 policies 3/7 and 5/7)

3. Within three months of the date of this consent (or another date to be agreed in writing), a management plan for the use of the property as a large HMO (more than 6 people) shall be submitted to the Local Planning Authority. It shall include details of: who will be managing the property; external display of contact information for on-site management issues and emergencies for members of the public; how issues will be addressed; how external spaces/functional provisions will be managed (lawns, bins, bikes etc.); and what new tenant guidance will be issued re: acceptable standards of behaviour/use of the premises including bin storage etc. The management of the HMO shall be carried out in accordance with the approved details.

Reason: In order to ensure the use of the property does not adversely impact the amenity of adjacent residents (Cambridge Local Plan policy 4/13).

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

**INFORMATIVE:** For the avoidance of doubt, the planning permission hereby granted conveys no permission for the outbuilding within the rear garden that has been recently constructed and witnessed on site visits, either for the structure of the outbuilding or the use for accommodation.



**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1793/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	23rd October 2017	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	18th December 2017		
<b>Ward</b>	Romsey		
<b>Site</b>	159 Vinery Road Cambridge CB1 3DW		
<b>Proposal</b>	Demolition of existing buildings and construction of two new buildings containing 6 x 1 bedroom apartments and 3 x 2 bedroom apartments. Provision of on-site parking and bin & bike storage.		
<b>Applicant</b>	Mr Kevin Johnson 29 Hop Row		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would not harm the residential amenity of neighbouring occupiers</p> <p style="padding-left: 40px;">The proposed units would have a high quality residential amenity for the future occupants</p> <p style="padding-left: 40px;">The design responds positively to the surrounding context and enhances the street scene.</p>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises No. 159 Vinery Road which is a detached bungalow on a relatively large plot (approx. 01ha). The existing bungalow has a hipped roof and is constructed in brick and plain tiles. There is a large outbuilding at the rear and a long garden.
  
- 1.2 The surrounding area is predominantly residential. The properties at this end of Vinery Road have individual designs as

a result of piecemeal development over the last century. To the south is Nos. 151-155 Vinery Road and Nos. 1-4 Vinery Place, which is a recent development of 7 no. two storey properties.

- 1.3 To the north is No. 161 Vinery Road which is also a detached bungalow. The northern boundary of the application site adjoins the rear gardens of Nos. 232-242 Coldham's Lane. The western boundary adjoins the rear gardens of properties along Ross Street.
- 1.4 The site is not within a Conservation Area or the Controlled Parking Zone (CPZ). There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for demolition of the existing bungalow and outbuilding, and construction of two new buildings containing 6 no. 1-bedroom apartments and 3 no. 2-bedroom apartments, with associated amenity space, on-site parking, bin and bike storage, and landscaping.
- 2.2 The site would be laid out with a front block containing three units and a rear block containing six units. A new access would be created along the northern side of the site which would provide access to a parking courtyard. The site would be landscaped with hard paving and border planting.
- 2.3 The blocks would be two-and-a-half storeys and would have pitched roofs and gable ends. The rear block would have a projecting gable feature on the eastern elevation which would provide inset balconies. The materials proposed are brick, zinc cladding, zinc/aluminium guttering and slate roof tiles.
- 2.4 The parking courtyard would provide 5 no. parking spaces. Cycle parking and bin storage would be provided within internalised stores for each block. Visitor cycle parking would be provided on the northern side of the site.
- 2.5 During the course of the application revised plans were submitted which included the following amendments:
  - Addition of porches to the front and side elevation of the proposed front block

### 3.0 SITE HISTORY

3.1 There is no relevant planning history.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

#### 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 4/13 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 No objection. The applicant has appraised parking demand indicating a parking shortfall within the site of 3 spaces. 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 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 relating to access, visibility and traffic management plan.

### **Environmental Health**

- 6.2 No objection subject to conditions for construction hours, collection/delivery hours, noise and vibration, piling, dust, parking fences and artificial lighting. 1.8 m high timber fences shall be provided to the private garden / patio of Plot 02 and the grass private garden of Plot 07 on the ground floor to protect the amenity / quality of life of future residents from artificial lighting and noise impacts associated with vehicle movements.

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

- 6.3 No objection subject to condition for materials samples.
- 6.4 The pitched roofs are in keeping with the surrounding character of the area, which is a mixed style of domestic dwellings between one and two and a half storeys. The proposal is of a similar height to the neighbouring scheme at 151-155 Vinery Road.
- 6.5 The front building appears as a single domestic dwelling and sits well within the streetscape. The block at the rear sits in line with the rear blocks at 151-155 Vinery Road. The connecting roof is lower than the pitched roofs, which breaks up the massing and allows the scheme to read as domestic scale.

- 6.6 The materials proposed are brick, zinc cladding, zinc/aluminium guttering and slate roof tiles. These are all acceptable in principle, the details of which can be secured through condition.
- 6.7 Seven out of nine of the units have good quality amenity space. The two smaller units (one beds), on the upper floors of the front block, do not have private amenity space. Due to site constraints and proximity to neighbouring properties, this response is considered acceptable.
- 6.8 Concerns about the 1.5m timber fence proposed for the private amenity spaces on Plots 2 and 7, as it would degrade the overall quality of the public courtyard space. Suggest boundary walls behind the proposed landscaping to the courtyard. Plot 2 should have a 1.2m high brick wall to help manage views into the site and prevent car lights from entering into the bedrooms, as well as alleviating any privacy issues. Plot 7 should have a 600mm wall.

### **Landscape Architect**

- 6.9 No objection subject to conditions for hard and soft landscaping details and boundary treatments. The bin collection area requires more detailed consideration but in principle, all landscape proposals are acceptable pending detail to come forward through condition.

### **Sustainable Drainage Officer**

- 6.10 No objection subject to condition for surface water drainage scheme. The site is adjacent to an area identified at risk of surface water flooding therefore on-site ground levels should not be raised and surface water drainage exceedance flows should be routed away from this area. All new or altered external surfaces within the site boundary should be of permeable construction.
- 6.11 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 or neutral comments:

- 155 Vinery Road
- 192 Vinery Road
- 236 Ross Street (x2)
- 234 Coldham's Lane
- 236 Coldham's Lane (x2)

7.2 The representations can be summarised as follows:

- Overlooking Ross Street properties including rear windows and gardens
- Overshadowing, loss of sunlight and loss of ambient light to properties on Ross Street, Nos. 234/236 Coldham's Lane, No. 155 Vinery Road, Vineyard Place
- Loss of residential amenity in gardens of Ross Street properties and impact of loss of light on fruit/vegetable growing.
- Loss of outlook from properties on Ross Street and Coldham's Lane
- Claustrophobic impact on side passageway to No. 155 Vinery Road
- Lack of parking and impact on highway safety and residential amenity.
- Access to side elevations of proposed buildings for maintenance.
- Safe disposal of asbestos material
- Concerns about boundary between site and No. 155 Vinery Road as shown on plans
- Clarification required about how close applicants are allowed to build to site boundaries.
- Owners of private road within Vineyard Place should be consulted.

7.3 Councillor Baigent has called in the application on the grounds of the location and scale of the development.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/1 of the Cambridge Local Plan (2006) supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area, and therefore I consider redevelopment of the site for additional units would be acceptable in principle.

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

8.3 This part of Vinery Road is mixed in character with a variety of bungalows and two storey dwellings. The recent development to the south comprises two storey townhouses along the Vinery Road frontage, with detached and semi-detached properties arranged around a shared access at the rear. The Vineyard Place development is contemporary in style but domestic in character. The Vineyard Place scheme has a mixture of pitched roofs on the front townhouses and gable ends on the rear dwellings.

8.4 The proposed site layout comprising two front and rear blocks accessed via a shared access and parking courtyard is similar in character to the Vineyard Place development. The units within the front block would have individual entrances, while the units within the rear block would be accessed via a central communal entrance point from the parking courtyard. The units would have access to private amenity space in the form of a



garden or balconies, except for the upper floor units within the front block.

- 8.5 In terms of the positioning of the blocks, these would sit comfortably within the site and adjacent to the development to the south. The front block would be aligned on a similar building line to the front of Nos. 151-155 Coldham's Lane, which has a staggered frontage, and would have space for soft landscaping in front. The rear block would be on a similar alignment to Nos. 3-4 Vineyard Place, albeit with a deeper two-storey element. The lower gable element on the eastern elevation incorporating inset balconies would be a subservient element which would not significantly increase the mass of the building.
- 8.6 The units would accommodate an attic storey, however the ridge and eaves heights of the front and rear blocks would be similar to the Vineyard Place development (approximately 0.4m higher). The blocks would be domestic in character, with gable ends, balconies and domestic window proportions. The addition of porches above the bin/bike stores on the front elevation and demarcating the entrances to the residential units on the side elevation also contribute towards this.
- 8.7 The materials proposed are brick, zinc cladding, zinc/aluminium guttering and slate roof tiles. The variety of materials – particularly the use of zinc cladding on the projecting gables – would break up the mass of the building and add interest. These would be high quality materials and I have recommended a condition for material samples as requested by the Urban Design team.
- 8.8 The proposed landscaping scheme provides a domestic setting for the buildings, including planting along the frontage and the access, and providing buffers within the car parking area and around private amenity spaces. The Landscape Officer supports the proposal subject to conditions. Comments have been made by the Environmental Health team and Urban Design team regarding the boundaries for plots 2 and 7, which is discussed in the amenity section below. I am satisfied that this can be resolved through the hard and soft landscaping scheme condition.

- 8.9 In my opinion, the proposal would contribute positively to the character of the area and the street scene. 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

- 8.10 The neighbouring properties are those fronting Coldham's Lane to the north of the site, those fronting Ross Street to the west, Vineyard Place and Nos. 151-155 Vinery Road to the south, and No. 161 Vinery Road to the north. I have also considered the impact on the wider area.

#### *Ross Street properties*

- 8.11 The Ross Street properties are two storey semi-detached or terraced properties with long rear gardens including several outbuildings within the rearmost part of some of the gardens.

- 8.12 The proposed two-and-a-half storey rear block would be within 11.5m of the boundary and approximately 28.5m from the rear elevation of the Ross Street properties, as shown on the applicant's site plan. This is on a similar building line to the Vineyard Place units, albeit slightly closer to the boundary. The rear elevation would have two gabled elements with a ridge height of 9.3m and a slightly recessed linking element to a height of 8.7m. The ridge height would be approximately 0.4m higher than the approved Vineyard Place scheme. The width of the rear block would be 15.3m compared to 11m for the Vineyard Place scheme, albeit the rear elevation of the proposed block would be broken up by the recessed link element. Given the separation distance to the boundary, in my view the units would not be overbearing on the rear gardens. Moreover, due to the length of rear gardens, any visual impact would not harm the residential amenity of the occupants of these properties in my view.

- 8.13 In terms of overlooking, there would be four first bedroom windows, two first floor bathroom windows, and two second floor bedroom windows on the rear elevation. While I accept that there would be some direct and elevated views from these windows towards the rear gardens and the windows on the rear

elevations of the Ross Street properties, due to the separation distance, length of the gardens and the use of the windows serving bedrooms/bathrooms, in my opinion this would not result in a significant loss of privacy for the occupants of neighbouring properties. Bedrooms are typically less intensively used than living rooms. In addition, the long rear gardens of the neighboring properties mean that the most sensitive parts of the garden – typically closest to the house – are a considerable distance from the boundary.

8.14 The applicant has submitted a shadow study. The proposed rear block would be to the east of the Ross Street gardens. The shadow study shows the rear gardens would be cast in complete shadow from the rear block in the early morning in March and September, however by 9am only the rearmost part would be in shadow. The gardens would retain a good level of sunlight during the rest of the day. In my opinion, this would not have a significant adverse impact on residential amenity. The spatial relationship with Ross Street gardens is similar to the approved scheme to the south and my view is that members of the committee should be consistent in their approach to the considering the impact in this regard.

□ *Coldham's Lane*

8.15 These are a mix of semi-detached or detached two or one-and-a-half storey dwellings, again with long rear gardens which abut a shared access path along the northern boundary of the site. There are some outbuildings in the rear garden.

8.16 The side elevation of the rear block would align with the end of the gardens of Nos. 234-238 Coldham's Lane. The side elevation would be 6.8m high to the eaves and 9.3m high to the ridge, and would be approximately 15.6m long including the set-back lower element on the eastern end. I am satisfied that this would not have an adverse overbearing impact on residential amenity. As there are no windows on the proposed side elevation, there would be no overlooking. There would be minimal oblique views from the inset balconies on the eastern elevation.

8.17 The applicant has provided a second shadow study during the course of the application taken from a different perspective so that the overshadowing impact on the gardens of the Coldham's

Lane properties could be properly assessed. These gardens are to the north of the proposed rear block. The shadow study shows

- The rear block would overshadow the rearmost part of these gardens from 10am onwards in March and September. However, this shadow would not extend more than half the garden.
- The rear block would overshadow a very small strip of the rearmost part of the gardens in June.
- A large part of the gardens would be overshadowed from late morning onwards in December.

8.18 I acknowledge that there would be some additional overshadowing of these gardens. Third parties have raised concerns about the impact of this on their residential amenity, in particular because the areas at the rear of the gardens are used for growing vegetables. I appreciate this. However, the biggest impact on overshadowing would be during the winter when such uses are less intensive. The impact during March, June and September would be minor and would affect morning sunlight only. I do not consider this would impact significantly on the enjoyment of these gardens by their occupiers and, as such, would not harm residential amenity.

□ *No. 161 Vinery Road*

8.19 This is a detached bungalow adjacent to the application site. There are some windows and roof lights on the southern side elevation.

8.20 The demolition of the existing bungalow would reduce the immediate enclosure on this property. The proposed front block would be taller but would be at least 8m from the site elevation of the bungalow. I do not consider this would have an overbearing impact. The adjacent part of the application site would be used for the new access. I am satisfied that the noise and disturbance from comings and goings along the access would not be significant compared to Vinery Road. The existing timber boundary fence would be retained and a planted border would set the access off the boundary. The proposed first floor windows on the side elevation serving the stairwells would be obscure glazed and I am satisfied that there would be no loss of privacy from views from the roof lights on the northern roof slope.

□ *Vineyard Place and Nos. 151-155 Vinery Road*

8.21 I am satisfied that the alignment, positioning and scale of the proposed units relates well to the development to the south and would not harm the residential amenity of the occupants of these properties in terms of enclosure, overlooking or loss of light. There would be some views from the balconies on the eastern elevation of the rear units towards the rear gardens of the Vinery Road properties, however these views would be oblique and would be partly obscured by the existing garages. I do not consider that this would result in a significant loss of privacy.

8.22 The owner/occupier of No. 155 Vinery Road adjacent to the site has raised concerns about the height and proximity of the proposed front block to the boundary and the impact that this would have on the passageway along the side of this property and loss of light to this property. There is a first floor window on the side elevation of No. 155. Based on the approved drawings, this window is obscure glazed and serves a bathroom, so I am not concerned about the impact on this window. The passageway provides access from the front of the property to the rear garden. It is not part of this property's amenity space nor does it provide the main access. Therefore, while the proposed building would have some enclosure on this passageway, it would not harm the residential amenity of the occupants in my opinion.

□ *Wider area*

8.23 The Environmental Health Team has recommended conditions to control construction hours, collection/delivery hours, noise and vibration, piling and dust in order to protect the residential amenity of the wider area during construction. I accept this advice and have recommended conditions accordingly. I have considered the impact of additional demand for car parking spaces on residential amenity in the 'car parking' section below.

8.24 For these reasons, in my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

### Amenity for future occupiers of the site

8.25 The floor space of the proposed units is provided in the table below. The Council has no adopted space standards and in my opinion, the units would provide a high quality internal living environment for the future occupants.

<b>Block</b>	<b>Unit</b>	<b>Beds</b>	<b>Floor space (sqm)</b>
Rear	Plot 1	1-bed	51.1
Rear	Plot 2	2-bed	81.8
Rear	Plot 3	2-bed	87.4
Rear	Plot 4	2-bed	87.4
Rear	Plot 5	1-bed	50.0
Rear	Plot 6	1-bed	50.0
Front	Plot 7	1-bed	49.6
Front	Plot 8	1-bed	48.7
Front	Plot 9	1-bed	48.7

8.26 The ground floor units on both the front and rear blocks would have access to private garden space. The gardens for plots 1 and 2 at the rear of the site are approximately 11.5m deep and are generous for 1 and 2-bed flats. These provide a high level of residential amenity for the future occupants. The upper floor units within the rear block would have balconies on the south-east elevation approximately 2m deep. These would allow practical use (e.g. table and chairs to be put outside) and, again, provide a good level of residential amenity for the units. The only units without private outdoor areas are the 1-bed maisonettes within the front block (plots 8 and 9). These are likely to be occupied by individuals or couples, and the lack of private amenity space – whilst not desirable – is not defensible as a reason for refusal. The units are unlikely to house children but are not cramped in term of space provision or in terms of outlook.

8.27 The site plan shows fences and landscaping to provide defensible space around the ground floor units. The Environmental Health team has recommended fences are installed around the private garden / patio areas adjacent to the parking courtyard in order to protect residential amenity. The Urban Design team has advised that these boundaries should be lowered in order to reduce the visual impact. I am satisfied

that a suitable boundary treatment can be agreed as part of the detailed landscaping scheme condition.

- 8.28 In my opinion, the proposal provides high quality units which would provide a good level of residential amenity for the future occupants compared to other 1 and 2-bed schemes within the city, both in terms of the internal and external spaces. I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 in this regard.

### **Highway Safety**

- 8.29 The site has an existing access onto the driveway in front of the bungalow. The proposal includes the creation of a new access point on the northern side of the site. This provides access to the central parking area with 5 no. car parking spaces. The proposed site plan shows visibility splays can be accommodated within the site boundary and vehicles would be able to turn to leave the site in forward gear. The Highways Authority has not raised concerns on highway safety grounds subject to conditions for details and implementation of the access, as well as a traffic management plan during construction. I accept this advice and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

#### Car parking

- 8.30 The proposal includes 5 no. car parking spaces serving the 9 proposed units. This is in accordance with the Council's adopted maximum car parking standards. The applicant has submitted an assessment of parking demand which indicates a shortfall within the site of 3 spaces. The streets in the vicinity provide uncontrolled parking. The Highways Authority has confirmed that additional demand for on-street parking would not have an impact on highway safety and I do not consider that it would have a significant impact on residential amenity. The future occupants would be aware of the parking situation prior to moving in and the existing demand for on-street parking in the area would only serve to discourage car-owners from choosing the units. The site is in close proximity to transport links along Coldham's Lane so the future occupants would not

need to be car-dependent. For these reasons, I consider the proposal to be compliant with Cambridge Local Plan (2006) policy 8/10.

### Cycle parking

- 8.31 The proposal provides 3 no. cycle parking spaces within an internal store in the front block and 9 no. spaces within an internal store in the rear block. This meets the Council's adopted cycle parking standards and the Cycle Parking Guide for New Residential Developments. In my opinion, the cycle parking provision is high quality and appropriate for a scheme of this nature. This would encourage the future occupants to use bikes and thereby facilitate transport modes other than reliance on cars. The proposed site plan also shows 9 no. visitor cycle parking spaces. Whilst a generous provision of visitor spaces is welcomed, this seems to be excessive and could be replaced by more landscaping. However I am satisfied that this could be resolved through the proposed landscaping condition. I consider the proposal to be compliant with Cambridge Local Plan (2006) policy 8/6.

### **Refuse Arrangements**

- 8.32 The front and rear units would have internalised communal bin stores. A bin collection point is shown at the front of the site. I am satisfied with the capacity and convenience of the bin stores. The movement of bins to and from the collection point will need to be managed, however I do not consider it necessary to condition details of this as it will be in the interests of the site managers and future occupants to arrange this. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Drainage**

- 8.33 The site is adjacent to an area identified at risk of surface water flooding, therefore the Sustainable Drainage Engineer has advised that on-site ground levels should not be raised and surface water drainage exceedance flows should be routed away from this area. In addition, all new or altered external surfaces within the site boundary should be of permeable construction.  
The Sustainable Drainage Officer has recommended a



condition for a surface water drainage scheme and I accept this advice.

### Third Party Representations

8.34 I have addressed these as follows:

<b>Representation</b>	<b>Response</b>
Overlooking Ross Street properties including rear windows and gardens	See relevant section above.
Overshadowing, loss of sunlight and loss of ambient light to properties on Ross Street, Nos. 234/236 Coldham's Lane, No. 155 Vinery Road, Vineyard Place	See relevant sections above.
Loss of residential amenity in gardens of Ross Street properties and impact of loss of light on fruit/vegetable growing.	See relevant sections above.
Loss of outlook from properties on Ross Street and Coldham's Lane	See relevant section above.
Claustrophobic impact on side passageway to No. 155 Vinery Road	See relevant section above.
Lack of parking and impact on highway safety and residential amenity.	See relevant section above.
Access to side elevations of proposed buildings for maintenance.	The side elevations of the front and rear blocks are in close proximity to the boundaries. Maintenance of these elevations is a matter for the applicant or future owners to consider and is not a relevant planning matter.
Safe disposal of asbestos material.	This is not a planning matter but would be controlled under other legislation.
Concerns about boundary	I have noted the

<p>between site and No. 155 Vinery Road as shown on plans</p>	<p>owner/occupier's concerns about the accuracy of the plans showing a gap between the side elevation and rear garden of No. 155 and the boundary. I understand that this gap does not exist and their property extends to the red line boundary of the application site. I have visited the site and seen this for myself. I have taken this into account in my assessment.</p>
<p>Clarification required about how close applicants are allowed to build to site boundaries.</p>	<p>There is no standard or requirement which sets a minimum distance that a building can be erected from the boundary under planning legislation.</p>
<p>Owners of private road within Vineyard Place should be consulted.</p>	<p>The Council is required to consult owners of habitable properties which share a boundary with the application site and not the owners of roads, unless these would be affected by the proposal. The proposal does not include access over the private road within Vineyard Place and therefore would not be affected by the proposal.</p>

## 9.0 CONCLUSION

- 9.1 The proposal has been carefully considered to follow a pattern of development that has been established in the Vineyard Place scheme. The proposal incorporates an additional attic storey while being of a similar scale and massing to the neighbouring scheme. As a result, I am satisfied that the application has demonstrated that it would not harm the residential amenity of neighbouring properties. The units would provide high quality accommodation for the future occupants. In my opinion, the scheme would contribute positively to the character of the area and enhance the street scene in this part of Vinery 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. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

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

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

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

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

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

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

7. 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

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

Reason: In the interests of highway safety.

9. Prior to commencement of use of the access hereby permitted, the access shall be constructed in accordance with details that have been submitted to and approved in writing by Local Planning Authority, in consultation with the Highway Authority. This shall include:
  - a) adequate drainage measures to prevent surface water run-off onto the adjacent public highway;
  - b) confirmation that the access where it crosses the public highway conforms to the Cambridgeshire County Council construction specification;
  - c) confirmation that no unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site; and
  - d) the access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary.Development shall be carried out in accordance with the agreed details and retained as such thereafter.

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

10. Prior to first occupation of the units hereby permitted, the access (including visibility splays) and manoeuvring area shall be provided as shown on the drawings, or in accordance with alternative details that have been submitted to and approved in writing by the local planning authority prior to installation. Development shall be carried out in accordance with the agreed details and retained free of obstruction thereafter.

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

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

Reason: For the safe and efficient operation of the public highway.

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.

13. 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) include details of all proposed SuDS features 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.

No building hereby permitted shall be occupied until infiltration testing results and revised calculations in accordance with BRE Digest 365 have been undertaken and submitted in writing to the local planning authority.

Reason: In the interests of surface water drainage management.

14. Prior to first occupation of the development hereby permitted (or in accordance with an alternative programme agreed by the local planning authority in writing), 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;
  - e) details of visitor cycle parking spaces;
  - f) details of bin collection area.

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

15. Prior to commencement of 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 (including doors, windows, brickwork, cladding, rainwater goods, glass balustrades, roof tiles) shall be 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).

16. 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 shall be implemented in accordance with the agreed details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15).

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

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

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

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

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

MANAGEMENT PLAN INFORMATIVES: 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.

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 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.

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1864/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th October 2017	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	22nd December 2017		
<b>Ward</b>	Market		
<b>Site</b>	Scudamores Boat Yard Mill Lane Cambridge		
<b>Proposal</b>	Replacement of ticket office and pontoons.		
<b>Applicant</b>	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal is considered acceptable in terms of design and would preserve and enhance the character and appearance of the conservation area.</li> <li>- The proposal would improve access to the river</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located to the south of Mill Lane. It incorporates a strip of land which runs parallel to Laundress Lane, Mill Bridge and part of Laundress Green. Laundress Green is Common Land which is owned by the City Council. The site is highly visible from the Silver Street Bridge. Laundress Green is allocated as Protected Open Space (NAT 06 – Sheep’s Green and Coe Fen – Semi-natural green space). The site falls within the Central Conservation Area and is covered by both the Historic Core Conservation Area Appraisal and Sheep’s Green/Coe Fen Conservation Plan. The site includes the Mill Bridge; a grade II listed structure.

1.2 The site also falls within the Green Belt and Flood Zones 2 & 3. The River Cam is a designated Wildlife Site

## **2.0 THE PROPOSAL**

2.1 The application seeks full planning permission for replacement pontoons and ticket offices.

2.2 The proposal includes a new layout and extension to the area covered by pontoons. Currently one pontoon extends vertically from the walkway. This is to be removed and pontoons are to be incorporated following the line of the land. The pontoons are to extend past the bridge adjacent to the northern part of Laundress Green.

2.3 The existing ticket office is to be removed and replaced with a new building on a similar footprint to existing. The ticket office building would be finished in timber cladding with a signage area shown and roller shutters which could be drawn when closed.

2.4 The element of the pontoons which extends beyond the bridge with access from Laundress Green incorporates a ramp and is to be used by less able customers. A hoist is also located on this element of the pontoons.

2.5 The application as submitted includes:

- Plans
- Design and Access Statement
- Heritage Statement
- Ecology report
- Flood Risk Assessment
- Context document
- Health and Safety document
- Frequently asked questions

## **3.0 SITE HISTORY**

3.1 There is no site history.

## **4.0 PUBLICITY**

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/9 3/11 3/12 3/14 4/1 4/2 4/3 4/4 4/6 4/8 4/10 4/11 4/13 6/4 8/2 8/18

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

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

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

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

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



will have considerably more weight than emerging policies in the revised Local Plan.

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

## **6.0 CONSULTATIONS**

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

6.1 No comment.

#### **Environmental Health**

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

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

6.3 No objection: The site is in a prominent location. The pontoons and associated walkways are relatively low visual impact. Precise details are requested by condition. The ticket office is fairly modest. Conditions are required in relation to signage and materials. A condition regarding details of the DDA-type compliant equipment is also required.

#### **Access Officer**

6.4 No objection: I am so impressed with this application. The proposers have gone out of their way to be inclusive towards the residents and visitors to Cambridge. I fully support the application.

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

6.5 No objection

#### **Refuse and recycling**

6.6 No comments received.

#### **Policy**

6.7 No comments received.

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

6.8 No comments received.

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

6.9 No objections: The revised Arbtech report includes an assessment of the brick structure for bat roost potential as requested, I am therefore content that roosting bats are not likely to be effected. Conditions are requested in relation to external lighting and the requirement of an installation method statement which needs to specifically address the impact on water voles.

**The Wildlife Trust**

6.10 No comments received.

**Conservators of the River Cam**

6.11 No comments received.

**Environment Agency**

*First comment*

6.12 Objection: In the absence of a Flood Risk Assessment (FRA), we object to the application.

*Second comment*

6.13 Following the submission of the Flood Risk Assessment (FRA) (Scudamore's Punting Quayside FRA Dec 2017), the Agency now has no objection in principle to the proposed development providing the LPA is satisfied the sequential test requirements have been met and that the mitigation measures detailed in the FRA are adhered to.

**Disability Consultative Panel (Meeting of)**

6.14 The Panel were impressed by the quality of the research undertaken as background to this application and applaud Scudamore's aspiration to significantly improve access to the river for both the ambulant disabled and wheelchair users.

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

## **7.0 REPRESENTATIONS**

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

- 4 Hardwick Street
- Flat 6, Hilderstone House, Staffordshire Street
- 37 Kelsey Crescent
- 47 Riverside

7.2 The representations can be summarised as follows:

- Will change the look of Mill Pond
- Will adversely impact the character of the conservation area and the mill (listed building)
- The recreational use of the bridge will adversely impact others enjoyment of the space
- The works will cause an increase to the number of people using the area causing congestion
- There will be additional car and taxi movements making it less safe
- Concerned about land ownership matters
- Concerned that in breach of competition law; applicant is a monopoly operator
- Concerned that promise not to increase punt number is unenforceable
- Should be a legal agreement with the council in relation to use of the land
- Will privatise a public amenity
- Will be harmful to wildlife habitats

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

## 8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Disabled access
4. Biodiversity
5. Highway safety
6. Third party representations

### Principle of Development

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

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

8.3 I will assess criteria a) and c) in the below paragraphs. In my view the proposal would accord with criterion b) which relates to access to the river. The proposal involves the addition of ramps and specialized equipment which will improve disabled access. The revised layout aims to alleviate current issues with congestion and queuing for tickets. The pontoons and office are replacement facilities and will not cause any significant intensification of use of this part of the river and as a result I am satisfied that the proposal is in accordance with criterion d).

8.4 The site lies within the Green Belt. Policy 4/1 and the NPPF state that the construction of new buildings is inappropriate in the Green Belt unless (in part) it relates to the provision of appropriate facilities for outdoor sport and recreation so long as it preserves the openness of the Green Belt. The proposed

building relates to an outdoor recreation use and I consider the works would not harm the openness of the Green Belt, and that the principle of the development is therefore acceptable.

- 8.5 The development would not result in the loss of any existing open space and the proposal is therefore compliant with Cambridge Local Plan Policy 4/2.

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

- 8.6 Laundress Green is an iconic and attractive part of Cambridge. It is a part of the Green Belt which is easily accessible from the city centre. The site and the wider Laundress Green area are highly visible and are part of an important vista from the Silver Street Bridge. This is outlined in the conservation area appraisal for this historic core.
- 8.7 The existing ticket office is of no architectural value and its removal is considered acceptable. The replacement ticket office would have a simple box form with a sloped zinc roof which would incorporate a signage zone. The remainder of the building would be clad in timber. The simple form of the building is considered acceptable and is not considered to detract from the sensitive setting of the listed bridge.
- 8.8 The pontoons and associated railings have been designed to have a low visual impact. An element of the pontoons passes across the listed bridge but would not be attached to the bridge hence there is no requirement for listed building consent. The proposed railing would allow views through to the bridge. Although the ramped element of the pontoons does extend in front of part of the bridge, I am satisfied that this would not appear dominant. This is the only area of the site that can accommodate a ramp which is required for accessibility and I am satisfied that it would not be obtrusive. The Conservation Officer shares this view but has requested further details of the pontoons and the hoist and associated accessibility equipment through conditions.
- 8.9 One of the representations raises concerns that the proposal will result in congestion which will harm the amenity value of Laundress Green and the Mill Bridge. The use of this part of the river for punting is existing. The aim of the proposal is to

improve accessibility and ease existing issues with congestion from queues. This will be done by separating the queuing system for tour and self-hire punts. There is no plan to increase the number of punts on offer. The aim is to allow customers to queue on the pontoons rather than around the green. As a result I am satisfied that the proposal will not have any significant increase to the number of people using the area. The applicant has done a significant amount of research into the proposal and they consider that the revised layout and queue system will reduce congestion around Mill Bridge. From the information I have before me I have no reason to doubt that this will be the case.

- 8.10 The proposal would not increase the number of punts operating from the site. The applicant has been in contact with the Conservators of the River Cam, although they have not commented on the planning application, the applicant's documentation notes that they have no concerns about the revised layout. As a result the proposal is considered to be in accordance with part d of policy 3/9.
- 8.11 The Conservation Officer is satisfied that subject to conditions the proposal would preserve and enhance the character and appearance of the Conservation area and that the proposal would not harm the special interest of the listed bridge. I share this view. The proposed use of the site would remain the same and the revised layout and new ticket office are considered to complement the waterside setting in accordance with part a) of policy 3/9.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/9, 3/11, 3/12, 4/10 and 4/11.

### **Disabled access**

- 8.13 The Access Officer and members of Disability Panel have reviewed the plans. Both have stated that they are impressed with the level of research which has gone into the proposal and that the scheme will be a significant improvement in terms of accessibility.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Biodiversity**

- 8.15 The Biodiversity Officer is satisfied with the information submitted but has requested some further information in terms of lighting and a method statement for installation. These details can be dealt with by pre-commencement conditions.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/3 and 4/6.

## **Highway Safety**

- 8.17 The Highway Authority has not raised any concerns. The proposal would provide replacement pontoons and ticket office for the existing use and as a result I am satisfied that it would not give rise to any highway safety issues.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Flood risk**

- 8.19 The site lies in a high flood risk area. The Environment Agency has advised that, in accordance with the NPPF, development should not be permitted in such areas if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
- 8.20 The proposed development would be classified as minor development and, in my opinion, the Sequential Test does not need to be applied in this instance. Notwithstanding this, the proposal relates to development defined as 'water compatible' by the Environment Agency and this development clearly needs to be located adjacent to the river, so it would not be pragmatic to consider alternatives within a lower risk flood zone.

## **Third Party Representations**

8.21 I have addressed the majority of the third party representations within the body of my report. I will address any outstanding matters below:

Representation	Response
Will change the look of Mill Pond	See paragraphs 8.6-8.11
Will adversely impact the character of the conservation area and the mill (listed building)	See paragraphs 8.6-8.11
The recreational use of the bridge will adversely impact others enjoyment of the space	See paragraph 8.9
The works will cause an increase to the number of people using the area causing congestion	See paragraph 8.9
There will be additional car and taxi movements making it less safe	See paragraph 8.17
Concerned about land ownership matters	The applicant has signed certificate D indicating that they do not own the land. Notice has been served on the three landowners; Cambridge City Council, Cambridge County Council and Cambridge University. This fulfils the requirements of the planning application.
Concerned that in breach of competition law; applicant is a monopoly operator	This is not a planning consideration.
Concerned that promise not to increase punt number is unenforceable	The proposal has been thought through to accommodate accessibility measures and a new queue system. In the future the applicant may include additional punts but if this required changes to the layout of the pontoons, it is likely to require planning permission.
Should be a legal agreement with the council in relation to use of	This would be a civil matter and would fall outside the remit of the



the land	planning process
Will privatise a public amenity	This part of the river is already used for punting. The proposal does extend the area covered by pontoons and includes an access from Laundress Lane which is public land. This access allows for the provision of a ramp which could not be incorporated anywhere else on site. The addition of the ramp will significantly improve access to the river for less able people.
Will be harmful to wildlife habitats	See paragraph 8.15

## 9.0 CONCLUSION

9.1 The proposed pontoons and replacement ticket office are considered to preserve and enhance the character and appearance of the Conservation Area and the special interest of the listed Mill Bridge. The Biodiversity Officer has no objection to the proposal subject to conditions. The proposal would improve access to the river especially for less able customers.

## 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 the commencement of development, full details of the materials and finishes of the walls, roofs, etc. of the ticket offices shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the ticket offices shall be finished only in accordance with the approved details.

Reason: To ensure the materials used are of a high quality finish (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

5. Prior to the commencement of development, full details of the fixings / anchorages to land, finishes, balustrades, decks, etc. of the pontoons shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the pontoons shall be finished only in accordance with the approved details.

Reason: To ensure the pontoons are finished to a high standard and to ensure the material used for the balustrade will be suitable for the sensitive location (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

6. Prior to the commencement of development, full details of all access equipment [hoists, lifts, etc.] including colours, fixings, finish etc. shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the access equipment shall be finished only in accordance with the approved details.

Reason: To ensure the equipment is of a suitable colour and finish for the sensitive location (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

7. Prior to the commencement of development, full details of roller shutters including colours, finish etc. shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the shutters shall be finished only in accordance with the approved details.

Reason: To ensure the roller shutters will be designed and finished to respect the sensitive nature of the site (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

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

Reason: To protect the amenity of nearby properties and to safeguard the foraging habitat of local bats (Cambridge Local Plan Policies 4/6 and 4/13)

9. Prior to the commencement of development, a method statement for the installation of the pontoons shall be submitted to and approved in writing by the Local Planning Authority. This shall include an assessment of the likelihood of the presence of water voles and assess the risk of disturbance to their habitat together with any necessary measures to ensure their protection. The works shall be implemented in accordance with the approved details.

Reason: To ensure that the development of the site conserves and enhances ecology (Cambridge Local Plan 2006 policies 4/3 and 4/6).

10. The development shall be carried out in accordance with the mitigation measures proposed in the submitted Flood Risk Assessment (Scudamore's Punting Granta Place FRA Dec 2017).

Reason - To minimise flood risk (National Planning Policy Framework 2012)

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1865/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th October 2017	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	22nd December 2017		
<b>Ward</b>	Market		
<b>Site</b>	Scudamores Mooring Landing Stage Quayside Cambridge		
<b>Proposal</b>	Demolition of the existing ticket offices and pontoons, erection of replacement ticket offices and pontoons.		
<b>Applicant</b>	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal is considered acceptable in terms of design and would preserve and enhance the character and appearance of the conservation area.</li> <li>- The proposal would improve access to the river.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies adjacent to Quayside and the Grade II Listed Magdalene Great Bridge. The site is highly visible from Quayside and from the adjacent college gardens at Magdalene College. The site is currently used for punting and includes two small office buildings and pontoons. The Historic Core appraisal notes the importance of the views from Quayside down the river including the views of the busy punting station which is stated to provide continuity with the historic association between punting and Cambridge.

1.2 The surrounding area is predominantly commercial in use. The site lies within Flood Zones 1, 2 and 3. The River Cam is a designated Wildlife Site

## **2.0 THE PROPOSAL**

2.1 The application seeks full planning permission for the demolition of the existing ticket offices and pontoons and erection of replacement ticket offices and pontoons.

2.2 The proposed layout of the site remains largely the same as existing. However, there is an increase to the width of the pontoons/office at either end to accommodate larger ticket offices with more space around the office for customers to queue.

2.3 The proposed ticket offices have a rectangular form. They will sit in the same location as existing at either end of the pontoons. They will be clad in timber with a zinc roof. Signage is incorporated into the zinc roof area.

2.4 The application as submitted includes:

- Plans
- Design and Access Statement
- Heritage Statement
- Ecology report
- Flood Risk Assessment
- Context document
- Health and Safety document
- Frequently asked questions

## **3.0 SITE HISTORY**

3.1 There is no site history.

## **4.0 PUBLICITY**

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/9 3/11 3/12 3/14 4/3 4/4 4/6 4/8 4/10 4/11 4/13 6/4 8/2 8/18

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)  Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u>  Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).  Cambridge City Nature Conservation Strategy (2006)

	<p>Criteria for the Designation of Wildlife Sites (2005)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2006)</p>

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

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

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



## 6.0 CONSULTATIONS

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

6.1 No comment.

#### **Environmental Health**

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

#### **Refuse and Recycling**

6.3 No comments received.

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

6.4 No objection: The site is in a prominent location. The pontoons and associated walkways are relatively low visual impact. Precise details are requested by condition. The ticket office is fairly modest. Conditions are required in relation to signage and materials. A condition regarding details of the DDA-type compliant equipment is also required.

#### **Policy**

6.5 No comments received.

#### **Access Officer**

6.6 I am so impressed with this application. The proposers have gone out of their way to be inclusive towards the residents and visitors to Cambridge. I fully support the application. They might consider installing a stairclimbing platform lift instead of just a stairlift.

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

6.7 No objection: There are no arboricultural objections to the proposal. However it will be necessary to ensure that tree crowns are protected from construction activity. A condition is recommended.

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

6.8 No comments received.

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

6.9 No comments received. If comments are submitted, these will be provided on the amendment sheet.

### **The Wildlife Trust**

6.10 No comments received.

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

6.11 No comments received.

### **Environment Agency**

#### *First comment*

6.12 Objection: In the absence of a Flood Risk Assessment (FRA), we object to the application.

#### *Second comment*

6.13 Following the submission of the Flood Risk Assessment (FRA) (Scudamore's Punting Quayside FRA Dec 2017), the Agency now has no objection in principle to the proposed development providing the mitigation measures proposed in the FRA are adhered to.

### **Disability Consultative Panel (Meeting of)**

6.14 The Panel were impressed by the quality of the research undertaken as background to this application and applaud Scudamore's aspiration to significantly improve access to the river for both the ambulant disabled and wheelchair users.

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

## **7.0 REPRESENTATIONS**

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

- 72 Hemingford Road
- 47 Riverside

7.2 The representations can be summarised as follows:

- Concerned about land ownership issues
- Concerned that in breach of competition laws
- Booth cladding should be high quality.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces and impact on heritage assets
3. Disabled access
4. Highway safety
5. Flood risk
6. Third party representations

### **Principle of Development**

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

- a) complement and enhance the waterside setting;
- b) maintain or improve public access to and along the waterside;
- c) maintain and enhance the biodiversity of the watercourses and other bodies of water and their margins; and

d) in the case of recreational development, there is sufficient capacity to accommodate additional usage of the waterway arising from the development.

8.3 I will assess criteria a) and c) in the below paragraphs. In my view the proposal would accord with criterion b) which relates to access to the river. The proposal involves the addition of ramps and specialized equipment which will improve disabled access. The revised layout aims to alleviate current issues with congestion and queuing for tickets. The pontoons and office are replacement facilities and will not cause any significant intensification of use of this part of the river and as a result I am satisfied that the proposal is in accordance with criterion d).

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

8.4 The site is located in a prominent location within the Conservation Area with views possible from the bridge, Quayside and the grounds of Magdalene College. The proposal involves an upgrade to the current situation with replacement ticket offices and new pontoons. The new proposal will be substantially the same as existing but with an increased width at either end around the ticket offices.

8.5 The existing ticket offices are of no architectural value and their removal is considered acceptable. The replacement ticket offices would have a simple box form with a sloped zinc roof which would incorporate a signage zone. The remainder of the building would be clad in timber. The simple form of the building is considered acceptable and is not considered to detract from the sensitive setting of the listed bridge and adjacent listed college buildings.

8.6 One of the representations raises concerns about the proposed materials to be used in the ticket office noting that the proposal had originally been proposed to be finished in brass, as detailed in the Design and Access Statement. I am satisfied that the use of timber cladding and zinc would be appropriate for the site. Details of materials are required by condition.

8.7 The pontoons and associated railings have been designed to have a low visual impact. The nature of the railings allows views through. A stairlift will be incorporated to improve access to the

river. The Conservation Officer has requested further information to ensure this will have an appropriate finish for the sensitive location of the site.

- 8.8 The proposal would not increase the number of punts operating from the site. The applicant has been in contact with the Conservators of the River Cam, although they have not commented on the planning application, the applicant's documentation notes that they have no concerns about the revised layout. As a result the proposal is considered to be in accordance with part d of policy 3/9.
- 8.9 The Conservation Officer is satisfied that subject to conditions the proposal would preserve and enhance the character and appearance of the Conservation area and that the proposal would not harm the special interest of the listed bridge. I share this view. The proposed use of the site would remain the same and the revised layout and new ticket office are considered to complement the waterside setting in accordance with part a) of policy 3/9.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/9, 3/11, 3/12, 4/10 and 4/11.

### **Disabled access**

- 8.11 The Access Officer and members of Disability Panel have reviewed the plans. Both have stated that they are impressed with the level of research which has gone into the proposal and that the scheme will be a significant improvement in terms of accessibility.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12

### **Highway Safety**

- 8.13 The Highway Authority has not raised any concerns. The proposal would provide replacement pontoons and ticket office for the existing use and as a result I am satisfied that it would not give rise to any highway safety issues.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Flood risk**

- 8.15 The site lies in a high flood risk area. The Environment Agency has advised that, in accordance with the NPPF, development should not be permitted in such areas if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
- 8.16 The proposed development would be classified as minor development and, in my opinion, the Sequential Test does not need to be applied in this instance. Notwithstanding this, the proposal relates to development defined as 'water compatible' by the Environment Agency and this development clearly needs to be located adjacent to the river, so it would not be pragmatic to consider alternatives within a lower risk flood zone.

## **Third Party Representations**

- 8.17 I address the third party representations in the below table:

Representation	Response
Concerned about land ownership issues	The applicants have signed certificate D and served notice on both land owners; Cambridge City Council and Cambridge County Council. This fulfils the requirements of the planning application.
Concerned that in breach of competition laws	This is not a planning matter.
Booth cladding should be high quality.	See paragraph 8.6

## **9.0 CONCLUSION**

- 9.1 The proposed replacement pontoons and ticket office are considered to preserve and enhance the character and appearance of the Conservation Area and have respect for the special interest of the adjoining listed bridge and surrounding listed buildings on the adjacent Magdalene College Site. The proposal would improve access to the river for less abled customers and complement the waterside setting 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. 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 the commencement of development, full details of the materials and finishes of the walls, roofs, etc. of the ticket offices shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the ticket offices shall be finished only in accordance with the approved details.

Reason: To ensure the materials used are of a high quality finish (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

5. Prior to the commencement of development, full details of the fixings / anchorages to land, finishes, balustrades, decks, etc. of the pontoons shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the pontoons shall be finished only in accordance with the approved details.

Reason: To ensure the pontoons are finished to a high standard and to ensure the material used for the balustrade will be suitable for the sensitive location (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

6. Prior to the commencement of development, full details of all access equipment [hoists, lifts, etc.] including colours, fixings, finish etc. shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the access equipment shall be finished only in accordance with the approved details.

Reason: To ensure the equipment is of a suitable colour and finish for the sensitive location (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

7. Prior to the commencement of development, full details of roller shutters including colours, finish etc. shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the shutters shall be finished only in accordance with the approved details.

Reason: To ensure the roller shutters will be designed and finished to respect the sensitive nature of the site (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

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

Reason: To protect the amenity of nearby properties and to safeguard the foraging habitat of local bats (Cambridge Local Plan Policies 4/6 and 4/13)



9. Prior to commencement and in accordance with BS5837 2012, an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority, 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 tree crowns. 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.

Reason: To ensure the protection of the surrounding tree crowns during construction works (Cambridge Local Plan 2006 policy 4/4)

10. The development shall be carried out in accordance with the mitigation measures proposed in the submitted Flood Risk Assessment (Scudamore's Punting Quayside FRA Dec 2017).

Reason: To minimise flood risk (National Planning Policy Framework 2012)

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1937/S73	<b>Agenda Item</b>	
<b>Date Received</b>	10th November 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	5th January 2018		
<b>Ward</b>	Petersfield		
<b>Site</b>	Carlyle House 20 Devonshire Road Cambridge		
<b>Proposal</b>	S73 to vary condition 2 of ref no: 16/1281/FUL (the redevelopment of three existing residential flats and demolition of commercial workshop to create 6 new residential units with associated cycle and bin storage and new landscaped amenity spaces) with new drawings to show retrospective and proposed alterations to roof design, increase in height, alteration to south elevation, reduction in height of the boundary wall and addition of windows and rooflights.		
<b>Applicant</b>	Mr K Mahon C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The changes to the development compared to the previous permission (16/1281/FUL) have not had a harmful impact on the amenities of neighbours.</li> <li><input type="checkbox"/> The development, as built, preserves the character and appearance of the conservation area.</li> <li><input type="checkbox"/> The proposal would provide an acceptable living environment for future occupants.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site was originally formed of three residential flats and a commercial workshop situated on the west side of Devonshire Road. The workshop has since been demolished and the external works associated with the approved permission (16/1281/FUL) on this site for six flats has been completed. The remaining works yet to be completed are internal and landscaping works. The site is not currently occupied as residential flats.
- 1.2 The gardens of properties along St Barnabas Road back onto the application site from the west and to the north and south are semi-detached and terraced properties. The site is situated in a predominantly residential area.
- 1.3 The site falls within the Central Conservation Area, the Controlled Parking Zone and within the Air Quality Management Area.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought to vary condition no.2 (approved drawings) of permission 16/1281/FUL to allow for retrospective minor material amendments to the approved development of six flats on the application site. The minor material amendments are as follows:
  - Alterations to the roof design of the maisonette at the rear of the site, from a split pitch roof to an off-centre pitch roof;
  - An increase in the overall height of the maisonette from approximately 5.5m to 5.75m;
  - An alteration to the profile of the southern elevation of the maisonette;
  - A reduction in the height of the boundary wall with 21 Devonshire Road from 2.7m to 2.2m; and
  - Amendments and additions to the windows and rooflights of 20 Devonshire Road and the maisonette.
- 2.2 These amendments have been undertaken but the flats are not yet occupied.
- 2.3 The application is accompanied by the following information:
  1. Supporting statement
  2. Drawings

### 3.0 SITE HISTORY

Reference	Description	Outcome
16/1281/FUL	The redevelopment of three existing residential flats and demolition of commercial workshop to create 6 new residential units with associated cycle and bin storage and new landscaped amenity spaces.	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 3/14 4/4 4/11 4/12 4/13 4/14 5/1 5/2 7/3 8/2 8/4 8/6 8/10 10/1

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

Central Government	National Planning Policy Framework March 2012
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Guidance	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>  Cycle Parking Guide for New Residential Developments (2010)  Air Quality in Cambridge – Developers Guide (2008)  Roof Extensions Design Guide (2003)  Buildings of Local Interest (2005)
	<u>Area Guidelines</u>  Mill Road Area Conservation Area Appraisal (2011)

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

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

will have considerably more weight than emerging policies in the revised Local Plan.

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

## **6.0 CONSULTATIONS**

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

- 6.1 The Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority, but would take the opportunity to remind the developer that the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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

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

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations in objection to the application:

- 22 Devonshire Road
- 38 St Barnabas Road
- 40 St Barnabas Road

- 7.2 The representations in objection can be summarised as follows:

- Increase in light pollution from additional rooflight;
- Overlooking/ Loss of privacy;
- The upper-floor rear windows should be obscure glazed;
- The Juliet balconies should be built with an opaque screen to prevent overlooking;

- It appears that no.20 Devonshire Road has seven addresses listed on the parking permit system. The road cannot support this level of car parking.

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

- 21 Devonshire Road

7.4 The neutral representation can be summarised as follows:

- In hindsight had we have known the height of the maisonette had increased we may have requested a higher boundary wall be constructed in line with the originally agreed plans.

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

- 19 Devonshire Road

7.6 The representation in support can be summarised as follows:

- We wish to have it noted that we are very happy with the design and build of 20 Devonshire Road and see it only as an improvement to the area.

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



## **Preliminary Matters**

- 8.2 The matters of the principle of development, residential amenity for future occupiers, cycle parking, car parking, refuse arrangements, highway safety and planning obligations were assessed as part of the previous application. I do not consider the minor material amendments compared to the previous application (16/1281/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.

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

- 8.3 The additional rooflights on the front and rear elevation of the main building have not materially impacted on the appearance of the conservation area. These rooflights are situated high up on the roof planes and align with the dormer windows below. Similarly, the additional roof light installed on the maisonette building at the rear of the site does not appear out of character with the area and appears acceptable from a design perspective.
- 8.4 The reduction in height of the party wall with no.21 Devonshire Road has had no material impact on the character and appearance of the conservation area in my view.
- 8.5 The most notable difference between the approved scheme and that which has been constructed is the change to the roof profile and rear elevation of the maisonette building. Permission was originally granted for a split-pitch roof style but it is understood that due to party wall agreements and changes in the ground-level that this was not practical to build. As a result, an asymmetric pitched roof has been built and there is a small cut-back section adjacent to one of the St Barnabas Road properties. The ridge height of the maisonette building has also been increased from approximately 5.5m to 5.75m.
- 8.6 In my opinion the maisonette building, as constructed, continues to enhance the character and appearance of the conservation area. The maisonette building remains legible as a subservient element of the overall scheme and provides a

marked improvement on the former state of the site which was as a dilapidated commercial building. The roof profile, while not symmetrical, does not read as being contrived and the small cut-back section does not appear awkward when perceived from the rear or side elevations.

- 8.7 Overall, I consider the minor material amendments that have been undertaken are acceptable.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/12, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.9 The lowering of the party wall with no.21 Devonshire Road from 2.7m high to 2.2m has improved the visual outlook of this neighbour and has less of an overbearing impact than that of the approved development in my view.
- 8.10 The additional rooflights in both the main building and the maisonette serve for natural lighting purposes by virtue of their positions high up on the roof plane and do not offer any harmful views across to neighbours.
- 8.11 The change to the roof profile and increase in height of the maisonette element has not had a harmful impact on no.19 in my opinion. The wall of the maisonette building hard-up against the boundary of this neighbour has only been increased by just under 0.1m and it is only the apex of the roof where the ridge height has been raised 24cm higher than as approved. The main visual difference from this neighbour's garden is the additional mass of the roof which slopes away from this neighbouring external amenity space. Having visited this neighbouring garden, I am of the view that the increase in height and change to the roof profile has not resulted in any harmful loss of light or visual enclosure being experienced at this adjacent property.
- 8.12 The additional height and steeper pitch of the roof of the maisonette element can be seen from the neighbouring gardens of St Barnabas Road to the west. At approximately 5.74m in height and situated at the far end of these neighbouring

gardens, which extend to a depth of over 35m, I am confident that these neighbouring gardens have not been harmfully enclosed or overshadowed by the works as built. The small window serving the bathroom of the maisonette on the rear elevation is obscure glazed and does not impair the privacy of these neighbours. I have recommended a condition for this to be retained as an obscure glazed window.

- 8.13 It is acknowledged that concerns have been raised from nos.38 and 40 St Barnabas Road regarding the overlooking that they will experience from the first-floor Juliet balconies and second-floor windows of the main building once it is occupied. I have been to the site and looked out of these windows which face back towards the gardens and windows of these neighbours. I consider that the views from these windows do not compromise the privacy of the St Barnabas Road properties. There is a separation distance of well over 35m between the rear windows of these neighbours and the windows in question which is more than adequate to protect their privacy in my opinion. In addition, prior to works taking place, there were already first-floor and second-floor windows in comparable positions to that of the development as built which offered similar views from habitable rooms back towards these neighbours. Furthermore, the proximity from the approved windows and these neighbours is similar to that of other properties along Devonshire Road.
- 8.14 It has been requested by these neighbours that the windows are obscure glazed to a height of 1.7m above the finished floor level and that obscure glazed screens are introduced on the Juliet balconies to prevent overlooking. However, I do not consider it would be reasonable to impose these under this application given that these windows have not been altered compared to that of the original permission. Notwithstanding this, I also do not believe that these conditions are necessary given the separation distance from the windows in question and these neighbouring properties.
- 8.15 In my opinion the scheme adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 5/2.

## **Third Party Representations**

- 8.16 The majority of the third party representations have been addressed in the main body of this report.
- 8.17 The concern regarding light pollution from the additional roof lights does not give me a cause for concern. Complaints regarding this are covered by the Environmental Protection Act (1990) as a statutory nuisance. In any case, given the position of the rooflights, their limited size and the residential use of the site, I am of the opinion that the levels of light emitted would be similar to that of other dormer windows and rooflights along Devonshire Road.
- 8.18 The issuing of residents parking permits is controlled by Cambridgeshire County Council. Planning permission (16/1281/FUL) was granted on the basis of this being a car free scheme with sufficient cycle parking and situated in a sustainable location. The number of units and bedrooms remains identical to that of the approved development and I do not consider the minor material amendments have had any bearing on the levels of car parking that would be experienced on the surrounding streets. I have put an informative on the permission to advise the applicants that future residents would not qualify for residents parking permits.

## **9.0 CONCLUSION**

- 9.1 The minor material amendments, as built, have not introduced any harmful impacts to neighbouring properties and the scheme enhances the character and appearance of the conservation area. The upper-floor windows of the main building remain as per the approved plans and I do not consider the minor material amendments have had any harmful material impact on the levels of privacy afforded to St Barnabas Road properties.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

2. Conditions 3 - 16 of planning permission ref. 16/1281/FUL (as set out below) shall continue to apply to this permission. Where such conditions pertaining to 16/1281/FUL have been discharged, the development of 17/1937/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

3. 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 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. Full details to a large scale of the verge details shall be submitted for written approval. The use of barge boards will not be permitted unless otherwise agreed in writing by the local planning authority.

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

14. Prior to the commencement of works, a method statement for the controlled demolition and strip out of the buildings, the salvaging of materials of construction [bricks, slates, etc.], architectural details [joinery, flooring,] and structural timber, etc. and the sustainable recycling of these materials shall be submitted to and approved in writing by the LPA. The LPA shall then be supplied with written proof of the successful recycling of the materials.

Reason: To ensure that the development minimises waste (Cambridge Local Plan 2006, policy 3/1)

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

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

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

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

17. The windows identified as having obscured glass on drawing number 1073/P03 REV B on the west elevation at ground floor level, labelled 'DAS Item 5 - Additional Window' 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 development) 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).

**INFORMATIVE:** Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

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

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

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

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1909/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	9th November 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	4th January 2018		
<b>Ward</b>	Petersfield		
<b>Site</b>	54A Mill Road Cambridge		
<b>Proposal</b>	Retrospective first floor rear extension to create four self-contained studio flats and proposed recessing of part of first floor rear wall and relocation of ducts.		
<b>Applicant</b>	Mr Mehmet Degirmenci 54A, Mill Road		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The first-floor extension respects the amenities of adjoining properties.</li> <li><input type="checkbox"/> The proposed relocated ductwork would not harm nearby properties in terms of noise and disturbance.</li> <li><input type="checkbox"/> The first-floor extension and proposed ductwork would preserve the character and appearance of the conservation area.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located on the southern side of Mill Road and opposite the junction for Emery Street. To the rear of the site are the properties in Mill Street. No.54 is a two storey property with bay windows at first floor. The ground floor is in commercial use (restaurant/takeaway and hairdresser) either side of an entrance to the first floor. The first-floor is currently unoccupied whilst internal works are taking place. The

surrounding area consists of a variety of commercial and residential uses with buildings typically being two-storeys in height.

- 1.2 The site is located within the Mill Road Conservation Area, Local Centre and Controlled Parking Zone. The Mill Road Conservation Area Appraisal defines the building as a 'positive unlisted building', along with those immediately to its east.

## 2.0 THE PROPOSAL

- 2.1 Retrospective permission is sought for a first-floor rear extension to create four self-contained studio flats and the proposed recessing of part of the first-floor rear wall and relocation of ductwork on the rear elevation.
- 2.2 Planning permission (15/2237/FUL) was granted for four flats within a first-floor rear extension on 21<sup>st</sup> September 2016. When being built, it was established that the depth of the first-floor extension was noticeably greater than that which was approved. Consequently, retrospective permission is now sought to regularise these works.
- 2.3 The side (west) wall of the first-floor extension has been recessed by approximately 1m compared to what was approved. The pitch of the roof and design mirrors that of the approved permission (15/2237/FUL) albeit with a greater plan depth. The size of the proposed four flats has been increased as a result of these works. The internal floor areas of each unit are set out in the table below:

Studio no.	Approved Internal floor area	Proposed Internal floor area
1	23	24.5m <sup>2</sup>
2	23.5m <sup>2</sup>	29m <sup>2</sup>
3	18.5	36.5m <sup>2</sup>
4	22.5	21.5m <sup>2</sup>

- 2.4 Permission is sought to relocate the ductwork on the rear elevation compared to what was approved previously.
- 2.5 A breakdown of the differences between the approved permission and this application is set out below:

	As Approved	As Built (17/1909/FUL)	Difference
First-Floor Extension Depth	4.7m	9.3m	+ 4.6m

### 3.0 SITE HISTORY

Reference	Description	Outcome
15/2237/FUL	First floor rear extension to create 4 self-contained studios and single storey rear extension and internal works to accommodate new staircase. Extension of existing external ventilation duct to be above raised roof height.	Permitted. Delegated Decision.
08/0105/FUL	New door opening to shop front window.	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 3/14 4/11 4/13 5/1 5/2 8/2 8/6 8/10

	10/1
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### 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>  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 No objection.

#### **Environmental Health**

6.2 No objection subject to the following conditions:

- Construction hours
- Collection hours during construction
- Odour filtration
- Acoustic assessment compliance
- Window noise insulation
- Odour informative
- Housing health and safety informative

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

6.3 No objection.

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

## **7.0 REPRESENTATIONS**

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

- 13 Mill Street

7.2 The representation can be summarised as follows:

- Overly dominant extension;
- Noise and disturbance experienced in garden from customers and staff at rear of restaurant;
- Noise and disturbance for future occupants of flats from restaurant below;
- Potential noise disturbance from proposed relocated extractor fans; and
- The concept of Conservation Area is essentially meaningless when it comes to planning and development in this part of the Mill Road area.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Residential amenity
4. Third party representations
5. 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 110m<sup>2</sup>;

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 upper-floor as a result of the as built extension is 130m<sup>2</sup> and this criterion would be met.

B) The likely impact upon on-street parking would be unacceptable

8.6 No car parking is provided for future occupants of the four units. The previous four bedroom house in multiple occupation (HMO) use of the site did not include any dedicated car parking.

8.7 The City Council has maximum car parking standards. The site is situated in a highly sustainable location as it is situated within the Mill Road (West) District Centre and is within walking and cycling distance of the City Centre to the west. There are also frequent bus routes along Mill Road which could be accessed by future occupants. It is also relevant to note that there are many other residential properties above commercial premises along Mill Road which also do not benefit from any dedicated car parking.

8.8 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 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. The site was last used as a four-

bedroom HMO and I do not consider the change of use to four studio flats would exacerbate on-street parking compared to this former use. 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

8.9 The habitable rooms of the flats would all have acceptable outlooks. The As explained in paragraph 8.7 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 on Mill Road within walking distance.

8.10 The units all fall below the space standards (37m<sup>2</sup> for studios) within the emerging local plan (2014) but these standards have not been formally adopted. In addition, the size of the studios is reflective of other developments in the local area, such as the flats on the corner of Campbell Street and Mill Road (16/1780/S73) that are in the process of being built. No outdoor amenity space is proposed under this application but the site is in a dense urban context where many properties do not benefit from outdoor amenity space. Parkers Piece would be within 400m of the application site if future occupants desired to use outdoor amenity space, albeit not private. The proposed studios would be single-occupancy and would not be occupied by families which typically have a greater need for private outdoor amenity space. The majority of the flats are larger than as previously approved.

D) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking

8.11 A cycle and bin store area is shown at ground-floor level within the building which shows space for three cycle parking spaces and three standard sized bins. This quantity of provision and layout of this space appears tight for the level of development proposed. I have asked the Refuse Team to comment on the proposals and this will be included on the amendment sheet if received.

8.12 The previous recommendation to approve application 15/2237/FUL was an on balance decision and that scheme did not have any bin provision. Notwithstanding the compact nature

of the space available for bin and cycle provision, in light of the material consideration that is the previous permission, I do not consider it would be reasonable to refuse the application on this basis. The provision of some form of cycle and bin storage, albeit of low quality and quantity, is an improvement compared to the previous permission.

E) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.13 The site is situated in an area where there are residential properties above commercial premises. 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.

8.14 In my opinion, on balance, and subject to condition, 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 (and impact on heritage assets)**

8.15 The first-floor extension, as built, is not highly prominent in the street scene of Mill Road or Covent Garden to the west. The extension has an asymmetric pitched roof which matches the form of that of the approved development. The extension meets the rear two-storey building line of no.56A adjacent and the brick finish and slate pitched roof is characteristic of this part of the Mill Road Conservation Area. The recessing of the western side-return element would not have a material impact on the appearance of the scheme when compared to the previous permission in my view.

8.16 The proposed ductwork on the rear elevation would be similar in appearance and height to that which was approved under the previous permission (15/2237/FUL). The only difference is that it is being relocated further to the rear as a result of the building footprint being retrospectively extended. The Conservation Team has raised no objection to the proposed ductwork and given its limited public visibility I consider it would not have a harmful impact on the character and appearance of the conservation area.

- 8.17 Overall, I consider the retrospective extension has preserved the character and appearance of the conservation area. The proposed changes to the ductwork and recessing of the first-floor side-return would not have a significant impact on the character and appearance of the area in my opinion.
- 8.18 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

- 8.19 The extension, as built, projects level with the rear building line of no.56A Mill Road immediately to the east. The proposed ductwork would be positioned away from this neighbouring boundary. In my opinion, the works as built, and those proposed, have no harmful impact on this neighbour.
- 8.20 There is a first-floor flat above no.54 Mill Road to the west with a single-aspect bedroom window on the rear elevation. This window is however positioned centrally on the rear elevation of no.54, as opposed to being positioned close to the application site boundary. The additional mass that has been built is largely concealed behind the two-storey side-return element, as built, and this side-return aspect would also be moved back marginally under the proposed works. The pitched roof style and separation from this window is considered sufficient to ensure the amenity of this adjacent occupier would not be visually enclosed by the works. The ductwork would be situated on the rear elevation, away from this adjacent window. Overall, I consider the retrospective extension has not harmed the amenity of this neighbour, and the proposed works would not have a detrimental impact on their amenity.
- 8.21 It is acknowledged that concerns have been raised from no.13 Mill Street which backs onto the application site from the south-west. There is over 18m between the first-floor rear windows of the flats and this neighbour's windows and I consider this separation distance to be acceptable from an overlooking perspective. There would be a reasonable distance from the rear garden of this neighbour and the levels of overlooking would not be worse than that of the flats adjacent at no.56A in

my opinion. Given the separation distance from this neighbour, I consider the extension is not visually overbearing.

8.22 Concerns have been raised regarding noise and disturbance from the existing restaurant below (no.54). However, this does not form part of this application and I do not consider it reasonable to assess the impact of no.54 as a result. An acoustic report has been submitted with the application, identical to the previous permission, and the Environmental Health Team is satisfied that the ductwork would not give rise to unacceptable levels of noise disturbance being experienced at nearby residential properties. I have recommended a compliance condition to ensure that the ductwork is built as per the specifications in this acoustic report. Conditions relating to odour from the duct work have been recommended by the Environmental Health Team also.

8.23 In terms of noise experienced in the flats proposed, the Environmental Health Team is satisfied that the levels of noise experienced in these units would be acceptable. This is subject to a window noise insulation condition being agreed prior to occupation.

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, 3/14 and 4/13.

### **Third Party Representations**

8.25 The majority of the third party concerns have been addressed in the main body of this report.

8.26 The comment regarding the purpose of conservation areas is a subjective interpretation and does not warrant a formal response in my view.

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

8.27 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This

follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.

- 8.28 The guidance states that contributions should not be sought from developments of 10-units or 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 additional mass and depth of the first-floor extension, as built, is not considered to give rise to unacceptable impacts towards neighbours and preserves the character and appearance of the conservation area. The proposed setting back of the side-return and re-location of the ductwork on the rear elevation would also respect residential amenity and not have a harmful impact on the conservation area. Although the cycle and bin provision is limited the proposal is considered to be acceptable, on balance, due to the extant permission on the site and its constraints. The retrospective nature of the amendments and permission sought should not sway the consideration of the application and its merits by Members.

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

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

6. The development hereby approved shall be carried out in accordance with the noise insulation scheme, proposed ventilation and mitigation requirements as stated within the Inacoustic noise assessment (version 2, project number 16-061) dated 19th August 2016.

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

7. Prior to the commencement of development, as part of a noise insulation scheme to protect occupiers from external plant noise sources at 54 Mill Road, full details are required of the measures / mechanisms that will be in place to ensure that the windows on the rear façade of the development:
  - i. Have glazing that only opens outwards towards the plant on the rear roof of 54 Mill Road, and
  - ii. Have restricted opening so that they cannot open more than 100mm at any time

The development shall be carried out in accordance with the approved details.

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

8. 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)

9. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting within the individual flats shall be provided. The approved arrangements shall be retained thereafter.

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

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

**INFORMATIVE:** The future occupier of the flats shall not qualify for Residents' Parking under the existing residents parking scheme.

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**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1838/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th October 2017	<b>Officer</b>	Mary Collins
<b>Target Date</b>	19th December 2017		
<b>Ward</b>	Newnham		
<b>Site</b>	40 Grantchester Road Newnham, Cambridge		
<b>Proposal</b>	Rear and side ground floor extension		
<b>Applicant</b>	Ms S Day 40 Grantchester Road Newnham, Cambridge		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would not unreasonably overlook, overshadow or visually dominate neighbouring properties.</p> <p style="padding-left: 40px;">The proposal would not be detrimental to the character and appearance of the surrounding area.</p>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 40 Grantchester Road is a semi-detached property situated on the western side of Grantchester Road. It has a recessed front porch and bay window to the front elevation. To the rear the property has a two storey outrigger which has been extended at two storey level by approximately 4 metres with an additional single storey ground floor extension to the rear and projecting side.
- 1.2 The dwelling is constructed in buff brick with red brick detailing to the front elevation and brown concrete roof tiles.
- 1.3 Grantchester Road is characterised by pairs of dwellings of a similar age and style. The site falls outside the controlled parking zone and there are no other site constraints.

## 2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a single storey extension to the side and rear.
- 2.2 There is an existing conservatory to the rear which wraps around the extended outrigger and would be removed. The proposed extension would project 1.3 metres to the rear of the extended outrigger (the same depth as existing) with a rectangular oriel window projecting to the rear elevation. It would extend to the side by 2.1 metres and would wrap around the extended two storey outrigger with the extension to the side having a span of 5.6 metres. The extension would have a flat roof, 3 metres high with a section along the boundary with a sloping roof. The extension would be inset from the boundary by approximately 0.20 metres.
- 2.3 The extension would have grey rendered walls with a zinc roof covering. The lower half of the existing wall of the outrigger would also be rendered in grey to match the extension.
- 2.4 During the course of this planning application, revisions have been made to the application to reduce the impact of the extension on the boundary with the adjacent property at 42 Grantchester Road by reducing the eaves height to 2.4 metres with a sloping section with a pitch of 35 degrees for a span of 0.9 metres. Amendments have also been made to the glazing in the east facing window of the extension so that it would be fitted with obscure glazing.
- 2.5 The proposal also entails a number of elements which are permitted development and do not require planning permission:
- Insertion of French doors to side elevation of the existing two storey outrigger;
  - Insertion of two windows in existing first floor rear elevation instead of one window;
  - Changes to internal room layout.
- 2.6 The application is accompanied by the following supporting information:

1. Drawings

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/87/0593	Erection of part single, part two storey extensions to existing dwelling houses.	Refused
C/88/1332	Two storey rear extension.	Refused – allowed on appeal

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/11 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 (Annex A)
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## 5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

## 6.0 CONSULTATIONS

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

- 6.1 The Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority.
- 6.2 The Highway Authority has no comment to make upon the amended plans. The previous comments of the Highway Authority still apply.

### **South Newnham Neighbourhood Forum**

- 6.3 Bring attention to an aspect of this application that would seem to cause loss of privacy and amenity to the next-door neighbour at no. 42 Grantchester Road. The particular issue is a window on the proposed new extension that apparently would look towards the bathroom window at no. 42, and on this aspect we understood that the neighbour would be objecting.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.



## 7.0 REPRESENTATIONS

7.1 Councillor Markus Gehring has requested that the application be referred to committee if officers are minded to support the proposal, due to concerns regarding the impact on neighbouring properties.

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

- 42 Grantchester Road

7.3 The representations can be summarised as follows:

- Loss of privacy/total visual intrusion – From new French windows, East facing window of extension towards bathroom and bedroom.
- Layout and density of building. - Massing even closer.
- Due to the close by mass, microclimate would be affected – less air, breeze circulating round the building.
- Loss of light: Extension has already taken light. North light is still needed. Light lost in the evening to rear windows in the summer.
- Design, appearance and materials – Square edged ‘brutalist block with grey render on its east and west elevations totally out of keeping with the style of that house and this row of houses. Would be visible from Grantchester Road and incongruous intrusion to line of vision between the houses.
- Drainage: Paving slabs cover much of the rear garden apart from a narrow margin around the edges, the larger footprint of the extension and the difference in ground levels between the two properties would increase the likelihood of rainwater overflow onto my site.
- Previous planning decisions – Overlooking, loss of light and visual intrusion from extension to outrigger.
- Permanent and life-limiting damage to good quality fence. Life of fence would logically be shortened.
- Nature conservation – loss of trees and shrubs.

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**

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

- 8.1 The extension would replace an existing glazed and wooden structure with a contemporary extension of a larger footprint and with different materials. The extension would extend further to the side of the extended rear section of the dwelling.
- 8.2 There would be views of a small section of the extension from the street through the narrow gap between the two pairs of dwellings. However due to the set back from the street frontage, views would be limited and be recessive and in my opinion would not have a detrimental impact on the street scene.
- 8.3 The form and design of the extension are contemporary with the associate use of grey render and zinc cladding and in my opinion this would not be detrimental to the appearance of the surrounding area.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/11 and 3/14.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### 42 Grantchester Road

- 8.5 The adjacent property at 42 Grantchester Road is situated to the south of the application site. This property is semi-detached with a two storey outrigger to the rear.
- 8.6 The existing relationship of the two dwellings is tight with the two dwellings separated by a narrow passageway between the properties and the intervening distance then widens to approximately two metres and then to a distance of approximately 4 metres between the outriggers.
- 8.7 The existing outrigger to 40 Grantchester Road has been extended by 4 metres and the proposed extension would extend further sideways at single storey level into this space between the side of the outrigger and the boundary.

- 8.8 The 2.4 metre high side elevation of the proposed extension would span for a distance of approximately 5.6 metres in close proximity to the boundary and would be separated from the rear of the existing dwelling by approximately 7 metres.
- 8.9 During the course of this application amendments have been made to address neighbours concerns with the eaves height along the boundary being reduced to 2.4 metres with a section of the roof sloping upwards with a pitch of 35 degrees away from the boundary.
- 8.10 The extension is not considered to be overbearing on the boundary with 42 Grantchester Road or to cause enclosure or a tunneling effect. This is due to the massing and single storey nature of the extension, the intervening gap between the rear of the properties and the position of the extension and its marginal inset from the boundary.
- 8.11 In addition the extension would not in my opinion be detrimental to the outlook and visual amenities of the neighbour at 42 Grantchester Road.
- 8.12 The fall-back position is that an outbuilding could also be located in the position of the proposed extension up to a height of 2.5 metres without the need for planning permission and could have a similar impact on the boundary.
- 8.13 The proposal would not result in a detrimental loss of light to the adjoining property at 42 Grantchester Road.

#### Loss of privacy

- 8.14 The property at 42 Grantchester Road has windows to habitable rooms in its rear elevation on the ground floor and to a bedroom and bathroom at first floor level. As noted previously, the existing relationship of the two dwellings is tight and as such there is already a degree of inter-visibility due to this close proximity.
- 8.15 There is potential for overlooking from the proposed window in the east elevation of the proposed extension which would face back towards the rear of the property and the adjacent neighbour at 42 Grantchester Road. The bedroom window to

this property has a low cill level and this adds to the perception of overlooking.

- 8.16 The proposed window to the eastern elevation of the extension would be a secondary window to the proposed kitchen and would be fitted with obscure glass. This has been amended since the original submission in response to neighbour's concerns. It is considered that a detrimental loss of privacy through inter-looking would therefore not occur. A condition will be imposed to ensure that this opening is fitted with obscure glazing and is non-opening and fixed at all times.
- 8.17 The applicant also proposes to make internal alterations to the existing property and an existing bedroom would be changed into a bathroom. The submitted drawings show this window fitted with obscure glazing. The proposed bathroom window is a vertical sash fitted with frosted glass, however when this window is opened for ventilation, there would be clear views out towards the neighbouring property. However, given this is in an existing elevation of the dwelling, a condition cannot be imposed to ensure that it is restricted in its opening and given that there is already an opening window in this position, there is considered to be no additional harm than the existing situation.
- 8.18 A pair of French doors is also proposed to be inserted in the existing side wall of the outrigger. This can be carried out as permitted development. These doors are aligned at 90 degrees to the rear facing windows in 42 Grantchester Road and as such, it is considered that a detrimental loss of privacy through inter-visibility between rooms would not occur owing to this acute angle and intervening boundary treatment.
- 8.19 The internal floor level of the family room would be approximately 0.40 metres above ground level and the intervening fencing is 1.7 metres high. However given the inset of the French doors from the boundary, it is considered that the intervening fence would still provide sufficient screening to ensure that a detrimental loss of privacy through overlooking from this room into the neighbouring garden would not occur.
- 8.20 The use of the resultant courtyard garden is not considered to create any additional issues of loss of privacy to this neighbouring property as the proposed situation would not differ

from the existing circumstances where this outdoor area is currently used as amenity space.

- 8.21 The insertion of two window openings at first floor level to the rear can be carried out under permitted development rights, however these are not considered to be detrimental to privacy as views from these windows would only be towards the far end of adjoining gardens and would not be directed towards the private areas directly behind the rear of adjoining properties.

### 38 Grantchester Road

- 8.22 This property is attached and lies to the north of the application site. This property has a single storey rear extension and the proposed extension would only marginally project above and beyond it. This property in my opinion would not be detrimentally affected by the proposal.
- 8.23 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

### **Third Party Representations**

- 8.24 The issue of drainage has been raised as the existing property has a mostly paved rear garden and there is concern about the amount of additional surface water runoff from the roof of the extension and whether it can be adequately drained away within the application site so it does not discharge on to their property, particularly as there are differences in levels between the two properties.
- 8.25 The final sizes of the gutters and rain water downpipes form part of the Building Regulation requirements as they are dependent on the area of roof to be drained and the relevant capacity of the gutters/pipes.
- 8.26 There is sufficient room for guttering to be added to the roof of the extension so that rain water is collected and drained away within the application site.
- 8.27 With regards to the views expressed regarding the future maintenance of the fence, many extensions are inset from the

boundary and the maintenance and upkeep of this area would be the responsibility of the land owner, whilst the maintenance of the fence would fall to the owner of the fence.

- 8.28 The removal of small trees, bushes and plants climbing up and over the intervening fence is not a material matter in the determination of this planning application. The property is not within the conservation area and there is no protection against their removal which would only extend to trees in any case. The owners are free to maintain the garden as they wish.

## **9.0 RECOMMENDATION**

**APPROVE**, subject to the following conditions:

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

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

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

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

3. The window identified as having obscured glass on drawings numbers (apa.187.103 Rev P3 and apa.187.104 Rev P3) on the east elevation at ground 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 be fixed and non-openable at all times.

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

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1926/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd November 2017	<b>Officer</b>	Eloise Limmer
<b>Target Date</b>	17th January 2018		
<b>Ward</b>	East Chesterton		
<b>Site</b>	8 & 8A Oak Tree Avenue Cambridge Cambridgeshire CB4 1BA		
<b>Proposal</b>	Demolition of 8 and 8A Oak Tree Avenue and erection of two dwellings		
<b>Applicant</b>	Mr A DeSimone 436 Milton Road Cambridge CB4 1ST		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed replacement dwellings are acceptable, in principle;</li> <li><input type="checkbox"/> The design of the proposed dwellings is acceptable and would be in keeping with the character of the area;</li> <li><input type="checkbox"/> The proposed dwellings would not harm neighbour amenity.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 Nos. 8 and 8A Oak Tree Avenue are situated at the end of a terrace of properties on the western side of Oak Tree Avenue. The original house, No. 8, was extended to the side to provide three additional bedrooms and a self-contained bedsit on the ground floor. This element subsequently became 8A Oak Tree Avenue. The property is currently a large HMO.

1.2 The area is characterised by residential dwellings and the site backs onto the gardens of properties on Milton Road. To the

north of the site is a right of way which serves the rear of the site and Nos. 10 and 12 Oak Tree Avenue. The site is close to the junction with Milton Road. The character of the area is mainly residential; there are no relevant site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks full planning permission for the demolition of 8 and 8A Oak Tree Avenue and erection of two semi-detached three bedroom dwellings with associated bin and cycle storage to the rear. The proposed dwellings would be the same height as the adjacent terrace properties. To the rear of each dwelling, at second storey level, would be two box dormer windows which would accommodate the third bedroom. A small extension at first floor level would be created for the end property, in order to accommodate bedroom 1. This would be in the form of a flat roof extension, projecting out 1.6m from the rear elevation.
- 2.2 This is effectively an application to renew planning approval 14/1301/FUL which expired on 05/12/2017.
- 2.3 The application is accompanied by the following supporting information:
1. Design Statement
  2. Plans

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/84/0150	Erection of two storey extension to existing dwelling house	Approved
C/84/0867	Addition of front porch and erection of first floor extension to existing dwelling house	Approved
14/0541/FUL	Demolition of existing house and building of two dwellings	Withdrawn
14/1301/FUL	Demolition of existing house and bedsit and replacement with two dwellings	Approved



#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/7 3/8 3/11 3/12 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)
	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Roof Extensions Design Guide (2003)

## **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 The development proposed is acceptable subject to the imposition of conditions and informative relating to construction hours, collection during construction, piling, and dust.

### **Refuse and Recycling**

- 6.3 No issues or comments with this development

### **Urban Design and Conservation team**

- 6.4 It is considered that there are no material Urban Design issues with this application.

### **Landscape**

- 6.5 The development proposed is acceptable subject to the imposition of conditions relating to hard and soft landscaping and boundary treatment.

### **Drainage**

- 6.6 The development proposed is acceptable subject to the imposition of conditions relating to surface water drainage and drainage works implementation.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 10 Oak Tree Avenue

7.2 The representations can be summarised as follows:

- Concerned about the public access of the three houses next to the building.
- Concerned about the demolition of the existing house particularly safety and insurance issues.
- Does not think that the infrastructure of the cul de sac can take the volume and size of traffic required during construction.
- Thinks that public access to the cul de sac would be affected during construction as the proposed site is at the entrance.
- Thinks that the proposal will cause overshadowing and overlooking of his property and garden.

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

### **Principle of Development**

8.2 Policy 5/1 of the Cambridge Local Plan (2006) is relevant. *“Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses”*. This site is already in residential use, and the proposal seeks to replace it with residential. I therefore

consider that this proposal meets the policy objective and is acceptable, in principle.

- 8.3 The current buildings are in occupation as an HMO (House in Multiple Occupation). The loss of this use would not be detrimental to the housing stock as two new dwellings would be replacing it. Therefore, I am not concerned about the loss of an HMO unit in this area.
- 8.4 In my opinion the principle of development is acceptable and the proposal is compliant with Cambridge Local Plan (2006) policy 5/1

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

- 8.5 The existing buildings on the site complete the terrace form which ends with a two storey flat roof extension to the side (8A Oak Tree Avenue). The front elevation of the terrace is fairly uniform and has a certain rhythm of fenestration detailing and roof scape. The forecourt of the site is made up of hard landscaping and there is sufficient space for four cars to be parked in this area.
- 8.6 The proposed design matches the existing architecture of Oak Tree Avenue. The front elevation is simple in form and reflects the style and proportion of the neighbouring properties and would make the terrace more symmetrical. The building line would not come forward of the prevailing building line of the terrace and the forecourt is retained. Overall I consider that the street scene would be improved by this design approach and is acceptable.
- 8.7 At the rear there is a single storey element running along both properties at ground floor level, a first floor extension to the end property (No.8A), and the introduction of two box dormer windows on both properties. The dormers do not exceed the highest part of the roof and would not be highly visible from the street. There are no other dormers on the terrace however as the site is not constrained by Conservation designation it would benefit from permitted development rights for roof extensions. Under permitted development rights a dormer window of up to 40 cubic metres would be allowed. Thus, these dormers could be erected without planning permission. Therefore, it is considered that these dormers are acceptable.

- 8.8 In terms of the external open spaces, the dwellings would both have their own private amenity space to the rear, in which the bins and cycles would be incorporated. The rear gardens are small but of a sufficient size, commensurate to the size of the proposed dwellings. No details of the bins and cycle store have been provided, apart from indicating where they would be situated, on the site plan. It is proposed that the cycles and bins be accessible from the rear of the properties via the private right of way, which is acceptable in my view. I have recommended a condition requiring further details of the bin and cycle stores.
- 8.9 The front forecourt is to be retained and would be for the use of off-street car parking for four cars. This would concur with the character of the car parking along Oak Tree Avenue. The site is situated in a sustainable location, close to public transport routes, so there is also an alternative option for more sustainable modes of transport available to the occupiers.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.11 The adjacent neighbour, at No.10 Oak Tree Avenue has objected. The main concerns are addressed below:
- 8.12 *Access* - The occupier of No.10 is concerned about the access to the rear of the properties via the side passage which is used by Nos. 10 and 12 Oak Tree Avenue as well as the application site. They are also concerned about the access to Oak Tree Avenue from Milton Road as the site is at the mouth of a cul-de-sac and the effect that large vehicles would have on the infrastructure of the cul-de-sac. All of these concerns relate to potential impacts during construction. A condition is therefore recommended requiring that the contractor's access arrangements, storage and parking details are submitted and approved before works commence.
- 8.13 *Structural stability* - The occupier of No.10 is concerned about potential impacts to their property during the proposed demolition and construction. These concerns are related to Building Control and their regulations about demolition and

construction close to other properties. I have recommended an informative to advise the applicant to consider the 'Considerate Contractor Scheme'.

- 8.14 *Overlooking and overshadowing* – In terms of overlooking, whilst the dormers would be introducing an additional level of outlook, there is already a high degree of overlooking between neighbours at first floor level which I do not consider would be exacerbated by the proposed dormers. The proposed dwellings would be situated north-east of No.10, given this orientation it is unlikely that overshadowing would be significant enough to warrant refusal of the application.
- 8.15 I do not consider that the proposed dwellings would cause an unacceptable level of enclosure to the neighbouring property because they are of similar proportions to the terrace form. The single storey elements would be less than 3m in height and therefore unlikely to result in any significant loss of neighbour amenity.
- 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 The future occupants of the proposed dwellings would benefit from a high quality new build, which would be located within a sustainable part of the City and benefit from private amenity areas, adequate cycle and bin storage and off street car parking. Although the gardens, particularly at No.8A, are small they are considered to provide sufficient amenity space for the occupiers given the sustainable location of the site.
- 8.18 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Refuse Arrangements**

- 8.19 Refuse is indicated on the site plan. This is located to the rear of the properties. I am confident that adequate provision can be achieved for both dwellings. A condition is recommended to secure refuse provision in order to meet the requirements.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Car and Cycle Parking**

- 8.21 Cycle parking is indicated on the site plan. It is provided to the rear of the site close to the bin store. I am confident that adequate cycle parking provision can be achieved for both dwellings. A condition is recommended to secure the provision of cycle parking for both dwellings.
- 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 occupier of No.10 Oak Tree Avenue's concerns in paragraphs 8.12 - 8.15.

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

- 8.24 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.
- 8.25 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 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 commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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



5. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, will be stationed and walk distances for residents including the specific arrangements to enable collection from the kerbside or refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter.

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

6. 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)

7. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

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

9. No 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. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,

- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

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

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

14. 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).

15. 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. include details of all proposed SuDS features, information about the design storm period and intensity, the method employed to control the surface water discharged from the site to the greenfield runoff rate and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

b. identify how the risk of surface water flooding will be dealt with, ensuring that the surface water flood risk is not increased elsewhere; 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.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

16. 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. (Cambridge Local Plan 2006 policy 4/16)

**INFORMATIVE:** Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

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

**PLANNING COMMITTEE**

**DATE: 7<sup>TH</sup> FEBRUARY 2018**

<b>Application Number</b>	17/1955/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	16th November 2017	<b>Officer</b>	Rob Brereton
<b>Target Date</b>	11th January 2018		
<b>Ward</b>	Coleridge		
<b>Site</b>	95 Cherry Hinton Road Cambridge		
<b>Proposal</b>	Roof extension including raising ridge height, rear dormer and additional front roof light. Change of use from guest house to large scale HMO (House in Multiple Occupation) (sui generis).		
<b>Applicant</b>	Mr Richard Fella 1 Lion Works Business Park Station Road East Whittlesford		

SUMMARY	The development accords with the Development Plan for the following reasons:
	<ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed change of use would not have a significant detrimental impact on the amenities of occupiers of neighbouring properties.</li> <li><input type="checkbox"/> External works proposed are minimal and will not have an adverse impact on the streetscene.</li> </ul>
RECOMMENDATION	APPROVAL SUBJECT TO CONDITIONS

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject site is on the northern side of Cherry Hinton Road opposite the junction with Rock Road. Currently the property is used as a guesthouse/hotel called Brooklands Hotel. It is a two storey Victorian mid-terrace building. Features on the property include bay windows and white render to the front and a flat roof single and two-storey extension to the rear.
- 1.2 The surrounding area is predominantly characterised by residential uses, however, a variety of commercial units are

present on the ground floor of buildings facing onto Cherry Hinton Road.

- 1.3 The subject building is not Listed, a Building of Local Interest or within a Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the erection of a roof extension including raising the ridge height, a rear dormer, an additional front roof light and a change of use of the property from a guesthouse to a large scale HMO which would accommodate 12 persons.

- 2.2 Amendments have been made to the application and include the following:

- The proposed laundry room has been removed (to improve outlook from one of the bedrooms and the communal dining room).
- The gate into the communal garden has been moved to nearer the house (to improve movement around the property).
- A hedge is proposed to the rear of the conservatory (to improve privacy).

- 2.3 To the front the proposal would raise the ridge height by 0.4 metres by extending the plane of the roof and add two roof lights to the front roof slope. To the side the proposal would remove the existing lean-to single storey side extension to the dining room. To the rear a full width flat roofed box dormer is proposed. Internally the existing building would be reconfigured to have eight bedrooms (all with en-suites) and a dining room and kitchen for the occupants of the HMO. The applicant has stated the property would be limited up to 12 occupants as some of the rooms are doubles. To the front two cycle stands are proposed and off the side passage a bin-store is located. The existing outbuilding located at the rear of the property is to remain.

## **3.0 SITE HISTORY**

Reference	Description	Outcome
C/96/0717	Retention of one wall mounted	Approved with



	illuminated sign on the front elevation of the guest house.	conditions
C/94/0062	Continued use of two additional rooms (in addition to the three rooms granted permission under reference c/0666/82), as guest bedrooms.	Approved with conditions
C/91/4057	Installation of illuminated sign onto guest house.	Approved with conditions
C/89/0583	Use of three additional rooms for guest house purposes (maximum guest bedrooms six).	Refused
C/87/0517	Erection of single storey rear extension to existing guest house to provide additional accommodation for proprietor.	Approved with conditions
C/82/0666	Continued use of part premises as guest house (3 bedrooms only) Section 32 application	Approved with conditions
C/73/1113	Erection of two storey extension to existing dwelling house	Approved with conditions

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

## 5.2 Relevant Development Plan policies

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

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

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

## 5.4 Status of Proposed Submission – Cambridge Local Plan

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

will have considerably more weight than emerging policies in the revised Local Plan. For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

## **6.0 CONSULTATIONS**

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

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

### **Environmental Health**

- 6.2 No objection subject to conditions on demolition/construction hours and two informatives on the Housing Health & Safety Rating System and the Management of Houses in Multiple Occupation (HMOs).

### **Drainage**

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

## **7.0 REPRESENTATIONS**

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

No. 97 Cherry Hinton Road

- 7.2 The representations can be summarised as follows:

- Occupants of a HMO will create more noise nuisance than tourists using the Hotel.
- The Hotel has a manager present on site who can control noise nuisance if it occurs. This proposed HMO use would not have presence of a manager on site.

- Currently the Hotel has some parking outside in front of the premises and arrangements to use other spaces in the locality. Tourists rarely come by car as the Hotel is near the train station. This change of use would allow for 8-16 residents adding pressure on car parking in the area.
- The new residents would not have facilities to park their cycles. It must be noted cycles cannot be left in the passageway beside the house as this is a Right of Way to the rear of neighbouring houses and access is required at all times.
- The cycles would also obstruct the passageway for the exit of the rubbish bins. This also raises the question of who is going to manage or control the disposal of so much rubbish with so many people on site without a Live-in Manager. There has been in the past, in the area with the build-up of rubbish sacks outside HMO houses.
- Do not accept the agent's claim that the passageway is just belonging to No. 95.
- The management company would not be open outside of business hours and have not given contact details.

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 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. As the proposal would change the use of the existing hotel into permanent residential accommodation in the form of a House in Multiple Occupancy it is considered to comply with this policy.

- 8.3 Policy 5/7 of the Cambridge Local Plan (2006) states that the development of properties for multiple occupation will be permitted subject to the potential impact (A) on the residential amenity of the local area, (B) the suitability of the building or site (C) and the proximity of bus stops and pedestrian and cycle routes, shops and other local services. These impacts will be assessed in the paragraphs below.

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

- 8.4 The works proposed that would be visible from the streetscene would be the raising of the ridge by 0.4 metre and the addition of two cycle parking stands.
- 8.5 This area of Cherry Hinton Road contains buildings of various ridge heights. The adjoining No. 93 has the same ridge height as the existing subject property, while the adjoining No. 97 has a ridge height approximately 0.2 metres lower. While the proposed ridge height would be taller than these two immediately adjoining neighbours, it is not in my opinion considered out of character as Nos. 91, 103, 105 all have taller ridge heights. The roofline is not uniform and the increased height is in these circumstances acceptable.
- 8.6 Some cycle parking to the front is also considered acceptable in this location as many ground floor businesses have this arrangement. It would not detrimentally impact the streetscene and would be useful for visitors to the HMO.
- 8.7 To the rear the only construction proposed is to erect a full width box dormer. The site is not within a Conservation Area, the proposed dormer would not be visible from wider public views and it would maintain the original eaves line and the existing well-proportioned chimney. It would be finished in slate as per the existing property and is in my opinion acceptable.
- 8.8 The proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

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

- 8.9 The location and bulk of the proposed roof extension is not considered to create any detrimental overshadowing impacts to

adjoining neighbours. The proposed demolition of the existing single storey extension facing the side passage and replacement with a smaller bin store would have a minimal impact on the adjoining neighbour No. 93 Cherry Hinton Road. I consider this replacement to be an improvement on the existing situation.

- 8.10 None of the additional windows in the proposed roof dormer would harmfully overlook adjoining neighbouring boundaries. First floor bedrooms in the existing rear return have side elevation windows which face onto the boundary with No. 93 Cherry Hinton Road. This arrangement is not changing. I also note this neighbour has a rear extension, therefore views of their amenity space would be limited. I am of the opinion the proposal would not have a detrimental overlooking impact.
- 8.11 The frequency and times of people coming and going may change as visitors to a guesthouse would typically stay for a shorter amount of time than HMO occupants and may be arriving or leaving at more unsociable hours depending on the nature of their visit. The Environmental Health Team does not consider that the proposed change of use to a large HMO will create a significant additional detrimental level of noise impact to neighbours when compared to the existing use. I agree with this assessment. As per their advice, I recommend a construction hours condition.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and parts (A) and (B) of 5/7.

### **Amenity for future occupiers of the site**

- 8.13 The ground floor bedroom adjoining the dining room and hallway would be a single aspect glazed door facing north. The original scheme had maintained the existing lean-to side extension in close proximity (1m) to this room. Officers have sought amendments and this structure is to be demolished and a bespoke bin store located 4m away from this room. As a result, I consider the occupant(s) of this room would have an acceptable outlook.

- 8.14 The ground floor bedroom located to the north of the proposed utility room has its own conservatory space. Prior to the plans being amended there was concern future residents using this conservatory would be overlooked from the communal garden. The amended plans added a hedgerow and amended the location of the gate. These amendments overcome my concerns.
- 8.15 I consider the proposed rear communal amenity space is of a sufficient size and quality for future residents of the HMO.
- 8.16 I consider that in these and all other respects in terms of amenity, that the scheme is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12, 3/14 and part (B) of 5/7.

### **Refuse Arrangements**

- 8.17 A sufficient amount of bin space in a secure store has been provided for the amount of bins required for this size of HMO. The bin store would be in a very similar location to the existing guesthouse bins. Additional bins would have to be collected above the existing use. However, I cannot foresee how weekly collections from the proposed bin store would result in any significant harm arising (noise/disturbance); it is entirely appropriate in terms of drag distance and is away from the pavement edge. A neighbour has voiced concern that the bins could block the shared passage; this would be a management issue and members of the Planning Committee will note that I have recommended a HMO management condition (7) to help deal with issues such as this if they arise. As the passage is 1 metre wide at its narrowest point and the door to the bin store opens inwards, the access is suitable.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and part (B) of 5/7.

### **Car and Cycle Parking**

- 8.19 The Highway Authority has not raised concern regarding the potential for the application to increase on-street parking or create a highway safety issue. Local residents have concerns that this proposal would have no car parking spaces and therefore would have an adverse impact on on-street parking, especially when coupled with future occupiers requiring more

parking than guests using the hotel. There are no parking standards for HMOs in the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good public transport accessibility exists. Part C of policy 5/7 states that HMOs should be permitted if they are located in buildings with good proximity to bus stops and pedestrian and cycle routes, shops and other local services. The subject building is located on Cherry Hinton Road which has excellent transport links to the city centre and contains many shops/services.

8.20 A communal cycle store is proposed in the existing outbuilding in the rear garden as well as two cycle stands to the front, which I anticipate would be used by visitors. I recommend a condition is added to ensure the requisite no. of cycle parking spaces would be provided. This would meet the requirements of Appendix D of the Cambridge Local Plan and I consider it an acceptable approach.

8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6, 8/10 and Part (C) of policy 5/7.

### 8.22 **Third Party Representations**

I have dealt with the majority of the third party representations within the main body of the report. Those issues that are outstanding, I deal with below:

<b>Concern</b>	<b>Response</b>
No manager present on site	This is not a requirement of a HMO
Disputed right-of-way down passage way	This is not a planning matter, but a civil matter.
Management company not contactable if there are future issues	Environmental Health have a 24 hour noise complaint phone number which is 0300 303 8389. Recommended management condition 7.

## 9.0 **CONCLUSION**

9.1 I am of the opinion that the proposal complies with the relevant policies and will not have a significant detrimental impact on neighbouring properties, highway safety or the amenity of future



occupiers. I 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 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. The House of Multiple Occupation hereby permitted shall have a maximum of 12 occupants.

Reason: In the interests of the neighbours' residential amenities and to accord with policies 3/7, 5/7 and 4/13 of the Local Plan 2006.

6. No occupation of the development shall commence until details of facilities for the secured/covered parking of at least 12 bicycles for use in connection with the development hereby permitted has been submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details before use of the development commences.

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

7. Prior to the occupation of the building, a management plan for the property shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of: who will be managing the property; external display of contact information for on-site management issues and emergencies for members of the public; how issues will be addressed; how external spaces/functional provisions will be managed (lawns, bins, bikes etc.); and what new tenant guidance will be issued re: acceptable standards of behaviour/use of the premises including bin storage etc. The management of the property shall be carried out in accordance with the approved details.

Reason: In order to ensure the use of the property does not adversely impact the amenity of adjacent residents (Cambridge Local Plan policies 5/7 and 4/13).

8. The existing lean-to side extension close to the ground floor bedroom adjoining the dining room and hallway shall be removed prior to the occupation of the scheme.

Reason: To ensure an acceptable outlook (Cambridge Local Plan policy 5/7).

**INFORMATIVE:** Management Regulations apply to all HMOs (whether or not they are licensable) and impose certain duties on managers and occupiers of such buildings. Persons in control of or managing an HMO must be aware of and comply with the Management of Houses in Multiple Occupation (England) Regulations 2006. These regulations stipulate the roles and responsibilities of the manager and also the occupiers of HMOs. Further information may be found here: <https://www.cambridge.gov.uk/houses-in-multiple-occupation>

**INFORMATIVE:** The Housing Act 2004 introduced the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors. Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed, habitable rooms without adequate lighting or floor area etc. Further information may be found here: <https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>.

**INFORMATIVE:** The Housing Act 2004 introduced Mandatory Licensing for Houses in Multiple Occupation (HMOs) across all of England. This applies to all HMOs of three or more storeys and occupied by five or more persons forming more than one household and a person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. It is, therefore, in your interest to apply for a licence promptly if the building requires one. Further information and how to apply for a Licence may be found here: <https://www.cambridge.gov.uk/licensing-of-houses-in-multiple-occupation>.

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Planning and Economic Development Services

TO: Planning Committee                      DATE: 7<sup>th</sup> February 2018

WARD: Queen Edith's

### PLANNING ENFORCEMENT REPORT FOR:

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**Address: 59 Hills Avenue, Cambridge, Cambridgeshire CB1 7UZ**

**Details of Alleged Breaches of Planning Control: Without planning permission, the unauthorised change of use from Class C3 dwellinghouse to an 'Aparthotel' style short-term visitor accommodation use at the premises**

SUMMARY	This report has regard to an alleged unauthorised change of use of a domestic residential dwellinghouse into a commercial short-term visitor accommodation letting use 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 59 Hills Avenue is an extended two storey 6 roomed semi detached house on the northern side of Hills Avenue. The locality is of a predominately residential nature.

1.2 Information was initially received during April 2017 from local residents that the house was being used as a newly opened

hotel/Bed and Breakfast accommodation, and this was evident from the increased amount of vehicular activity associated with the premises. Information was also provided that rooms were being advertised on the Booking.com website for nightly let. It appeared therefore that it was being used commercially for short-term visitor accommodation rather than as a dwellinghouse. A planning enforcement investigation was undertaken that included the service of a Planning Contravention Notice (PCN). A decision on how to proceed with the investigation has been pending whilst consideration has been given to when the use of a dwelling for short-term visitor accommodation can amount to a change of use that constitutes development.

- 1.3 The site is not in a Conservation Area and there are no protected trees, listed buildings or Buildings of Local Interest (BLI) in the vicinity. The site is not in the Controlled Parking Zone (CPZ).

## 2.0 PLANNING HISTORY

### 2.1 Planning applications

05/0555/FUL	Erection of single storey outbuilding (retrospective)	Granted Permission subject to conditions
C/04/0582	Erection of a two storey rear extension	Granted Permission subject to conditions

### 2.2 Planning Enforcement

EN/0054/17 – Alleged change of use to holiday let (Current Investigation)

## 3.0 ENFORCEMENT INVESTIGATION AND ASSESSMENT

- 3.1 The site was initially referred to the Planning Enforcement Team by local residents, through ward councillors, concerned with increased vehicular activity and parking along the road deemed attributable to the premises.

- 3.2 There are no recorded complaints to the Council's Environmental Health Team concerning noise. However, the same department's Commercial Food Team carried out a site visit in April 2017 where they interviewed the employee who lives on site in the rear outbuilding. Information was provided that the premises was converted in March 2017 to 6 independent rooms each with en-suite, fridge freezer, kettle, toaster, microwave and coffee machine. In addition, each of the rooms were provided with small packets of cereal, tea bags, coffee, biscuits, bread, milk, jams and butter. It is clear from this that there are no formal communal eating or cooking facilities hosted within the current use of the premises such that the facilities would not be consistent with use by a single household.
- 3.3 A Planning Enforcement site visit, also in April 2017, also found that the outbuilding was being occupied with en-suite double bedroom, evidence of clothes hung up and a separate room with TV, large fridge, large sofa and microwave. This gives the outbuilding the propensity to be used as a separate unit of accommodation but appears to be used by the employee managing the use of the main dwelling house as a short-term let 'Aparthotel' style serviced accommodation.
- 3.4 Council records show that a building control application was received in June 2017 for works relating to a change of use from residential to hotel at the premises.
- 3.5 Searches on the Booking.com website for the premises continue to show the premises available to rent room by room, on a night by night basis, for up to 12 guests under the name of 'Hills House'.
- 3.6 Residents continue to contact the planning enforcement team as a result of what they feel to be harm to their amenity resulting from increased traffic and the principle of the alleged current use at the premises not benefitting from planning permission.
- 3.7 The PCN response is awaited. Officers will update Members on the response during committee proceedings. It is an offence to knowingly make a false or misleading statement within a PCN and any information submitted should therefore be taken at face value and assessed accordingly.

3.8 A case review has been carried out and identified the following:

The premises are let and available to be let as individual rooms for some or all of the days of the week. Whilst the complainants, owners and employee have previously described the premises as a hotel/B&B, it is considered in planning terms that the use is as an 'Aparthotel' form of short term visitor accommodation. There are no communal areas such as a room for partaking of breakfast. Barring the service of laundry and the provision of breakfast foodstuffs within the rooms there and no other services provided and there is no reception area. As such, the current use of the premises as Class C1 hotel should be discounted.

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 It is recognised that permanent residential occupation may involve occasional changes in occupiers such as when a property is sold or a lease expires and new owners/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 Aparthotel 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.
- 3.13 In addition to this assessment is the need to consider any potential loss of the property as residential accommodation occupied by a single household as defined within Use Class C3 of The Town and Country Planning (Use Classes) Order 1987 (as amended). The lawful use of the premises is as a dwelling within Use Class C3 which requires that occupation be by a person or persons regarded as forming a single household. Any such loss would, of itself, represent a change of use of the dwelling from C3 and, as a result, the loss of the dwelling as permanent residential accommodation.
- 3.14 In relation to 59 Hills Avenue, it is clear from the website that the property is available to be let out on a room by room basis throughout the year and that it has been subdivided into 6 separate units. It is therefore no longer occupied by a person or persons as a single household and for this reason alone can no longer be considered to fall within Use Class C3. This amounts to the change of use of the dwelling and its subsequent loss as permanent residential accommodation. It is also clear that there

has been a change to the character of the use since the frequency of the comings and goings of occupiers of the units is well in excess of the working definition. Officers consider in this regard also that a change in the character of the use has occurred and that therefore the use can no longer be considered to fall within Use Class C3.

- 3.15 For it to be expedient to consider taking formal enforcement action there has to be material planning harm identified as a result of the change of use. In this case this is identified as the loss of permanent residential accommodation and unacceptable impact on the amenity of occupiers of neighbouring properties. More detail in this regard is given in the following paragraphs and in the reasons for service of the notice.
- 3.16 It is considered that from the change of use to six separate apartments used as short term visitor accommodation, there has been a change in character of the use of the premises for short term lettings. This is in terms of the loss of single household occupation, the frequency of the changes in occupation and the timings of arrivals and departures to and from the premises, especially the increased likelihood of early morning and late evening arrivals/departures compared to the pattern of these events when the owner is resident. In relation to this is the fact that these arrivals are more likely to be groups of persons coming and going together and the associated noise and disturbance that this may cause compared to various occupants of a property coming and going separately i.e. not all at the same time.
- 3.17 A further factor is that 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 property 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 local residents. This is likely to be more greatly felt as the site is located in a leafy residential suburb that is off the main road.

- 3.18 The use of the property as short-term visitor accommodation is also not considered to be consistent with Class C4 use, Houses in multiple occupation (HMO) (3-6 occupants) since the short term nature and frequency of the arrivals and departures is inconsistent with the nature of the HMO use as a single household by persons who reside in the property on a longer term basis and who have some investment in the local community and neighbourhood. As such the use for short-term lets fails to fall within Classes C3 or C4 and is considered to be Sui Generis (a class of its own).
- 3.19 In my view the subdivision of the property and the frequency of changes in occupation has resulted in the loss of occupation by a single household and changed the character of the use resulting in a sui generis use for short-term visitor accommodation that represents the loss of the premises as permanent residential accommodation and introduces an unacceptable level of harm to the amenity of occupiers of neighbouring dwellings.
- 3.20 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.
- 3.21 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.
- 3.22 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

3/4 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 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 ten years, namely without planning permission, the unauthorised change of use from C3 dwelling house to Aparthotel style serviced 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) To authorise the Director of Planning and Economic Development (after consultation with the Head of Legal Practise) to draft and issue the enforcement notice.

- (iii) To delegate authority to the Director of Planning and Economic Development (after consultation with the Head of Legal Practice) 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 for short-term let visitor accommodation of less than 90 days duration provided for paying occupants.
- 9.3 Permanently cease the use of the premises as six separate units for short-term let visitor accommodation of less than 90 days duration provided for paying occupants.
- 9.4 Permanently remove all but one set of kitchen and cooking facilities from the premises.
- 9.5 Permanently cease the use of the outbuilding at the premises for any use other than ancillary use to the main residential dwellinghouse.
- 9.6 Permanently cease and remove all forms of advertising in relation to all of the rooms within the premises for let in relation to the short-term let visitor accommodation use.

#### Period for Compliance:

- 9.7 Two [2] month(s) from the date the notice comes into effect.

#### Statement of Reasons:

- 9.8 (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 whole of the premises for commercial short term visitor accommodation use results in none of the accommodation being retained as permanent residential



accommodation. This is contrary to policies 5/4 and 6/3 of the Cambridge Local Plan (2006).

- (iii) The subdivision and use of the premises into six independent self-contained visitor accommodation units results in the loss of single household occupation of the dwelling and thereby the loss of the C3 use of the dwelling as defined within Use Class C3 of The Town and Country Planning (Use Classes) Order 1987 (as amended). This therefore amounts to the loss of permanent residential accommodation contrary to Policies 5/4 and 6/3 of the Cambridge Local Plan (2006).
- (iv) The use of the premises 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).
- (v) The use of the premises 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).
- (vi) It is considered that planning conditions could not overcome the identified objections with regard to this unauthorised change of use.

9.9 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 John Shuttlewood on extension 457326.

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