



## Cambridge City Council Planning

**Date:** Wednesday, 28 March 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: 1pm
- **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 17/2245/FUL - Mill Road Depot, Mill Road (Pages 17 -  
142)

6 18/0002/FUL - Romsey Labour Club, Mill Road (Pages 143 -  
218)

7 17/2214/FUL - Land at Anstey Way (Pages 219 -  
268)

8 17/1896/FUL - Land to the West of JJ Thomson  
Avenue (Pages 269 -  
354)

9 17/2037/FUL - 87 East Road (Pages 355 -  
408)

10 17/2230/S73 - Former Milton County Primary School (Pages 409 -  
430)

**Part 2: Minor/Other Planning Applications (1pm)**

11 17/2225/FUL - 572 Newmarket Road (Pages 431 -  
446)

12 17/2198/FUL - Annexe, 29 Garden Walk (Pages 447 -  
464)

13 17/2078/FUL - 67 Norfolk Street (Pages 465 -  
490)

14 17/2015/FUL - 1 Vinery Way (Pages 491 -  
504)

15 17/1533/FUL - 4 Green End Road (Pages 505 -  
524)

16 17/2227/FUL - 184 Gwydir Street (Pages 525 -  
542)

**Part 3: General and Enforcement Items**

17 TPO 23/2017 - 2 Capstan Close (Pages 543 -  
550)

18 TPO 24/2017 - 21 Clarkson Road (Pages 551 -  
560)

19 TPO 25/2017 - Kings College School, West Road (Pages 561 -  
568)

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

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

## Information for the public

The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public. For details go to:

[www.cambridge.gov.uk/have-your-say-at-committee-meetings](http://www.cambridge.gov.uk/have-your-say-at-committee-meetings)

For full information about committee meetings, committee reports, councillors and the democratic process:

- Website: <http://democracy.cambridge.gov.uk>
- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
- Phone: 01223 457013

# 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)

This page is intentionally left blank



**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2245/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd December 2017	<b>Officer</b>	Sav Patel
<b>Target Date</b>	13th April 2018		
<b>Ward</b>	Petersfield		
<b>Site</b>	Mill Road Depot Mill Road Cambridge CB1 2AZ		
<b>Proposal</b>	The erection of 182 dwellings (including 50% affordable housing), 51sqm of floor-space consisting of Use Class B1 (Business) or D1 (Non-Residential Institutions) - in the alternative, basement car park (101 spaces), surface water pumping station, open space (including play area), alterations to the junction with Mill Road, together with associated external works including cycle parking and landscaping.		
<b>Applicant</b>	Cambridge Investment Partnership C/o Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- Proposed development would make effective and efficient use of brownfield land and provide 50% affordable housing;</li> <li>- The proposed design and scale of the development is of high quality and would not have a significant detrimental impact on the character and appearance of the Conservation Area or the setting of the Listed Building;</li> <li>- The proposed development would not have a detrimental impact on the residential amenity of the surrounding residents;</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## **0.0 BACKGROUND**

0.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to help increase the amount of affordable housing within Cambridge. The target is to provide 500 new dwellings across the City using mainly council owned sites/assets. The City Council has received £70million support from central government as part of the Devolution Deal to help achieve this target.

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

1.1 The application site area is 2.15 hectare and located within Petersfield ward. Romsey ward is located on the other side of the railway tracks. The site forms most of the current Mill Road Depot site. This is because the garage blocks to the north off Hooper Street and the two storey gatehouse and car parking area to the south are not included in the application site boundary. Some of the garage owners have long terms leaseholds and the gatehouse and car parking area is proposed to be redeveloped as the new site for the YMCA, which is currently on Gonville Road. The forthcoming YMCA application will be submitted as a separate planning application and will be considered on its own merits. I have not assessed the impact of the proposed YMCA development in this report as the details have not been finalised.

1.2 As for the current red line boundary site, it contains a variety of buildings of different scales and ages. A separate planning application has been approved for their demolition (17/2192/FUL). The site is covered entirely by hardstanding. In terms of orientation, to the north of the site is Hooper Street and Ainsworth Street which are Victorian streets with two storey terrace housing. There is a small commercial use between the rear gardens of the Ainsworth Street properties and railway line. To the east, the site abuts Network Rail land which includes the railway line. To the south, beyond the car parking, are a group of Lime trees and beyond is Mill Road and the beginning of the Mill Road bridge. The western boundary of the site abuts the rear boundaries of the properties in Kingston Street. Kingston Street extends along the entirely length of the western boundary. There are also two commercial units fronting Mill Road west of the access road. To the east of the access road is the former free library building (most recently Bharat Bhavan/ICCA)

and next to this is the language school which is joined to 119b Mill Road which is a small two storey dwelling.

- 1.3 The site falls within the Mill Road Conservation Area (character 1 area) and the former free library is a grade II Listed Building. Directly on the opposite site on Mill Road is a row of properties that are designated as Buildings of Local Interest. The site does not contain any Tree Preservation Orders. There are three Silver Birch trees along the northern boundary of the site within the Women's Resource Centre site, which are protected by virtue of being in the Conservation Area. The site also falls within a Controlled Parking Zone (H).
- 1.4 The site is not allocated for any use/development within the current Local Plan (2006). However, the entire Mill Road Depot site is a proposed allocation in the Draft Local Plan 2014 (site R10). The draft allocation identifies the site as being suitable for housing with an approximate capacity for 167 dwellings. The site is also located within the Mill Road Opportunity Area (Policy 23) of the draft Local Plan.
- 1.5 A Draft Planning and Development Brief Supplementary Planning Document (SPD) has been prepared and was approved by the Development Plan Scrutiny Sub-Committee on 22 March 2017. The SPD has not been adopted as it is pending the adoption of the new Local Plan. However it is material consideration. The SPD is based upon the entire Mill Road Depot site which is 2.7 hectares.

## **2.0 THE PROPOSAL**

- 2.1 The proposed development is for 182 dwellings in the form of apartment blocks and houses. 50% (91) affordable housing (social rent) is proposed and would be managed by Cambridge City Council as a registered provider of affordable housing. The draft SPD for the site proposed 40% affordable housing. The proposal would also include a basement car parking for 101 car parking with lift access, 541 cycle spaces (all sheffield stands), new areas of public highway, areas of open space to be maintained by the Council, pump station, accessible dwellings and provision along the entire eastern boundary for the Chisholm Trail in the form of a 6 metre wide strip of land.
- 2.2 The residential development is in four main parts; the west side mews terrace; the central core; the Hooper Street elements; and the apartment blocks along the eastern boundary.

- 2.3 The proposed mews terrace would consist of 14 units and located adjacent to the western boundary of the site. The main mews street terrace would consist of two storey terrace dwellings with mono-pitched design roofs and set 3 metres off the western boundary. The mews terrace would include an outdoor terrace at first floor and measure 6.9 metres in height. The mews terrace also includes a feature three storey detached building (known as B.09) which would consist of two 1bed flats and on the first and second floor, and B1 or D1 use on the ground floor. B.09 would be set 2.2 metres from the western boundary and measure 9.25 metres in height. B.09 would be first building visible from the access road.
- 2.4 The central core would consist of three storey flat roof town houses and two storey gabled fronted terraces enclosed between new streets, Headly Street to the south and Eagle Green to north. The central core would consist of 31 dwellings in the form of detached, semi-detached and terrace housing. The three storey town houses would measure 9.7-9.8 metres in height and the two storey houses would measure 7.2-7.3 metres in height.
- 2.5 The Hooper Street elements would consist of a two storey pitched roof terrace located on the back edge of the pavement and a three storey duplex block known as B.08 located behind the garage block. The two storey terrace would be 9.1 metres in height and B.08 would measure 10.8 metres in height. B.08 would consist of a two storey units on the ground and first floor with private garden to the rear. The second floor would contain a separate self-contained apartment with outdoor terrace.
- 2.6 The six apartment blocks along the eastern boundary range from four to six storey. B.02 would be a six storey flat roof building measuring 21 metres in height. B.02 would contain 25 (1 and 2 bed) apartments. B.03 and B.04 would be five storey flat roof block with a subservient pitched roof metal plant enclosure on the roof. These blocks would measure 16.5 metres to the flat roof and 18.4 metres to the top of the plant enclosure. These blocks would consist of 15 apartments (30 in total). B.05 would be five storey with a four storey section facing the eastern boundary. B.05 would consist of 22 apartments and measure 17.6 metres in height. The four storey element would measure 14.4 metres in height.
- 2.7 The bin storage provision would be contained within the footprint of each block to serve it occupiers. Some cycle parking would also be

located within footprint of the blocks some within external stores connected to the relevant blocks. B.02 and B.05 would contain cycle lifts to the basement to provide ease of access. B.02 would also contain a cycle stair as an alternative means of access and exit for cyclists. Each block would enable access for refuse vehicle/collector to access the bin stores from Eagle Foundry Street.

- 2.8 Each dwelling and apartment block would include provision for its own secure cycle and bin storage.
- 2.9 The proposal includes two main areas of communal open/green space to be known as Eagle Park and Eagle Foundry Street Open Space. Eagle Park would be located at the northern end of the site and include a play park. The other area of open space would be located between B.02 and B.05. This area would not contain a play park as it would be a lawn space with seating area. The SPD for the site states that subject a detailed design process any future scheme could indicatively accommodate approximately 20% to 25% of the site area as open space. This range includes the Chilsholm Trail. The proposed open space (including Chisholm Trail) equates 28%.
- 2.10 The proposal also includes pedestrian access into the site from Hooper Street to enable surrounding residents to use the open space within the site. This access would be located between H.49 and H.48. Vehicular access from this point would be restricted by three bollards but allow pedestrians and cyclists access. The bollards could be lowered to allow emergency vehicle access into the site.
- 2.11 In the north east corner of the site will be the main entrance to and exit from the Chisholm Trail. Adjacent to this and north of apartment block B.07 is proposed to be a pumping station which is required to enable surface water drainage from the site.
- 2.12 The proposal has had extensive pre-application discussions/meetings with Council Officers. The applicant has also engaged the public/stakeholders in two public exhibitions, which were held at the former free library building on 19 June 2017 and 2 November 2017.
- 2.13 The following documents have also been submitted in support of the application:
  - Air Quality Assessment;

- Preliminary Ecological Appraisal;
- Daylight/Sunlight Reports;
- Design and Access Statement;
- Flood Risk Assessment and Foul and Surface Water Drainage Strategy;
- Utilities Assessment;
- Heritage Statement;
- Phase 1 and Phase II Land Contamination Assessments;
- Landscape Management Plan;
- Lighting Strategy;
- Noise and Vibration Impact Assessment;
- Planning Statement;
- Statement of Community Involvement;
- Transport Assessment;
- Travel Plan;
- Arboricultural Impact Assessment;
- Construction Phase Health and Safety Plan;
- Energy Strategy Report;
- Overheating Analysis;
- Town and Views Assessment

2.14 Additional technical note/report/test results and plans relating to transport, drainage, ground contamination have been submitted in response to consultee comments, as well as a supporting statement for the key design changes.

2.15 Since the original planning application for 184 dwellings was submitted, the proposal has been amended to address concerns. The amendments consist of the following:

- The total unit number has been reduced by two to 182 (91 affordable – 50%);
- The fifth floor of B.05 has been removed to reduce views of it from Ainsworth Street which were considered to have a detrimental impact on the character of the Conservation Area;
- B.09 has been pulled off the western boundary and redesigned to reduce the impact on the occupiers in Kingston Street;
- The range of uses classes within the ground of B.09 has been revised to B1 (business)/D1(non-residential institutions) only and the ground floor has been reduced from 71sqm to 51sqm;
- The rear elevation of B.08 has been revised to address concerns with its appearance from Hooper Street;
- A new dwelling has been introduced to the western end of the Hooper Street terrace;

- Chimneys have been included on the Hooper Street terrace to improve their visual articulation;
- The Hooper Street terrace elevation has been amended so they read as pairs of dwellings;
- Details of the Headly Street access to the Chisholm Trail and open space has been provided;

2.16 I am anticipating that further information will be submitted shortly regarding the existing community use on the site and I will deal with this on the Amendment Sheet.

2.17 I have consulted relevant consultees on these amendments and re-consulted all the residents that adjoin the site in Kingston Street and the residents facing the site in Hooper Street. I have also re-consulted all the neighbours that made comments on the original proposal.

### 3.0 SITE HISTORY

Reference	Description	Outcome
17/2192/FUL	Demolition of existing buildings and structures	APPROVED

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER

Cambridge Plan 2006	Local	3/1 3/4 3/6 3/7 3/8 3/11 3/12 3/13
		4/10 4/11 4/12 4/13 4/14
		5/1 5/5 5/9 5/10 5/11 5/12 5/13 5/14
		8/1 8/2 8/3 8/4 8/5 8/6 8/10 8/16
		10/1

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</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>Cycle Parking Guide for New Residential Developments (2010)</p>
	<p><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal (2011)</p>

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

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

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

## 6.0 CONSULTATIONS

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

1<sup>st</sup> comments

#### 6.1 The following issues were raised:

- Alterations to the proposed junction with Mill Road are acceptable in principle subject to a detailed design and safety audit;

- The layout is acceptable in principle, subject to provision of a dimensioned drawing showing all street width (carriageway and footway) junction radii and visibility splays, both at junctions and bends.
- Confirmation required of the extent of internal street (if any) that are intended for adoption as public highway.
- The proposal introduces several new street trees and planting. The Highway Authority is no longer able to accept additional street trees or planting as it cannot undertake the ongoing maintenance burden of these. If trees are required as part of the proposal the future maintenance will need to be undertaken by others.
- Additional linkage for pedestrians and cyclists is needed, for instance, close to Headly Street through to the Chisholm Trail
- Square edged parking spaces bounded by kerbs and planting will become rubbish traps and make access difficult, parking bay ends should be splayed. Ends of on-street parking bays should provide dropped kerbs to allow those with a mobility impairment access.
- Dimensions for the proposed car parking spaces must be provided, which should measure 2.5m x 5m for parking perpendicular to the street, 6 metres by 2 metres wide for those longitudinal to the street.
- The application proposes off-gauge cycle parking provision at ground level. Given that this is likely to be the most desirable cycle parking, how will this be protected for use by those who most need it?
- To provide manoeuvring diagrams for large family cars accessing car parking spaces on a larger scale plan of the basement car park.
- All single garages should have a minimum internal measurement of 6m x 3m with an opening of a minimum of 2.2m. Please show the dimensions on the drawings.
- On-street parking will need to be protected to restrict its use to visitors to the site, requiring a Traffic Regulation Order. The

proposal will require alteration of the existing Traffic Regulation Order controlling on-street parking.

- If, following provision of the above, the Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway, please add the following conditions and informatives to any permission that the Planning Authority is minded to issue in regard to this application.
  
- No unbound material to driveways;
- Remove permitted development rights for gates;
- Vehicular access to be laid out and constructed to CCC specification;
- Drainage measures to prevent surface water run-off;
- Details of future management and maintenance of streets;
- Copy of management and maintenance details sent to LPA;
- Manoeuvring area to be retained free from obstruction;
- Access free from obstruction;
- Contact Highway Authority about future public highway;
- Traffic Management Plan and informative;
- Works to highway informative;
- No overhanging highway informative;
- Public utility informative;

## 6.2 2<sup>nd</sup> comments following in response to additional information:

- The layout is acceptable in principle, subject to provision of a dimensioned drawing showing all street width (carriageway and footway).
  
- The forward visibility splays must be provided within adoptable public highway. This is has not yet been demonstrated to be the case and therefore the Highway Authority **OBJECTS** to the proposal until this issue is resolved.
  
- It is recommended that the Developer's consultant arrange to meet with the Highway Authority to resolve this.

- The garage entrances on some properties are too restricted in width, resulting in a manoeuvre that risks damage to vehicles, or unreasonable difficulty for drivers.

### 6.3 3<sup>rd</sup> comments in response to further information submitted:

- The layout is acceptable in principle, subject to provision of a dimensioned drawing showing all street width (carriageway and footway).
- Sett paving is not acceptable within the public highway. It will create additional noise and vibration and the Highway Authority cannot afford the ongoing maintenance costs of the material. This was explained at pre-application stage. The Highway Authority therefore **OBJECTS** to this aspect of the proposal as it would frustrate the developer's intention to adopt the highways
- The forward visibility splays must be provided within adoptable public highway. This has not yet been demonstrated to be the case and therefore the Highway Authority **OBJECTS** to the proposal until this issue is resolved.
- It is recommended that the Developer's consultant arrange to meet with the Highway Authority to resolve this.
- The garage entrances on some properties are too restricted in width, resulting in a manoeuvre that risks damage to vehicles, or unreasonable difficulty for drivers.
- It's not clear what is proposed for the houses – the DAS indicates that the cycle parking is within the curtilage of the building but the plan at the bottom of the page seems to show it in the back garden which is not what is recommended in the draft Local Plan we say we are adhering to.
- Access to the ramped steps and lift to the basement is through 2 sets of doors which I would suggest is not acceptably convenient. I can't find any indication of how steep the ramp would be.
- Access to the Chisholm Trail is an issue;

### 6.4 4<sup>th</sup> comments on information in response to issues raised so far:

- The plans show doors opening outwards across what is intended to be the Chisholm Trail. This would introduce a risk of collision and door strike that needs to be designed out: pedestrians accessing directly onto the trail would be at risk without some form of buffer from which they could assess the safety of entering onto the route.
- Access between the Chisholm Train and wider area needs to be as free as possible: the two access points shown are the minimum that should be provided. As much additional permeability should be available between the two points shown: the possible link between the bin stores between the flats appears blocked by a fence: is this a permanent feature?
- Sett paving is not acceptable within the public highway. It will create additional noise and vibration and the Highway Authority cannot afford the ongoing maintenance costs of the material. If sett paving is still proposed then the Highway Authority would **OBJECT** to this aspect of the proposal as it would frustrate the developer's intention to should the highways
- The forward visibility splays as shown are acceptable
- It is not clear what is proposed for the houses by way of cycle parking – the DAS indicates that the cycle parking is within the building but the plan at the bottom of the page seems to show it in the back garden. The latter approach is not what is recommended in the draft Local Plan.
- Access to the ramped steps and lift to the basement is through 2 sets of doors. I have discussed this with my colleagues in the Cycling Projects Team and they suggest that is not acceptably convenient. I can't find any indication of how steep the ramp would be.

5<sup>th</sup> comments:

Comments to awaited

### **Transport Assessment Team (County Council)**

I set out below a summary of the comments received:

Transport Assessment:

The TA asserts that road conditions will not worsen as a result of this proposal and thus there will not be any accident issues. However this assertion does not take into consideration the tidality of flows as there will be an increase in vehicle trips during the PM peak hour.

The County Council would expect the length of the CT to be provided as part of the development and that a proportionate contribution towards its implementation.

The data from which car parking numbers have been calculated must be submitted as part of the assessment. It is noted that car parking levels proposed on the site are less than those taken from the 2011 census data in the surrounding streets. Justification for this must be included.

The impact from car parking on the surrounding unrestricted and over prescribed streets has not been considered in sufficient detail.

Depending on the methodology used for trip calculation and the trip distribution, it is possible that PM peak trips could increase by around 30 trips, which the threshold for junction testing. There may be a requirement to test other junctions on the network.

The modelling of the access junction should also be updated to reflect the above comments in relation to the trip rates. However it is likely that the increase in trips would not cause any issues at this junction given the low RFC values in the original modelling.

Travel Plan – response to the submitted Travel Plan document:

Section 6.1, Table 9 – In order for the travel plan to reflect the Transport Assessment, the trip rates and subsequent generation will require revision to reflect the Transport Assessment.

Section 6.1, Table 13 – This should be revised in accordance with comments in respect of the Transport Assessment.

Para. 7.2.1 – The measures proposed are acceptable. However there should be more commitment to their implementation rather than saying they ‘could’ be implemented.

Section 7.3 – Again the Travel Plan must show more commitment to the measures.

Section 9.1 – Travel surveys over the first 5 years are welcomed. However it is unclear how the development trips will be monitored after this period (if at all).

Section 9.2 – It is unclear as to how long it is proposed that the Travel Pan Coordinator is in post, this must be clarified.

Section 9.3 – Clarification must be given as to the proposed level of funding.

## **Conclusion**

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

2<sup>nd</sup> comments in response to the applicant response to the above comments:

Comments awaited

## **Environmental Health**

1<sup>st</sup> comments – following discussions about further work/testing that was requested at pre-application and required to be carried prior to submitting the application.

6.5 A Scope of Works for supplementary intrusive investigation prior to demolition of the site was submitted for approval. Additional information has been submitted following my comments in the memo dated 26th January 2018.

6.6 Having reviewed the additional information I can confirm that the proposed supplementary testing is acceptable however additional information is still required on the proposed ground gas monitoring.

2<sup>nd</sup> comments following gas and monitoring test results and results from infiltration testing:

## 6.7 Contaminated land:

- On review of all available data to date, it is clear that safe (residential) development of this site will only be achieved with suitable, effective and feasible remedial/protection measures. Those measures will need to be designed and approved by the LPA based on all available data from all phases of investigation and provide protection against the worst case conditions identified.
- Additional intrusive investigation is required post demolition. A Scope of works will need to be submitted to the Local Authority for approval prior to the work being undertaken. The Remediation Strategy will need to be based on a valid and up to date risk assessment and Conceptual Site Model that are based on the results of all intrusive investigation works carried out on the site.
- The Environment Agency will need to be consulted by the LPA on the results of the groundwater monitoring and sampling and the potential risks to controlled waters.

## 6.8 Air quality:

- Based on the information provided we have no objections on air quality grounds for the proposed development; although conditions to secure the use of low NO<sub>x</sub> boilers, limit emission levels from CHP and ensure that both the EV charge points and car club are installed should be secured by use of conditions.

## 6.9 The proposed development is acceptable subject to the following conditions:

- Contaminated Land conditions (1 to 6);
- Construction hours;
- Collection during construction;
- Construction noise/vibration & piling;
- Dust;
- Plant noise;
- Building Ventilation Scheme;
- Noise Insulation Scheme;
- Building Vibration Assessment;
- Winter Gardens;
- Lighting;
- Community/retail use hours;



- Amplified music hours;
- Community/retail building insulation;
- Odour condition;
- Duct work for A3 use;
- Combined Heat and Power;
- Furnace/boiler/plant implementation;
- NOx Boilers emission;
- Electric Car Charging Points;
- Car Club;
- Site investigation informative
- Remediation works informative
- Materials chemical testing informative
- Contaminated land guide informative
- Construction noise/vibration informative
- Dust condition informative
- Food Registration / Safety and Licensing Act 2003 Informative

3<sup>rd</sup> comments – following amendment of proposal description which removes A Use Classes:

6.10 If the A uses have now been removed the following conditions:

Odour condition – A1 & A3 use

Prior to A1 and A3 use of the development within building B.09, details of equipment for the purpose of extraction and filtration of fumes and or 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.

A3 ductwork condition

Before the development hereby permitted is commenced, details of the location of associated internal and external duct work associated with building B.09, for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The details as approved shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such.

Keep the community / hours of use conditions, just remove reference of A1, A2, A3 within the text of the condition.

**Refuse and Recycling**

1<sup>st</sup> comments

- 6.11 The suggested collection points and locations are unclear. The width of the internal access road appears to be too narrow in sections. Therefore either more work is required to demonstrate these issues are addressed or a condition is applied.

2<sup>nd</sup> comments:

Comments to awaited

**Urban Design and Conservation Team**

- 6.12 Given the importance of urban design considerations and impacts on the Conservation Area I have set out the comments of the Conservation Officer and Urban Design Officer more fully than usual at Appendix Two.

The amendments that have been made to the plans have addressed the initial objections from the Urban Design officer but the Conservation Officer retains his objections.

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

- 6.13 A range of measures are proposed to meet the requirements of 8/16 such as:

- Provision of electric vehicle charging points;
- Provision of a dedicated car club space;
- Cycle parking provision above adopted standards;
- Integration of sustainable drainage features such as bio-swales, rain gardens and bio-retention areas;
- Photovoltaic panels and gas fired Combined Heat and Power for the apartments which would reduce carbon emissions beyond energy efficient baseline by 24% which is fully supported;
- Installation of mechanical ventilation shall be properly installed in line with design assumptions and maintained in the long term. User guidance for residents is recommended;

These measures are all supported.

The following additional information has been requested:

- Clarification as to the level of water efficiency sought for the scheme as this is not clear from the submitted information and the

Energy Strategy Report includes references to 125 litres/person/day. Emerging policy requires water efficiency of 110 litres/person/day, which is equivalent to the level sought in the HDA's Housing Design Guide. Note that this could be dealt with by way of condition (see wording suggested above).

- With regards to climate change and overheating, I would strongly recommend that moving forward, additional modelling using the 2050 weather data be undertaken to help inform whether further measures may need to be implemented in the future.

2<sup>nd</sup> comments following submission of additional information:

- 6.14 Analysis expanded to give consideration of 2050 climate change data which is welcomed. What this additional analysis does show is that there is a risk of overheating for some of the units analysed when future climate scenarios are taken into account. Therefore further consideration should be given to whether there may be a need for additional external shading for some units, or whether the scheme can be future proofed to more easily enable the provision of shading in the future.

It is noted that the Design and Conservation Panel have queried the location of pv panels on east and west facing elevations, although shallow pitch of these roofs will limit loss of output on these elevations. Any loss of output could also be compensated for by the use of either microinverters or an optimising device, albeit this would result in additional cost.

## **Planning Policy**

First comment

Housing:

- 6.15 The proposed housing development is acceptable in terms of quantum of housing. The application proposes a slight increase in unit number over the SPD but this does not appear detrimental to the overall design and function of the site.

Open space:

- 6.16 The proposed open space equates to 28% of the site area, which will also be accessible to existing residents surrounding the site. The

amount and type of open space proposed is considered acceptable in relation to *Policy 3/8* and the Mill Road Planning and Development Brief.

#### Protection of Existing Facilities:

- 6.17 The application proposes the relocation of Cambridge Women's Resources Centre. No evidence has been provided as to whether a suitable alternative venue has been found for the Community Group, which is still actively used by its members.

Development leading to the loss of a Community Facility will only be permitted if it can be demonstrated that the facility can at least be replaced at its existing level and quality within the development, or be relocated to another appropriate premises or site of similar accessibility for its users. The relocation of the facility has been mentioned within the application's Planning Statement, but has not been appropriately evidenced therefore the application is not considered acceptable until appropriate evidence is provided.

#### Community facilities:

- 6.18 *Policy 5/12 New Community Facilities* supports the development of new community facilities. To this end the provision of a community facility within the development would be considered in compliance with the policy. There is concern however, over the proposal to provide this in the form of 72m<sup>2</sup> of community / retail space (D1, A1, A2 or A3).

*Policy 5/12* encourages the use of flexible buildings, such as community centres or halls that can be designed to accommodate as many different community or leisure activities as possible. A dual use could be considered appropriate, however little detail is provided to enable adequate assessment to ensure conformity with the policy.

It would be recommended that measures to mitigate the adverse impacts of the development (loss of community facilities) through the intention to provide further community facilities within a future phase of development should be set out within the Planning Obligations for this application. This will ensure that the whole site is considered in a holistic manner and that the application complies with *Policy 3/6*

*Ensuring Coordinated Development and Policy 10/1 Infrastructure Improvements* by demonstrating that due consideration has been given to safeguarding appropriate future development on the remainder of the site.

Second comment

I will deal with further comments regarding the existing community facilities on the Amendment Sheet as necessary.

### **Access Officer and Disability Panel**

6.19 See Disability Panel comments below:

Building Regs Part M4 (3) – wheelchair accessible ground floor flats. The Panel would encourage the designers to be forward-thinking and ensure that if a bath is to be fitted, then the drainage should allow for the space to be converted into a wet room if necessary; avoiding costly conversions at a later date.

Parking provision for utility, delivery vehicles and carers etc (for the apartments). The ability to receive on-line deliveries has become a crucial element to how many disabled people maintain their independence. With deliveries and carer visits often made in the evening, short-stay bays or laybys would be needed as close as possible to the apartments, as using the basement provision would not be practical and may inhibit some deliveries or visits being made. The Panel note that visitor bays are to be provided but that these would not be time-limited. How these bays would be used would be a management issue.

Refuse collection.

The Panel were informed that the apartments would have communal bins accessible at the core of each block which would be served by a lift. Concern was raised as to how a wheelchair user would open these large bins.

Building Regs Part M4 (1) – private houses only ‘visitable’ by the disabled. The Panel were informed this was due to the limited space available at ground floor for a fully accessible bathroom.

The Panel stressed that measures put in place now such as the capacity for a through-floor lift and walls capable of taking hoists would result in homes for the longer-term; already adaptable to the changing needs of their residents.

Accessible parking bays (in the basement). The Panel questioned the usefulness of these spaces as most disabled residents would need a dedicated parking space outside their property.

Social housing allocation. The Panel would encourage the allocation to be made at an early stage in order to establish any conversion/adaption requirements.

Bathroom doors. The Panel would recommend the use of sliding doors as these are easier to operate and particularly useful where space is limited.

Shared spaces (but not shared surfaces). The Panel welcome the segregation of the pedestrian spaces from the carriageway and would encourage this in all areas where wheelchair users, those with site or hearing impairment or those with pushchairs may feel vulnerable when sharing the environment with vehicular or cycle movements.

Play area. Equipment for use by disabled children would be welcomed as well as seating for disabled parents/guardians.

Conclusion.

A welcome scheme that needs to re-visit some aspects of disabled living but has the potential to be a high quality living environment suitable for a wide variety of residents.

### **Growth Project Officer**

6.20 The proposal is acceptable in terms of affordable housing provision.

- The application exceeds current SPD requirements for 40% affordable housing by providing 50% across the site.
- The application exceeds the 75% social rented requirements of the affordable housing by providing 100%.
- The clustering within blocks, at between 15 and 19 units, accords with SPD requirements of between 6 and 25 dwellings.
- Although the application does not meet the preferred mix of dwelling types and bed spaces, it fits the current need with a

majority of one and two bed properties in predominantly flatted accommodation.

- The design quality, materials, elevations and streetscape ensure that the proposal for the affordable housing remains tenure blind.
- No more than 12 dwellings per floor can be accessed via a common stairwell.

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

6.21 I have concerns regarding the space available for new planting and we need more information regarding the impact of development on the Kingston Street trees. Therefore, at present I am unable to support the scheme and recommend that the layout be altered to accommodate sustainable tree cover of a stature that reflects the size and massing of the development.

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

First comments

6.22 We are reluctant to support the landscape proposals for the Mill Road Depot site as the submission does not give assurance that a good quality landscape scheme can be delivered. Two issues are concerning in particular; 1) we are not convinced that the landscape could be successfully integrated with the sustainable drainage scheme which is insufficiently thought out and does not comply with current policy, and 2) there is inadequate space allowed for planting and in particular tree planting. Also see the Drainage and Arboricultural Officers comments.

It should be borne in mind that we do not believe that a successful landscape scheme can be brought forward through conditions given the current level of information submitted. We have given detailed comments below and indicate at the end of the document where issues could be covered by condition.

The information below is appropriate for conditions. All other information above should be provided prior to determination.

- **Play areas** - including play equipment, fencing, gates, planting, surfacing and furniture.

- **Hard Paving Materials** - We note that the materials have not been precisely specified. A condition should be imposed to specify the materials. We will also require sample panels to illustrate the product and the laying design/jointing.
- **Revised planting plans** - Detailed, revised planting plans including schedules, planting size and densities.
- **Boundary treatments** – all boundary treatments except site perimeters which require detailing prior to determination.

Second comments following review of additional information in response to initial comments:

6.23 The proposed development is acceptable subject to conditions:

- Hard and soft landscaping;
- Sample panel of materials;
- Sustainable Urban Drainage/Landscape Features;
- Details of the play areas

Commentary

6.24 We welcome the revisions to the landscape submission for the Mill Road Depot site some of which have dealt with our concerns. However there are still some landscape elements that remain only partially resolved. These are mainly related to drainage and to tree planting.

Tree planting:

We welcome the reduction of tree numbers to allow for improved rooting space and volume. Nevertheless we remain convinced that the trees between the parking bays on Eagle Foundry Street, Headly Street and Eagle Green are very vulnerable to being damaged by cars manoeuvring in and out of the bays and would rather omit these trees from the scheme. We do not support the idea put forward that simply because the trees will be in private ownership they will be better care for. It is a matter of accidental damage to the trees and once damaged, the easiest and cheapest solution would be to



simply remove the damaged tree leaving a stump and a superfluous tree grille in the public realm.

Please bear in mind that this is Romsey which is an area of high density housing with fewer trees than other areas of the city. It would be much preferred that the tree planting that can be achieved is good quality and sustainable.

Removal of the trees also clears the route for bringing bins out to the road and solves the problem of insufficient branch and rooting space.

### Drainage

The status and design of the sustainable urban drainage features in the landscape (rills, swales etc.) remains somewhat unknown and will depend on future soakage tests as to whether the proposed approach and design is practical. If for instance some or all of the features need to be lined they probably cannot remain as grassed features as they will remain wet for too long resulting in them being unsuitable for use as park/play spaces. If this is the case, the design of these features will need to be changed to a more engineered approach.

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

### First comments

#### 6.25 Object to the proposal for the following reasons:

- Oversized pipes are not considered to be sustainable drainage features and their use should be a last resort once all other options have been exhausted – no justification to use oversized pipes has been provided;
- Pumping of surface water is an unsustainable drainage method. Pumps require ongoing maintenance and can fail during a storm event – gravity discharge is preferred;
- In order to comply with the drainage hierarchy, on site infiltration testing in accordance with BRE 365 will be required to determine ground conditions;

- Site investigations demonstrate that groundwater is relatively shallow in areas with proposed basements. The effect of groundwater on basements and the requirements for flood resilience measures (e.g. impermeable membranes) to be implemented should be considered;
- The permeable paving area has not been incorporated into the impermeable area for the hydraulic calculations;
- The FRA and correspondence with Anglian Water suggests that there will be two separate surface water connections from the site (Mill Road and Hooper Street), however only one (Hooper Street) is shown on the drainage plans - clarification on this is required.

Second comments following infiltration testing results

6.26 The infiltration test results demonstrate that the site is more than adequate for infiltration to be employed. It is recommended that there is no reason why central band of the development cannot incorporate infiltration features such as soakaways to deal with all water from the site. Adopting this approach could potentially remove significant volumes of water from the surface water pump system and negate the use for a pumped solution in all but the most extreme events. It is recommended that the applicant updated the drainage strategy to incorporate this.

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

First comments:

6.27 The proposed development is unacceptable and should be refused for the following reason:

- The surface water drainage strategy for the proposed development is considered to be unsustainable and has not demonstrated that the drainage hierarchy has been duly followed. In detail, the proposed strategy includes a pumped discharge to a surface water sewer with oversized pipes to provide attenuation. This is considered one of the least sustainable approaches to surface water drainage and is not supported by Cambridge City Council.

The submitted surface water drainage strategy does not differ to that tabled at pre-planning application meetings where the Council's drainage team raised concerns.

The existing site is currently drained via gravity and the reasons for requiring a pumped discharge are not accepted by the Council. Infiltration may be feasible across the site and whilst this may not provide the whole solution, it may prevent a pumped discharge needing to be made.

One of the primary constraints for the inclusion of SuDS within the proposed surface water drainage strategy is the density of the proposed development. There is little space to include above ground SuDS features which limits the amenity, biodiversity, quality and quantity benefits that can be achieved. If more space were made available within the site layout, then the same volume of attenuation would not need to be provided below ground which may remove the need for unsustainable oversized pipes and a pumped discharge. A site constraint which has been created by the applicant's development design is not considered reasonable justification to promote an unsustainable drainage strategy.

Groundwater levels have been identified across the site with varying results. Notably, WS2, WS08, WS12 and BH7 have all identified groundwater around 2 mbgl. These investigatory points are where the proposed basement is identified and the submitted FRA has not assessed what impact the proposed basement will have on groundwater levels in the vicinity of the site. Whilst the FRA assesses the site is at low risk of flooding from this source, it has not detailed whether any measures are required to ensure the development is resilient to flooding, in particular the basement.

Second comments following infiltration testing results

- 6.28 The City drainage team concurs with the LLFA comments on the infiltration test results and recommendations.

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

- 6.29 No objection subject to bird box condition.

### **Historic England**

6.30 Historic England have very serious concerns regarding the application on heritage grounds due to the overly dominant visual impact on the Mill Road Conservation Area that would result from the height of the majority of the apartment blocks along the eastern boundary, adjacent to the railway line.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 131 and 137.

### **Environment Agency**

6.31 No objection the principle of the proposed development. Planning permission could be granted to the proposed development as submitted if the following conditions (and informatives) are included. Without these conditions the proposed development poses unacceptable risk to the environment and we would object to the application.

- Remediation Strategy to deal with the risk associated with contaminated land;
- Contamination not previously identified then work to stop on site until remediation strategy has been approved;
- Scheme for surface water disposal;
- No piling or other ground penetration methods shall be permitted unless otherwise agreed in writing;
- Surface water drainage informative;
- Foul water drainage informative;
- Pollution prevention informative;
- Wildlife enhancements informative;

### **Anglian Water**

Wastewater treatment:

6.32 Foul drainage from this development is in the catchment of Cambridge Water Recycling Centre which currently does not have capacity to treat the flows of the development site. However Anglian Water is obligated to accept the flows and take the necessary steps to ensure there is sufficient capacity.

Foul Sewerage

6.33 Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

A condition recommending the drainage strategy covering the issue(s) to be agreed.

Surface water disposal

6.34 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed.

The following conditions are recommended the LPA is minded to grant approval:

- Foul Sewerage Network;
- Surface Water Disposal;

### **Cambridgeshire Fire and Rescue Services**

6.35 If minded to approve then adequate provision should be made for fire hydrants which is secure by condition or S106 agreement.

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

6.36 The proposed layout appears to be acceptable from a crime and the fear of crime perspective. With a mixture of housing (50% affordable), open space, retail and community buildings this development lends itself very much to the principles of Secured by Design.

### **Sport England**

6.37 Sport England does not provide detailed response in this case as the proposal does not fall within either our statutory or non-statutory remit.

### **Cambridgeshire County Council (Education)**

6.38 See 'Planning Obligations Section of this report.

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

6.39 Our records indicate that the site lies in an area of high archaeological potential, situated in the Romsey area of Cambridge. The Mill Road area was developed for terraced housing in the late 19th century. Consequently there has been little archaeological investigation in the vicinity. There is however evidence for Saxon activity in the vicinity, including burials recorded to the north-west (Historic Environment Record reference 04622). Finds of Roman date have also been recorded in the vicinity (04626, 04702). In addition, the O.S. 1st Edition 25" (1885) records a series of buildings in the centre and west of the site, including The Eagle Iron Foundry, a coprolite mill and a timber yard, served by a spur from the main railway line. The 3rd Edition (1926) lists the site as the Corporation Depot, with a reconfiguration of the structures on site.

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the standard archaeology condition.

### **Design and Conservation Panel Meeting(s) of 6 September 2017 and 14 February 2018.**

6.40 The conclusions of the Panel meeting of **6 September 2017** were as follows:

The Panel were broadly comfortable with the approach applied to the overall layout and location of the housing and vehicular circulation. However, the departure from the SPD and the resulting scale and massing of the higher elements, together with their impact on the open space and the wider Conservation Area were issues of particular concern.

Since a development of this density will be inconsistent with the existing character and appearance of the Conservation Area, there is a need to weigh the resulting harm against the public benefit of the social housing provision, and whether such harm is justified. The Panel will leave such questions for the Planning Committee Members to consider.

The Panel concluded it would be inappropriate to vote on the proposals at this stage, but would like to re-visit the scheme at a

future meeting following a firmer steer from City Council Members and officers on the issue of density, and once the design has been developed further.

6.41 The conclusions of the Panel meeting of **14 February 2018** were as follows:

The challenge being faced by the design team to deliver new homes on a large scale and within this sensitive location is understood. Despite the obvious public benefits of both removing a current blight on the Conservation Area and the provision of significant numbers of affordable housing, the Panel must express its reservations. How a Conservation Area evolves in order to provide new homes on a brownfield site is the fundamental issue at the heart of this scheme.

VERDICT – GREEN (2), AMBER (4) with 1 abstention.

The relevant section of both the minutes of the panel meetings are attached to this report as Appendix Three

### **Developer Contributions Monitoring Unit**

6.42 See 'Planning Obligations Section of this report.

6.43 Some of the responses set out above 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:

- 17 Ainsworth Street;
- 82 Ainsworth Street;
- 90 Ainsworth Street;
- 92 Ainsworth Street;
- 5 Brackyn Road
- 41 Butt Lane, Milton;
- 50 Cavendish Road;
- 58 Cavendish Road;

- 140 Cowley Road (The Bike Depot)
- 6 Edward Street;
- 53 Great Eastern Street;
- 6 Golding Road;
- 2 Gunhild Close;
- 113 Gwydir Street;
- 7 Heffer Close (Stapleford);
- 14 Hooper Street;
- 15 Hooper Street;
- 23 Hooper Street;
- 39 Howard Road;
- 9 Kingston Street;
- 18 Kingston Street;
- 20 Kingston Street;
- 30 Kingston Street;
- 37 Kingston Street;
- 40 Kingston Street;
- 72 Kingston Street;
- 41 (Raeburn House) Lapwing Avenue;
- 17 Lilywhite Drive;
- 119b Mill Road;
- 1 Pearson Court, Milton;
- 15 Shelly Garden;
- 54 St Barnabas Road;
- 10 Sturton Street;
- 14 Sturton Street;
- 21 Sturton Street;
- 80B York Street;
- Petersfield Area Community Trust;
- South Petersfield Residents' Association;
- Cambridge Part Present and Future;
- Cambs Cycle Campaign;

7.2 The representations can be summarised as follows:

Representations to the original scheme -

Principle of development;

- Housing development on the site is supported;

Design, scale, layout and heritage;



- Building B.09 is unacceptable due to its design, height and proposal to use red brick within the Conservation Area;
- B.09 would be out of scale and character with the existing houses in Kingston Street and contrary to the SPD;
- B.09 should be removed and the proposed two storey mews continued in its place;
- Concerns with the proposal not following the guidance in the SPD in terms of number of dwellings (167 to 184) and increased storey heights (B.02, B.05 and B.09);
- Concerns with the amount/density of development on the site;
- The length of the two north-south street are out of character the local streets;
- The 5 storey blocks extending 40 metres into the site from the railway would appear out of character with the local urban grain;
- The proposed layout does not offer encouragement to pedestrians to walk in or around this area;
- Too much car parking is proposed;
- The contrast in between B.09 and B.02 is too great;
- 6 storey buildings either side of the railway line (Ridgeons) will create an unusual and dark corridor;
- No mention of Free Library as part of the proposed development or its restoration and repair;

#### Residential amenity;

- Building B.09 would have a detrimental impact on the residential amenity of the residents in Kingston Street in terms of overshadowing/loss of light, loss of privacy and enclosure;
- Concerns with the impact from the proposed ground floor uses in B.09 on residents in Kingston Street in terms of noise/disturbance, environmental;
- Concerns with overlooking from the windows in the side of B.09;
- Concerns with the location of the proposed bins store for B.09 and the noise and odour impact this would have on residents Kingston Street;
- Concerns with potential vermin infestation;
- Concerns with security if side access is not gated;
- No information showing the impact of overshadowing of residents in Great Eastern Street and Cavendish Road;
- Overlooking impact from the proposed apartment blocks on the gardens Great Eastern Street and Cavendish Road;
- Impact from noise pollution on residents in Great Eastern Street from the barrier of buildings;

### Highway safety/car parking/traffic generation;

- Concerns with increase in traffic generation on Mill Road bridge – tunnel or cycle bridge across the site would benefit the local community;
- The proposed parking provision is not adequate and will put additional pressure on surrounding streets;
- Concerns with the mode split estimates, distribution of trips onto highway, junction capacity issues, use of PICADY to assess capacity in the Transport Assessment;
- Concerns with potential increase in accidents on Mill Road which is an existing accident cluster site;
- Site access should be redesigned and a pedestrian crossing with traffic lights installed to improve highway safety;
- Residents of new development should not be entitled to participate in the residents parking scheme;
- Residents parking scheme should be introduced to cover Hooper Street, Sturton Street and Ainsworth Street to prevent non-residents/commuter parking;
- Concerns with the potential for the Hooper Street access to be used as a rat-run for motorcycles/mopeds;
- In this sustainable location car parking should be reduced;
- Too much car parking is proposed for this development – should be car free – provision of car parking increases cost of each dwelling by £15-20,000;

### Open space/landscaping, cycle parking and Chisholm Trail (CT);

- Additional housing would place more pressure on open space which is limited in St Matthews area and YMCA will not provide an additional space;
- Improvements to the overgrown weed infested planted area of Hooper Street should be proposed to provide attractive gateway into site;
- Concerns with the size of the gardens for the family houses;
- Access to the CT between the dwellings is poor and will leave it underused and open to crime;
- Play areas are too disjointed;
- Cycle parking should be greater and more accessible;
- Concerned with the isolation of the CT – development turns it back on the CT and not conducive to encouraging full use of it, contrary to policy 3/7 and 8/5;
- Concerns that the CT will turn into a long, dark, unwelcoming back alley;

- The development is impermeable to the CT route and concerned with the lack of information about the CT in the application;
- Concern with the removal of the intermediate links to the CT south of the Hooper Street access;
- Concerns the quality of the CT is being diluted;
- Concerns with the lack of consideration for ecology;
- Eagle Park should be located along the southern side of Hooper Street to make it inviting to local residents;
- Concerns with access to the cycle lift in B.02 – doors are not wide enough should be 1.2 metres not 1.0 metre.
- Some provision for larger cycles such as adapted cycles and cargo cycles on the ground floor or accessible via the lift;

#### Other issues;

- Concerns with the increase in population on local services such as nurseries, schools, doctors and dentists;
- The non-residential space for small businesses is supported;
- Concerns with the proposal for retail and food space on the site considering location of Mill Road shops;
- Retail use is not necessary on the site;
- Concerns with no community centre provision – this should be provided;
- Concerns with the loss of the Women’s Resource Centre without any alternative site;
- Concerns with lack of community facilities and additionality that would result in the YMCA proposal;
- Concerns with the accuracy of the red line plan and ownership of the land – the application should be returned unprocessed to the applicant;
- The brick pillar at the foot of the bridge is owned by Network Rail by they have not been notified and no details of the proposed remodelling of the foot of the bridge have been submitted;
- There must be a thorough site investigation for contaminants before any proposal to build;
- Any demolition or building work on the site using pile drivers could potentially lead to below ground contaminants being disturbed, leaking out into the groundwater;
- Concerns with the potential increase in air pollution cause by engines running to leave/enter a one entrance site on to or off an already congested, heavily trafficked road;
- 50% affordable housing needs to be guaranteed – how will this be achieved;

- Concerns with splitting the application into two applications (YMCA site) as this creates a very significant risk to public benefit;
- Concerns with the state of the Free Library building;

Comments on the amended plans received on 26 February 2018:

- Concerns with the impact from increased traffic generation;
- The mews houses overlook and block light into the adjacent Kingston Street properties;
- Concerned with the loss of two silver birch trees (instead of one originally) and the impact on birds;
- Concerns with the reduction in the number of trees within the development;
- Disappointed the revised plans have not addressed concerns raised about inclusion of a Women's Resource Centre;
- The revised plans do not address concerns with the height of the apartment blocks;
- Concerns with the impact of car parking on the surrounding streets and air pollution associated with increased vehicle movements;
- The revised B.09 is still three storey and has not overcome previous concerns;
- The dark grey brick for the mews houses is would not out of character;
- Concerns with the quality of neighbourhood life if properties are rented out to short term tenants;
- Concerned with the future height of the rear serving the Kingston Street properties when buildings are demolished;

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. Affordable Housing
3. Context of site, design and external spaces and impact on heritage assets

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

## **Principle of Development**

### Housing

- 8.2 The site is not allocated within the adopted Cambridge Local Plan (2006) and is therefore a windfall site in policy terms. The site is a brownfield within a predominantly residential area characterised by terraced housing along Kingston Street to the west and Hooper Street to the north. The existing use is an anomaly in this environment. Therefore, the principle of redeveloping this site for housing would be compatible with surrounding context. The principle of residential development on the site is supported by the adopted Local Plan in accordance with policy 5/1.
- 8.3 The whole site is a proposed housing allocation site (R10) in the emerging Local Plan 2014. This is a draft allocation, however some limited weight can be given to residential redevelopment of the whole site through the draft Local Plan.

Draft Mill Road Depot Planning and Development Brief Supplementary Planning Document (2017)

- 8.4 The draft Planning and Development Brief (SPD) 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. The draft SPD is a desk based guidance document for this specific area to provide planning and design guidance to developers to help guide the preparation and assessment of future planning applications for this site. This draft SPD is material consideration for any proposed development which will need to comply with the policies in the adopted Local Plan (2006).

8.5 The draft SPD requires the site to provide the following elements:

- 167 residential units (40% affordable) including ancillary uses such as café/workspace;
- Dedicated community provision;
- A single point to vehicle access into the site with improvements to the junction;
- Indicatively accommodate approximately 20% to 25% of site area as open space;
- Provision for the Chisholm Trail including a minimum 6 metres right of way
- A range of building heights with 3 to 4 storeys along the railway line; including opportunity for a taller building adjacent to the south-east corner;
- Pedestrian and cycle links through the site from Hooper Street;

8.6 Notwithstanding the specific elements above, the principle of residential development on the application site is acceptable.

#### Relocation of the Women's Resource Centre

8.7 The proposal includes the loss of the Women's Resource Centre which in policy terms is regarded as a community facility. The draft SPD requires re-provision of this use and Local Plan (2006) policy 5/11 (Protection of Existing Facilities) states that development leading to the loss of community facilities will only be permitted if it can be demonstrated :

- a) The facility can be replaced to at least its existing level and quality within the new development; or
- b) The facility is to be relocated to another appropriate premises or site of similar accessibility for its users; or
- c) That there is no longer a need within the local community for the facility or that the need can be adequately met at an alternative facility of similar accessibility for its users

8.8 The applicant has worked with the WRC to find an alternative location and several options were put forward. I have sought further information on this issue and will provide an update on the Amendment Sheet. Subject to a satisfactory outcome the development is compliant with Policy 5/11..

Other ancillary uses

8.9 The need for non-residential uses/facilities as part of the development was identified during consultation on the preparation of the Planning and Development Brief SPD. Page 51 of the SPD states “The exact approach will be dictated through the development of a more detailed brief”. The SPD also states the following uses will be considered:

- Flexible community space such as a new hall or community meeting room will be considered;
- The demand and need for a nursery space will be explored;
- Other non-residential such as bespoke workspaces/art studios; and
- Potential for a suitably located small café

8.10 In view of the above, the applicant proposed to introduce A1 (retail), A2 (financial and professional services), A3 (food and drinks) or D1 (non-residential institutions) use classes to the ground floor of B.09. However, following significant concerns with the range of A use classes, particularly A1 and A3, the applicant agreed to modify the range of the use classes by removing A use classes and proposing B1 use (business) or D1 use (non-residential institution) instead. The ground floor space of B.09 was also reduced from 72sqm to 51sqm.

8.11 The delivery of these facilities is discussed further 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

8.12 In my opinion, the principle of the development is acceptable and in accordance with policies 5/10 and 10/1.

### **Affordable Housing**

8.13 The proposal commits to the delivery of 50% of the proposed residential dwellings as affordable housing. Based on the proposed 182 dwellings, this would deliver 91 affordable homes. This is 10% above the minimum required for affordable housing within the adopted Local Plan policy 5/5, Affordable Housing SPD (2008) and the draft SPD (40%). The 50% affordable housing commitment would be secured through a S106 Agreement.

8.14 The proposed housing mix and tenure is set out in the below table:

Affordable mix (91)

Houses and maisonettes mix	Number of units
2-bedroom houses	2
2-bedroom maisonettes	4
3-bedroom houses	9
3-bedroom maisonettes	2
Total	17 (19%)

Apartments	Number of units
1 bedroom	44
2 bedroom	30
Total	74 (81%)

- 8.15 The Council's Growth Projects Officer has advised that this is an acceptable mix of affordable housing.
- 8.16 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 Mill Road Depot SPD also encourages a range of building and housing types in a mixture of houses and flats that is informed by housing market dynamics, approach to tenure and disposition of open space.
- 8.17 The proposed affordable housing is based upon the latest housing needs figures and 10% more than the minimum requirement. In these terms, therefore, the proposed housing mix is acceptable.
- 8.18 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.

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

- 8.19 This section of the report will address the two key elements of the application. The first section will assess the site context, the key opportunities and constraints of the site and how these have been reflected in the scheme. These matters could be regarded as relating to aspects of urban design and I have had support from Urban Design officers in reaching my conclusions. The second section will assess the impact of the proposed development, particularly the apartment blocks, on the character and appearance of the Conservation Area, and the setting of heritage assets, with reference particularly to the comments from the Conservation officers and Historic England. In the concluding paragraph of this



latter section I shall summaries the balance between the harm to heritage assets against the public benefits of the development.

#### Site context

- 8.20 The site is currently an operational City Council owned site that contains various uses ranging from offices to motor repair station to storage. The site almost entirely covered by hardstanding and contains very limited greenery. There are trees located within the WRC site. The site is set approx. 100 metres back from Mill Road and behind the language school building and former free library building making is largely unnoticeable from Mill Road. This is picked up in the Mill Road Conservation Area Appraisal (MRCAA) which states the depot site is “surprisingly discreet”. This is the only reference to the depot site in the MRCAA. In terms of the public realm, the site mainly visible from Hooper Street and Mill Road bridge. Whilst the site is visible from the Mill Road access road, views into the site are limited due to the location of the coach house building. The site is currently not visible from any focal points such as the Mill Road cemetery, St Matthew’s Piece or Romsey recreation field.
- 8.21 Mill Road itself contains an eclectic mix of uses and architectural forms on both sides of the railway tracks. Commercial uses dominate the south side of Mill Road and the northern side is mainly in residential use but there are parades of commercial uses. The housing development off/behind Mill Road is mainly characterised by long rows of two storey 19<sup>th</sup> century terrace houses on the back edge of the pavement. There are more varied forms and styles on Mill Road ranging from two and three storeys with examples of traditional pitched roofs, hipped roofs, projecting gables and pitched roof dormer windows.
- 8.22 The Mill Road Depot site is located in a part of the Mill Road Conservation Area that is characterised by two terrace housing with regimented frontages.
- 8.23 The main constraints of the site are the single access point which is off Mill Road which is a busy route for car, cyclists, pedestrian, buses and delivery vehicles. The site is also enclosed on the western by the rear gardens of Kinston Street and to the north by Hooper Street which is a quiet residential street that terminates at the railway line boundary. The railway line to the east is also a major constraint due to noise and vibration.

- 8.24 In terms of opportunities, the site represents a large brownfield site within a highly sustainable location in close proximity to shops, services, bus transport (buses and rail) and city centre amenities are nearby. There are also opportunities to improve access from Hooper Street into the site and to Mill Road. The site represents a significant opportunity for a key part of the Chisholm Trail to be delivered.
- 8.25 In terms of the proposed development, I set out below my assessment of each part of the new development and its impact on the character and appearance of the Conservation Area and listed building.

#### Kingston Mews (H.10 to H.22)

- 8.26 Kingston Mews is proposed to contain a two storey mews-style terrace on a similar footprint to the coach house, which it would replace, and a three storey semi-detached flat roof town house range opposite. At the southern end of the mews terrace adjacent to the main entrance into the site a three storey building is proposed (B.09). The mews would be 9.5 metres wide with the houses set on the back from the pavement with a small (650mm deep) defensible space. The pavements are proposed to be 1.8 metres wide and the carriage way 5 metres wide. Each dwelling in Kingston Mews would contain an integral garage. The combination of a narrow road with integral garages would contribute towards helping to reduce/control vehicle speeds along the Kingston Mews, which is a long linear road resembling the surrounding streets.
- 8.27 Currently the coach house range forms the rear boundaries of the dwellings in Kingston Street. The proposed two storey mews consist of 13 units and will be set off the western boundary by 3 metres to provide a small courtyard. The roof line would slope away from the rear boundary from a height of 5.9 metres to 6.9 metres. Each dwelling in the mews terrace would have access to a first floor outdoor terrace which faces into the mews street. The proposal would therefore provide greater separation whilst maintaining the position of the boundary wall but reducing its height to 2 metres (the method of deconstructing the boundary wall is subject to conditions contained in the planning application to demolish the buildings ref: 17/2192/FUL which was approved at planning committee on 7<sup>th</sup> March 2018). The level of separation between the mews and the dwellings in Kingston Street would vary (due to extensions being

added) but between the main rear elevations it would approx.19.5 metres.

- 8.28 In terms of design the mews terrace would appear as a consistent, well-articulated range with cohesive frontages. The two storey scale of the mews terrace is also appropriate for this location and would comply with the design guidance which guides the building height to continue to the roof line of the existing coach houses. The coach house block varies in height from approx. 5.9 metres to 6.9 metres in height. The difference in height is between the two storey element and single storey element. Therefore, it is important that any future boundary with the Kingston Street properties is provided at a consistent height.
- 8.29 In terms of design and scale the proposed mews terrace is acceptable and would respond positively to the extended two storey terrace dwellings in Kingston Street.
- 8.30 The five three storey semi-detached town houses would add contrast to the street scene of the mews in terms of building height and layout. The town houses would also include side passages to access to the rear gardens. The side passage is a feature that is found in many of the surrounding streets. They also help to break up the massing of the three storey forms.
- 8.31 In terms of design the proposed town houses would have a consistent and well articulated appearance. In terms of scale, the town houses would be 9.7 metres in height and each pair 12.8 metres wide. Whilst 3 metre taller than the mews terrace, the applicant has demonstrated with the section plans that the relationship would be successful. These units would also comply with the building height parameter contained in the SPD which seeks typically 2-3 storey in this location. I am therefore satisfied that the proposed town houses are an acceptable respond to the surrounding context and SPD guide.
- 8.32 Block B.09 has been revised from its original iteration following concerns from officers and local residents. Originally B.09 was proposed to be a three storey building located on the western boundary with the Kingston Street dwellings. Its role was to provide a marker building as one enters the site from Mill Road. The ground floor was proposed to be in commercial or community use with two apartments above.

8.33 Local residents submitted a petition for a Development Control Forum raising concerns with the scale and proximity of the building to the boundary, range of proposed uses, and impact on residential amenity. The DCF was held on 14 February 2018 and the minutes of the DCF are attached in appendix 2 Following the DCF the applicant submitted revised plans taking on board the concerns raised by local residents for consideration. The revised plans were re-consulted on. The following changes have been made to B.09:

- Reduced from 3 storey to 2 ½ storey with rooms in the roof;
- The height of the building has been reduced by 200mm;
- Set off the western boundary by 2.2 metres;
- The roof form has been revised from flat roof to a pitched roof with the ridge approx. 7.1 metres away from the boundary;
- Apartments changed from 2 bed to 1 bed;
- Windows in the south elevation have been moved and reduced in size and the first floor window includes a privacy screen;
- Windows in the north elevation have been moved and proposed to be translucent;
- The colour of the brick has been amended to buff brick;
- The size of the ground floor space has been reduced from 72sqm to 51sqm;
- The proposed uses classes have changed to B1 or D1 only;
- The bin store the ground floor unit has been internalised;

8.34 Whilst the SPD guide development along the western boundary to continue the height of the coach house, I am satisfied that the revised height to B.09 is acceptable in this location. The revision reduces the boxy appearance of the original design and reads in my view as a more domestic form which is appropriate for this context. The building has been reduced in scale but would still be viewed as a marker building at the entrance of the site. The Urban Design team is also satisfied with the revision made to B.09.

Headly Street (H.04 to H.09)

8.35 Headly Street consists of a terrace of two storey gable fronted row of five dwellings with a three storey detached town house on the eastern end. The dwellings would be provided with 10 metre deep rear gardens and off street parking at the front of each unit. The two storey dwellings would be 7.2 metres to the ridgeline. The proposed two storey dwellings are well articulated with consistent and cohesive frontage. The scale of development is acceptable as within the parameters of the SPD.

8.36 The three storey town house would be similar to the proposed town houses in Kingston Mews but the Headly Street unit would be detached and provide the first step change in the transition from two storey to six storey for apartment block B.02. The town house is well articulated and consistent with the other town houses within the central core.

#### Block B.02 (6 storeys)

8.37 Block B.02 is located in the area that is identified in the SPD as an opportunity for taller development. The typical storey height for buildings along the eastern boundary is identified as 3-4 storeys. Therefore by definition, the taller building could be 5 storey. B.02 has been designed as a flat roof brick building with a steel frame façade on the northern elevation to mirror the same proposed features on B.05. The internal layout of the building has been carefully arranged to ensure there are no single aspects units facing the railway line. The apartments adjacent to the railway line have been made dual aspect and have been provided with winter gardens with movable glass screens which can be closed. B.02 also provides the main vehicle access into the basement via a ramp which is accessed via Headly Street. A pedestrian cycle ramp and cycle lift has also been provided to access/exit the basement.

8.38 The proposal is a six storey building which is 21 metres in height and contains 25 units. Whilst the SPD identifies this location for a taller building, in order to test its visual impact on the surrounding context, the applicant has submitted a Townscape and View Assessment (TVA) document. The TVA also takes into consideration policy 3/13 (Tall buildings and the skyline) of the Local Plan (2006). Policy 3/13 states that new buildings significantly taller than their neighbours will only be permitted if it can demonstrate that they will not detract from, amongst other things, local residential amenity; Listed Buildings and Conservation Areas and their settings; key vistas, the skyline and views within, over and from outside the City.

8.39 In consultation with officers, 21 viewpoints from publically accessible locations around the site taking in key vantage points, longer range views as well as more local views were agreed. The assessment has been undertaken to provide 'verified views' where key views were considered to be most significant/sensitive. The most sensitive views have been provided as full rendered visualization. These are limited to Mill Road Bridge (02), Hooper Street/ Kingston Street

junction (09) and Ainsworth Street (12). The TVA has demonstrated the site is surprisingly discreet, which is a description of the depot site that is supported by the MRCAA.

- 8.40 The assessment and methodology used in the TVA is consistent with best practice and guidance contained within Section 4.5 of the City Council prepared 'Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006)'.
- 8.41 The view of the proposed development from Mill Road Bridge would be the clearest and most notable from the public realm of B.02. The foreground view from the bridge towards the site is of the railway tracks and ancillary network rail buildings, power lines and infrastructure. The eastern edge of the site is defined by trees and small workshop buildings and storage areas. Therefore the current view of the site from the bridge is not particularly attractive and, in my view, does not make a positive contribution to the character and appearance of the Conservation Area. Following a review of the TVA the Urban Design Officer does not consider the additional height of B.02 to be harmful in urban design terms. The Conservation Officer however does consider the apartment blocks to be significantly harmful to the character and appearance of the Conservation Area. I will set out my views on the impact on the Conservation Area in the latter part of this section.
- 8.42 Therefore, in terms of urban design and scale, I am satisfied that the additional storey of B.02 in this location being further away from existing residential development is acceptable.

Blocks B.03 and B.04 (5 storeys)

- 8.43 B.03 and B.04 are proposed to be five storey blocks. This is one storey above the SPD building height parameter. The additional height has been tested within the TVA and in my view is acceptable. B.02 would partially screen B.03 and B.03 would partially screen B.04 when viewed from the bridge. The bridge is the only publically accessible location that these blocks would be visible from. As commented on earlier, views from the bridge of the current site are not attractive. B.03 and B.04 would project off B.02 and start to appear smaller as they move further away from the bridge. In terms of internal space, the apartments have been arranged so that all the main habitable rooms and balconies face into the site. The bedrooms would have fixed windows overlooking the railway line but access to a small recessed area which would have a small opening

to allow cool air into the room. The recessed area would also act as an acoustic buffer.

8.44 The eastern elevation of B.03 and B.04 have been arranged to appear as matching and to also avoid appearing to turn their back on to the railway line. Whilst the railway is a constraint to the development it is important to ensure the design of the scheme responds positively to it. The proposed elevational treatment of the eastern elevation is an appropriate and acceptable response.

B.05 (5 storeys with a 4 four storeys pavilion)

8.45 Block B.05 is the most prominent building within the development due to its height, position within the site and proximity to existing residential development. B.05 was originally proposed to be 6 storeys (5 full storeys and 1 setback storey). B.05 also includes a four storey pavilion element which is located between B.04 and B.06. B.05 is also pulled away from the eastern boundary into the site by approx. 12 metres and acts as the book-end for both areas of open space. The building would also be visible from Ainsworth Street. The Urban Design Officer considered B.05 to be visually intrusive and incongruous when viewed against the finer grain and roofscapes of the housing in Ainsworth Street. Therefore the applicant was advised to amend B.05 by reducing its height and retesting its visual impact from Ainsworth Street.

8.46 The applicant revised B.05 and resubmitted amended plans. The amended consisted of the removal of the one storey set back element resulting in 5 full storeys, and the removal of the set back on the subservient element making this four storeys. These amendments have resulted in the loss of three apartments.

8.47 To support the amendments, the applicant has submitted an updated TVA. This demonstrates that B.05 would not be visible from Mill Road Bridge (originally part of a top storey was visible from this viewpoint). From Ainsworth Street the top storey would be visible. However, whilst it is still a large form, it would appear more discreet than the original design. The introduction of chimneys on the proposed Hooper Street terrace would not only better articulate the roof of the terrace but also help to screen the massing of the top storey. The proposed amendments to B.05 have addressed the Urban Design Officer's concern and B.05 is now acceptable in design terms.

#### Blocks B.06 and B.07 (4 storeys)

8.48 These blocks would be 15.2 metres in height and provide 15 apartments (mainly 1 and 2 bed) over four storeys. These blocks would be compliant with the building height parameter in the SPD. The design of the blocks would match blocks B.03 and B.04 albeit these are 5 storeys. These blocks would create the main edge to the railway boundary only punctuated by B.02 and B.05 which have been designed as the distinct blocks to help break up and provide interest to the railway edge. The roof tops of the railway blocks have been designed with discreet asymmetrical slanted roofs to conceal the lift overruns. These roof features would also introduce better articulation of the eastern elevation. From within the site the blocks would appear flat roofed but from the railway they would appear with a slanted roof between two cores. The design and scale of proposed blocks B.06 and B.07 are acceptable in design terms.

#### Block B.08 (3 storeys)

8.49 Block B.08 is proposed to be three storeys and would consist of maisonette apartments (no.6 maisonette apartments over the ground and first floor and no.4 apartments on the second floor). The block is compliant with the building height parameter in the SPD as it is located in the typically 2-3 storeys zone. The block would be 10.8 metres to the ridge and located behind the existing garage block at the northern end of the site. The block has been designed to appear as three pairs of blocks and with two distinct elevations (front and rear). The front elevation which facing over Eagle Park has been designed to appear as a row three storey gable fronted blocks with pitched roofs and recessed section delineating the entrances and terraces. The recessed sections are located between each pair of blocks. The rear elevation has been designed with slanted roofs which slope away to the central ridge line. Concerns were raised with the appearance of the rear elevation. Officers considered the rear elevation to appear squat due to the shallow proportions of the roof and three storey blocks. The applicant was therefore requested to amend the rear elevation by making the second floor appear within the roofscape and treated in a different material to reduce the massing, overcome the disproportionate scale of the roof and provide better articulation to the appearance of the elevation. The applicant submitted amended plans which took on board the suggested amendments. The concerns with the rear elevation have now been addressed and B.08 is now considered to be acceptable in design. The updated view of B.08 from Hooper Street in the TVA



(view 09) is of a much improved elevational design with a scale that is of a more domestic form.

Hooper Street terrace (H.48 to H.54 – 2 ½ storeys)

8.50 The Hooper Street terrace would be 9.3 metres to the ridge and located on the northern edge of the site to the east of the garage block and consist of six dwellings. Five of the dwellings (rooms in the roof) would be grouped as a terrace containing two and a half storey 3bed dwellings. The sixth dwelling (H.48) would be in the form of a detached dwelling which would be set slightly further back from the pavement and on the other side (west) of a new pedestrian access point into the site. The pedestrian access point would also be used for emergency vehicles but would contain three bollards to restrict access. To the rear of the terrace is Eagle Park which is an area of open space.

8.51 The Hooper Street terrace has been designed to respond to the residential/domestic context of Hooper Street, which is characterised by two storey terrace pitched roof dwellings on the back edge of the pavement. Whilst the general scale and form of the terrace units were considered acceptable, the Urban Design Officer raised concerns with the arrangement of the fenestration and lack of articulation at roof level. In response to this the applicant submitted amended plans which included pairing the doors to match the existing terrace houses and introduce chimneys into the roofscape. The applicant also introduced an additional dwelling to the eastern side of the terrace to compensate for the loss of 3 apartments in B.05. The alterations to the elevation and roof form are acceptable in design terms. The introduction of an additional matching dwelling to the terrace is also acceptable in design terms but would result in the loss of an existing silver birch tree. Whilst the loss of the tree is unfortunate, I do not consider the harm from its loss would outweigh the benefits of the proposed development. One silver birch tree would remain providing a termination to the end of the terrace when looking east along Hooper Street.

8.52 The applicant has also moved the detached unit slightly west to increase the width of the pedestrian access from 5 metres to just over 6 metres. Also a baywindow has been introduced into the front elevation to address the Urban Design Officer's concern with the modest appearance of the solitary dwelling. A chamfered edge has also been introduced to the end of terrace dwelling adjacent to the

pedestrian access point. These alterations have been assessed and are considered to be acceptable in design terms.

Eagle Green terrace (H.43 to H.47 – 2 and 3 storeys)

- 8.53 The Eagle Green terrace is made up of 3no. two storey gable fronted terrace dwellings and a pair of semi-detached three storey town houses. The arrangement would be similar in design and scale to the Headly Street terrace. Each dwelling would have access to the rear gardens via a passage from Kingston Mews and Eagle Foundry Street. The design and scale of the Eagle Green terrace is acceptable in terms of design and scale.
- 8.54 Overall, the proposed development is acceptable in terms of the design, scale and layout of the individual blocks within the site. Whilst there are deviations from the SPD guide, in my view these have been properly tested and justified in the appropriate manner. The applicant has applied a design led approach to the parameters in the SPD which has resulted in a refined scheme that has been amended to address Urban Design officer's concerns.
- 8.55 The application site does not include the entire Mill Road Depot site and the proposal to introduce 182 dwellings on a smaller site area has presented a challenge in terms of the provision of open space, the internal roads, car and cycle parking. However, it is important that any proposed development reflects and responds to the local character of the surrounding streets and scale of development in the locality apart where the SPD allows uplift in height. It is also important to acknowledge the railway context which has gradually been redefined by existing and recently approved developments. Recently, outline planning permission was granted for the redevelopment of the Ridgeons site which is diagonally opposite the depot site. The outline permission was for 245 dwellings which include a series of 5 and 6 storey apartment blocks as well as smaller buildings. To the north of the Ridgeons site are existing examples of tall apartment buildings which begins to characterised the railway context. The SPD acknowledges this by setting building height parameters on the eastern boundary of the site. Whilst the SPD sets these parameters, they are not prescriptive and it has been shown through a detailed design led process that an extra storey height on four of the six apartment block is acceptable in design terms and compatible with the site context.

8.56 In terms of how the increase in density impacts the site, the proposed development would provide 28% of the site area as open space which is above the range contained in the SPD. The internal roads are proposed to be adopted by the County Council and therefore will be maintained. The proposal includes sufficient car parking provision within a site located in a highly sustainable location and significant cycle parking is proposed over and above that required. Each of the dwellings would be provided with good size private gardens. The different typologies within the development serve different needs and requirements.

#### Impact on Conservation Area and other heritage assets

8.57 The Conservation Officer and Historic England have raised concerns with the proposed development. The Conservation Officer has concluded the impact from the proposed apartment would amount of substantial harm to the character and appearance of the Conservation Area and be contrary to paragraph 134 of the National Planning Policy Framework (NPPF). Historic England welcomes the principle of redevelopment of the site but has concluded the impact from the proposals is likely to cause very serious harm of the significance of the Conservation Area as a result of views of apartment blocks in excess of four storeys from surrounding viewpoints and request the heights be reduced to conform to the SPD. The terminology is important and the NPPF provides guidance on how harm is to be assessed. Paragraph 132 states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”*. Para 132 continues by stating, substantial harm to or loss of designated heritage assets (such as a Conservation Area) of the highest significance should be “wholly exceptional”.

8.58 Para 133 goes on to state where a proposed development will lead to substantial harm the application should be refused unless it can demonstrated that the substantial harm is necessary to achieve substantial public benefit that outweighs the harm. Para 134 states where a proposal will lead to less than substantial harm, the harm should be weighed against the public benefit of the proposal. In order to determine whether the proposal causes substantial or less

than substantial harm it is important to assess the main deviations from the SPD that are considered to cause harm. I set out below my assessment of this in context with the Conservation Officer's comments.

- 8.59 The focus of concern from the Conservation officer and Historic England is the height of the proposed apartment blocks on the eastern boundary of the site adjacent to the railway line. In other respects the scheme is not considered to have a harmful effect on the Conservation Area or the setting of adjacent listed buildings.
- 8.60 I have set out the Conservation officers views in full in Appendix One. He uses planning policy and guidance to assess the impacts of the eastern apartment blocks on the Conservation Area. He argues amongst other things that there is no 'strategic' justification for buildings of the scale proposed, that the apartment blocks are contrary to the characteristics of the build environment in the Mill Road area and that the buildings would create a visual barrier dividing the halves of the conservation area whereas it is currently open. Historic England have expressed serious concerns about the impact on the Conservation Area.
- 8.61 The NPPF provides guidance on how harm is to be assessed. Paragraph 132 states "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification". Para 132 continues by stating, substantial harm to or loss of designated heritage assets (such as a Conservation Area) of the highest significance should be "wholly exceptional".
- 8.62 Para 133 goes on to state where a proposed development will lead to substantial harm the application should be refused unless it can demonstrated that the substantial harm is necessary to achieve substantial public benefit that outweighs the harm. Para 134 states where a proposal will lead to less than substantial harm, the harm should be weighed against the public benefit of the proposal.
- 8.63 The view of conservation experts is clearly that the development will lead to 'substantial harm' and needs to be considered against

paragraph 133. This places a higher 'bar' in terms of the balance between impact on heritage assets and public benefit and requires the public benefits to be 'substantial'.

- 8.64 I have carefully considered the comments made by the Conservation Officer and whilst my view is that the impact on the conservation area is not 'substantial' I respect the views expressed as those of an expert in the assessment of 'harm'. My consideration of the 'weighted balance' is based on a starting point where harmful effects are significant and the public benefits need to be substantial to overcome them.
- 8.65 The applicant has produced a heritage statement which assesses the proposed development in context with the conservation area. The applicant has also produced a townscape visual assessment (TVA) in accordance with Policy 3/13 of the Local Plan (2006) which contains 21 views from immediate and wider locations. The most sensitive locations were agreed with Officers at the pre-application stage and fully rendered visualisations of the proposed development were produced from these views. As a result of the TVA, officers were able to properly assess the visual impact of the proposed development and request changes to refine and mitigate the impact where it was considered necessary.
- 8.66 In my view the SPD sets a baseline position in respect of building heights and development which is in accordance with the SPD should not be regarded as harmful to the Conservation Area in principle. However this does not mean that development which exceeds the heights set out in the SPD should not be supported in principle because it will harm the Conservation Area. It is fundamental to decision making in planning that both planning policy and material considerations are assessed.

#### Assessment of public benefits

- 8.67 The Council is committed to delivering new homes under the Devolution Deal however this is not a matter for decision makers on planning applications. However the need for new affordable housing in the City is acute and the delivery of 91 affordable homes is a significant public benefit. The affordable units would be made available for social rental which means rent rates no greater than the Local Housing Allowance which is equivalent to around 50% to 60% of market rental level. The affordable housing mix of 80% (74) 1 and 2 bed apartment and 20% (18) 2 and 3 bed house is acceptable to

the Growth Project Officer in the Housing Team as it is based upon up to date needs.

- 8.68 A further public benefit is that development of the site will remove a 'non-conforming' use and enable better integration between the existing housing to the north and the facilities in Mill Road to the south. The formation of areas of open space and footpaths within the site will benefit both new residents and existing residents. In particular the play area will be provide an opportunity for children to play away from the noise and traffic of Mill Road and quiet spaces will provide space for residents to get to know one another and benefit from the vibrant community spirit in the area.
- 8.69 The provision of land for the future provision of the Chisholm Trail is also a significant public benefit and will improve cycle access through this area to key transport modes and employment areas. There will be clauses in the s106 Agreement which will secure the Chisholm Trail.
- 8.70 In my opinion the public benefits arising from this highly sustainable development outweighs the impacts which have been identified as harmful to heritage assets.
- 8.71 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 4/11 and 4/10.

### **Public Art**

- 8.72 No information has been provided about public art provision. However, the applicant is committed to provide some on site provision. I have therefore recommended a condition to require submission of a Public Art Strategy.
- 8.73 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

### **Renewable energy and sustainability**

- 8.74 The proposed development includes a series of renewable energy and sustainability techniques to reduce carbon emission and to save energy in accordance with policy 8/16. The Sustainability Officer has reviewed the energy report and overheating assessment submitted with the application and supports the range of measures proposed such as PV panels, CHP, provision for electric vehicle

charging points, dedicated car club space amongst others.

- 8.75 In terms of renewable energy, the applicant has chosen photovoltaic panels as the preferred technology which would be located on the roofs of the apartment blocks and dwellings. The Energy report demonstrates that the PV panels would exceed the 10% reduction in carbon emissions target within policy 8/16. As such, this approach is supported and I have recommended the conditions that the officer has recommended
- 8.76 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

### **Disabled access**

- 8.77 Policy 5/9 (Housing for people with disabilities) states that housing developments of 15 or more dwellings will only be permitted if they provide housing with external design, layout and access suitable for occupation by people with disabilities. The amount should be 15% of market housing and 15% of affordable housing.
- 8.78 In terms of external design, the pathways to dwelling will be a minimum of 1.2 metres wide and the gardens designed to be no steeper 1:20. All communal entrance will be a minimum of 1.2 metres wide and all entrances will be signposted and lit. Canopies or recessed entrances will be provided for the apartment blocks and automated entrance lighting. All other entrance doors will have a minimum clear opening of 850mm and the thresholds for the main entrances will be level access.
- 8.79 15% of the residential units will be designed to be easily adapted for wheelchair users (M4(3) unit) – 28 units in total split between the private and affordable units (14 each – 25 apartments and 3 houses). All the affordable M4(3) units will be located on the ground floor. All the apartment blocks will contain lifts.
- 8.80 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Residential Amenity**

## Impact on amenity of neighbouring occupiers

8.81 Concerns have been raised from local residents particularly those in Kingston Street regarding the proposed development on the western edge of the site in terms of overlooking, overshadowing/loss of light and overbearing/enclosure. I set out below my assessment of the potential impact of the proposed development on the residential amenity of the surrounding neighbours.

### Overlooking

8.82 The nearest dwellings to the site are the dwellings in Kingston Street and Hooper Street. The most sensitive boundary is the west boundary which adjoins the rear gardens of the properties in Kingston Street. No windows are proposed at first floor level in the rear elevation of the mews terrace that would cause overlooking of the rear gardens of the Kingston Street dwellings. Block B.09 also does not contain any windows in the rear elevation. The windows in the side elevations of this block have been moved away from the rear boundary. The first and second floor windows in the north elevation have been made translucent and a privacy screen panel introduced to the first floor window in the south elevation. The other windows in the south elevation which are located closer to the front elevation are proposed to remain clear. Sections have been produced which demonstrate that the proposed three storey town houses would be screened by the two storey mews and so would not cause any overlooking impact. None of the other proposed buildings would cause any overlooking due to the levels of separation. Therefore, following the submission of amendments to Block B.09, I do not consider there would be any unreasonable levels overlooking on the residents in Kingston Street.

8.83 The proposed Hooper Street terrace would introduce front to front arrangement similar to that found within the surrounding streets. However, a first floor bedroom window serving H.54 would face the rear garden of 23 Ainsworth Street. The level of separation between the window and garden boundary wall of no.23 would be 24 metres and this would reflect similar relationships between existing properties in Hooper Street and Kingston Street with regards to overlooking. Therefore, in this tight urban context, the level of separation and similar existing relationship, I do not consider the window would cause significantly levels of overlooking such that it would have a detrimental impact on the residential amenity of the neighbours.



8.84 The rear gardens of the dwellings in Great Eastern Street are located across the railway line from the site approx. 40 metres. Therefore, I do not consider the apartment blocks would cause any adverse levels of overlooking considering the level of separation.

#### Daylight and sunlight assessment

8.85 The applicant has submitted a daylight and sunlight assessment. The assessment has been carried out in accordance with the criteria and tests for assessing daylight and sunlight in the BRE guide. It is important to note here that the study, which is based upon BRE standards, is intended to be used as guidance only and the figures used flexibly. The assessment applied the Vertical Sky Component, No Sky Line, Annual Probable Sunlight Hours and Average Daylight Factor tests to calculate the impact on daylight and sunlight to existing properties.

8.86 As part of the daylight and sunlight analysis, 222 windows and 131 rooms within the neighbouring buildings were tested. 220 of the windows and 129 rooms satisfied the BRE guidelines. The windows that did not are contained in 21 and 22 Hooper Street and 22 and 24 Kingston Street. However the assessment demonstrates that the overall impact on these properties is minor. I am therefore satisfied that the proposed development as amended would not have a significantly adverse impact on daylight and sunlight to the surrounding properties.

#### Overshadowing

8.87 The applicant has submitted an overshadowing impact assessment. 36 of the garden areas in Kingston Street were assessed of which 9 would see a minor reduction in sunlight but this reduction would be less than the 20% threshold set out in guidance (the highest % of reductions would be 11.4% and 8.7%). The assessment demonstrates that there would be no significant impact from overshadowing.

#### Overbearing/enclosure

8.88 The proposed mews terrace adjacent to the Kingston Street properties and Hooper Street terrace would be the closest proposed to existing relationship. I do not consider the other parts of the proposed development to cause any overbearing issues due to the levels of separation.

- 8.89 The existing coach house building forms the western boundary and rear boundary of the Kingston Street dwellings. The existing boundary wall is proposed to be reduced from its current height which ranges from approx. 6 metres for 73 metres of the two storey element before dropping down to 5.9 metres to the ridge at single storey. However, the proposed mews terrace would be set 3 metres from the boundary at a height of 5.9 metres. The distance between the rear elevation of the mews and the main rear elevation of the Kingston Street properties is circa. 30 metres (excluding any extensions). Therefore, in my view the mews terrace would not cause any additional levels of overbearing sense of enclosure on the residential amenity of these neighbouring properties.
- 8.90 B.09 has been amended following concerns raised by officers and local residents regarding its height and proximity to the boundary. The residents of Kingston Street triggered a Development Control Forum (DCF) to raise concern and request it to be reduced in height and set away from the boundary similar to the proposed mews terrace. The applicant agreed to make amendments to the building taking on board the concerns raised. Following the DCF the applicant submitted amended plans which remodeled B.09 from a flat roof building to a mono-pitched roof building with lower eaves on the rear elevation. The building was also pulled off the boundary by 2.2 metres. The eaves height on the rear elevation is proposed to be 6.5 metres with the roof sloping away from the boundary to a ridge height of 9.2 metres. The ridge has been pulled into the site by 7.2 metre creating an asymmetric roof. In my view, the proposed amendments would result in a less intrusive building which would not appear significantly overbearing over and above the existing two storey coach house. Therefore I do not consider the replacement building for the coach building would have a significantly detrimental impact on the residential amenity of the adjacent occupiers.
- 8.91 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

- 8.92 The proposed dwellings have been designed to provide high quality living accommodation.

- 8.93 The proposed development would provide two main areas of open space within the site (excluding the Chisholm Trail) for local residents to access and use. These areas consist of Eagle Park at the northern end and the more formally arranged green space in Eagle Foundry Street Gardens which is centrally located. Each dwelling on the site would have access to either a private garden or terrace/balcony.
- 8.94 The total provision of open space on the site which includes the Chisholm Trail equates to 28% of the site area. This exceeds the SPD parameter for open space which requires 20%-25% of the site. The quantum of open space on the site would be 0.59 hectares which equates to 32sqm per dwelling.
- 8.95 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.

### **Drainage**

- 8.96 The proposed drainage strategy for surface water is for it to discharge into the existing public sewer. However, due to the levels of the existing surface water sewers the water will need to be pumped. Therefore a pumping station in the north-east corner of the site has been proposed. No precise details for the pump station have been provided and therefore this will need to be subject to condition. Also oversized drainage pipes will be located underneath the site roads. This is required in order for the pipes to be adopted by Anglian Water which means then the County Highway Authority will adopt the site roads.
- 8.97 The City Council's Drainage Officer and the Local Lead Flood Authority (County Council) objected to the proposed development on the basis the proposed pump system is the least sustainable drainage solution and should only be used as a last resort, and lack of sustainable drainage systems (SuDS). They also do not consider the drainage strategy has followed the drainage hierarchy which seeks infiltration drainage as the first option. An added complication to this is that the Environment Agency will only consider infiltration drainage acceptable if the applicant can demonstrate the land is uncontaminated in order to avoid infiltration drainage impacting groundwater. However, the Environmental Services team

have recommended conditions to ensure the entire site is investigated and remediated before any development is started.

8.98 The applicant argues the site has poor infiltration rates across the site and has agreed to carry out infiltration testing, as requested by the consultees, to demonstrate this. This has been done and both drainage teams were consulted. The drainage teams have advised that the infiltration rates are adequate enough to demonstrate is scope to incorporate infiltration drainage to be employed. The drainage teams have recommended soakaways be incorporated into the central band of development. This could potentially remove a significant volume of water from entering the pump station which would negate the use of the pump station in all but the most extreme events. The applicant is now seeking to submit an updated drainage strategy which I understand is to place less reliance on the pump system by incorporating more SuDS such as soakaways. However, this updated report was not received at the time of drafting this report and so I will update the amendment sheet with its findings and consultation comments from the drainage teams. I will recommend any conditions that the drainage teams requested in order to ensure the development is carried out in accordance with agreed drainage strategy.

### **Refuse Arrangements**

8.99 Each dwellinghouse and apartment block would be served by its own dedicated secure bin store integrated either within the footprint of the building or as a separate store. Access to the communal bin stores for refuse collection would be from the shared accesses on Eagle Foundry Street which provide direct access to the bin stores. The drag distance varies for each bin store but it is within the 25 metre guide limit of the RECAP Waste Design Guide.

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

### **Highway Safety**

8.101 The main highway issues raised by the County Council have been addressed. The proposal no longer includes sett paving and so this has overcome the Highway Authority's concerns with such features causing noise and vibration which would negate them adopting the highway. The forward visibility splays as requested are now

acceptable. The vehicular access ramp to the basement is proposed to a 1 in 10 slope rising to a 1 in 12 slope.

8.102 I am satisfied that the main highway engineer concerns have now been addressed. However, comments from the Transport Assessment Team have yet to be provided and so I will update the amendment sheet with their comments or report them orally at the committee.

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

### **Car and Cycle Parking**

#### Car parking

8.104 In total 151 car parking spaces are proposed on the site. 101 of these will be within the basement underneath the apartment blocks and accessed via Headly Street. Of the 151 spaces 120 are proposed to be for residents which equates to 0.65 spaces per dwelling. I set out below the breakdown in these spaces:

Location	Residents Spaces	Accessible Residents spaces	Spaces for others	Visitor spaces	Total
Basement	63	13	15	10	101
On plot/street	21				21
In garages	23				23
Visitor (on street)				6	6
Total	107	13	15	16	151

8.105 The basement will accommodate of 76 spaces for residents, 10 will be reserved for visitors and 15 for other uses (contractors, deliveries, care/support people etc..). The proposal includes the provision of one car club space which is proposed to be located on Eagle Foundry Street. Pedestrian access to the basement is proposed to be achieved either via two lifts; one in B.02 and one in B.05 or a shared cycle stair which is access via Headly Street or through B.02. The only vehicular access is via the ramp which is accessed of Headly Street. A traffic light system is proposed to be used to control

the flow of vehicles as the access ramp into the basement is proposed as a single lane.

8.106 Also, of the 101 car parking spaces within the basement 50% are proposed to be electrified charging spaces. 10 installed slow active electric charging spaces and 40 slow passive electric charging spaces with ducting and load capacity provided to meet future demands as and when it arises.

8.1027 Concerns have been raised by residents regarding the amount of car parking proposed on the site. Some have raised concerns with there being too much and some have raised concerns with there being not enough. These views reflect the need to strike a balance to meet the needs for future residents in this highly sustainable location and to address potential amenity impacts arising from on street parking in the wider area. In my view, the car parking numbers is about right for this site in this location. The Local Plan encourages a modal shift away from private car usage in locations within good access to public transport links and shops and services. The site is conveniently located in terms of proximity to bus stops, the railway station and city centre. The car parking also takes into consideration the need to provide spaces for visitors which is important. The proposed layout has been designed to try and mitigate rogue parking within the site. I am therefore satisfied that the proposed car parking provision is acceptable to meet the needs for future occupiers whilst also encouraging alternatives modes of transport with the over-provision for cycle spaces and a dedicated car club space.

#### Cycle parking

8.1038 The proposal includes 541 cycle parking spaces which is an overprovision for the scale of development proposed. Most of these would be located within the apartment blocks (176) and basement (150). 151 spaces are proposed for the houses. Access to the basement by cycle would be via a shared stair ramp or the two oversized cycle lifts in blocks B.02 and B.05. The cycle parking provision for the houses is proposed within the curtilage of each plot. The cycle provision for each size dwelling is compliant with the Cycle Parking Guide. 64 visitor cycle parking spaces are proposed which are spread around the site at specific convenient locations. This equates to 1 visitor space per 3 dwellings. The proposal also includes the provision for off-gauge cycles within the cycle stores for the apartments and there is sufficient space within the curtilages of the dwellings to accommodate such cycles.

8.109 In my view the proposed cycle parking provision in terms of amount, location, access and convenience is acceptable to meet the demands of future occupiers as well as those visiting the site.

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

### Third Party Representations

8.111 Whilst I have responded to the concerns raised in the third party representations in the above sections of the report, I set out below a brief response to the concerns raised:

<b>Representations</b>	<b>Response</b>
<i>Design, scale and layout</i>	
Building B.09 is unacceptable due to its design, height and proposal to use red brick within the Conservation Area;	The design of B.09 has been revised and the applicant has proposed to use buff brick.
B.09 would be out of scale and character with the existing houses in Kingston Street and contrary to the SPD;	See para 8.29 to 8.31
B.09 should be removed and the proposed two storey mews continued in its place;	As above.
Concerns with the proposal not following the guidance in the SPD in terms of number of dwellings (167 to 184) and increased storey heights (B.02, B.05 and B.09);	The deviations from the SPD parameters have been properly tested and justified through a design led approach.
Concerns with the amount/density of development on the site;	The amount of development is characteristic of the density housing of the surrounding streets and the impacts of this scale of development have been fully assessed.
The length of the two north-south street are out of character the local streets;	The proposed street pattern is an acceptable response to the surrounding streets.
The 5 storey blocks extending 40 metres into the site from the	None of the apartment blocks extend 40 metres into the site

<p>railway would appear out of character with the local urban grain;</p>	<p>from the railway line. The additional storey heights have been properly tested and justified.</p>
<p>The proposed layout does not offer encouragement to pedestrians to walk in or around this area;</p>	<p>The proposal would provide good permeability into and out of the site for pedestrians and cyclists.</p>
<p>The contrast in between B.09 and B.02 is too great;</p>	<p>The relationships between blocks within the site have been fully tested and are considered appropriate.</p>
<p>6 storey buildings either side of the railway line (Ridgeons) will create an unusual and dark corridor;</p>	<p>The apartment blocks will create an edge of the railway line like other residential developments have done north of Ridgeons site. The scale of the railway land will mitigate any 'corridor' effect.</p>
<p>No mention of Free Library as part of the proposed development or its restoration and repair;</p>	<p>The Free Library is not part of this planning application. Its restoration and repair is the responsibility of the existing tenants and County Council.</p>
<p><i>Residential amenity</i></p>	
<p>Building B.09 would have a detrimental impact on the residential amenity of the residents in Kingston Street in terms of overshadowing/loss of light, loss of privacy and enclosure;</p>	<p>See para 8.77 8.86</p>
<p>Concerns with the impact from the proposed ground floor uses in B.09 on residents in Kingston Street in terms of noise/disturbance, environmental;</p>	<p>The originally proposed A use classes have been removed. The proposal now seeks permission for B1 or D1 use within a more confined space away from the properties in Kingston Street.</p>
<p>Concerns with overlooking from the windows in the side of B.09;</p>	<p>See para 8.77 to 8.79</p>
<p>Concerns with the location of the proposed bins store for B.09 and the noise and odour impact</p>	<p>The proposed bin stores serving B.09 have been amended to be they are enclosed and accessed</p>



this would have on residents Kingston Street;	via secure gates.
Concerns with potential vermin infestation;	If such arising then this will be an issue for the Environmental Services team to manage.
Concerns with security if side access is not gated;	The side accesses are now gated.
No information showing the impact of overshadowing of residents in Great Eastern Street and Cavendish Road;	This is because the residents in these streets are a significant distance from the site and will not be affected by overshadowing.
Overlooking impact from the proposed apartment blocks on the gardens Great Eastern Street and Cavendish Road;	As above.
Impact from noise pollution on residents in Great Eastern Street from the barrier of buildings;	The Environmental Services Team has not raised any concerns in this regard and there are similar arrangements elsewhere along the railway line where this has not been an issue.
<i>Highways issues</i>	
Concerns with increase in traffic generation on Mill Road bridge – tunnel or cycle bridge across the site would benefit the local community;	The Highway Authority has not raised any concerns with highway safety arising from the proposed development at this junction subject to conditions and highway improvements.
The proposed parking provision is not adequate and will put additional pressure on surrounding streets;	See para 8.100 to 8.103
Concerns with the mode split estimates, distribution of trips onto highway, junction capacity issues, use of PICADY to assess capacity in the Transport Assessment;	The Transport Assessment Team are awaited.
Concerns with potential increase in accidents on Mill Road which is an existing accident cluster site;	The proposal includes highway improvements to improve visibility.

Site access should be redesigned and a pedestrian crossing with traffic lights installed to improve highway safety;	The Highway Authority has recommended highway improvements which the applicant will be making.
Residents of new development should not be entitled to participate in the residents parking scheme;	This is a County Council matter.
Residents parking scheme should be introduced to cover Hooper Street, Sturton Street and Ainsworth Street to prevent non-residents/commuter parking;	This is a County Council matter.
Concerns with the potential for the Hooper Street access to be used as a rat-run for motorcycles/mopeds;	3 bollards are proposed at the proposed Hooper Street junction to restrict motorcycles/mopeds.
In this sustainable location car parking should be reduced;	The car parking provision is 0.65 which is similar to the surrounding streets.
Too much car parking is proposed for this development – should be car free – provision of car parking increases cost of each dwelling by £15-20,000;	The proposed car parking is an appropriate balance between the location of the site and needs of future occupiers.
<i>Open space, landscaping etc...</i>	
Additional housing would place more pressure on open space which is limited in St Matthews area and YMCA will not provide an additional space;	28% of the site area is proposed to be open space which will be available to the surrounding to use.
Improvements to the overgrown weed infested planted area of Hooper Street should be proposed to provide attractive gateway into site;	I have recommended a soft and hard landscaping condition.
Concerns with the size of the gardens for the family houses;	The size of the gardens for the family houses are similar to other new developments. The Council does not have any specific space standards.
Access to the CT between the	The CT is a County Council

<p>dwellings is poor and will leave it underused and open to crime;</p>	<p>project for which a separate application will be made which will contain specific details about the appearance of the trail.</p>
<p>Play areas are too disjointed;</p>	<p>The play areas have been carefully design and laid out in accordance with officers advice.</p>
<p>Cycle parking should be greater and more accessible;</p>	<p>The proposal would provide 541 cycle parking spaces including sufficient visitor spacing. I am satisfied that the proposal provides enough spaces which are accessible to residents and visitors.</p>
<p>Concerned with the isolation of the CT – development turns it back on the CT and not conducive to encouraging full use of it, contrary to policy 3/7 and 8/5;</p>	<p>The CT is a County Council project for which a separate application will be made which will contain specific details about the appearance of the trail.</p>
<p>Concerns that the CT will turn into a long, dark, unwelcoming back alley;</p>	<p>As above.</p>
<p>The development is impermeable to the CT route and concerned with the lack of information about the CT in the application;</p>	<p>Two of the internal links have been removed because they are not considered necessary and also could result in conflict with other cyclists/pedestrians from cyclists turning onto the CT from the site. The Headly Street access would provide a link into the site from the CT.</p>
<p>Concern with the removal of the intermediate links to the CT south of the Hooper Street access;</p>	<p>As above.</p>
<p>Concerns the quality of the CT is being diluted;</p>	<p>Specific details for the CT will be brought forward by the County Council.</p>
<p>Concerns with the lack of consideration for ecology;</p>	<p>The Nature Conservation Officer has not raised any concerns and has recommended a bird box condition.</p>

Eagle Park should be located along the southern side of Hooper Street to make it inviting to local residents;	An access into the site has been created to invite local residents into the park. Relocating the proposed park to Hooper Street would detach the park from the future residents. The proposed approach achieves a good balance.
Concerns with access to the cycle lift in B.02 – doors are not wide enough should be 1.2 metres not 1.0 metre.	The doors to the cycle lift are acceptable and compliant with the Cycle Parking Guide.
Some provision for larger cycles such as adapted cycles and cargo cycles on the ground floor or accessible via the lift should be made;	The cycle cores within the apartment blocks have been made wide enough to accommodate cargo bikes.
<i>Other issues</i>	
Concerns with the increase in population on local services such as nurseries, schools, doctors and dentists;	See para 8.
The non-residential space for small businesses is supported;	Noted.
Concerns with the proposal for retail and food space on the site considering location of Mill Road shops;	This has now been removed from the proposal.
Retail use is not necessary on the site;	As above.
Concerns with no community centre provision – this should be provided;	The proposal includes the provision for the ground floor of B.09 to be used for community provision. The YMCA proposal is proposed to include a dedicated community facility.
Concerns with the loss of the Women's Resource Centre without any alternative site;	The WRC were given several alternative locations to move to. I understand they have been relocated.
Concerns with lack of community facilities and additionality that would result in the YMCA proposal;	The proposed community provision is to include a dedicated community facility which would be over and above

	the community provisions provided by the YMCA.
Concerns with the accuracy of the red line plan and ownership of the land – the application should be returned unprocessed to the applicant;	I have received confirmation from the applicant that the red line is correct and the landowner dispute has been determined in the applicant's favour by the Land Registry.
The brick pillar at the foot of the bridge is owned by Network Rail by they have not been notified and no details of the proposed remodelling of the foot of the bridge have been submitted;	Any removal of third land/infrastructure will require the approval of the landowner.
There must be a thorough site investigation for contaminants before any proposal to build;	This will be carried out prior to any development.
Any demolition or building work on the site using pile drivers could potentially lead to below ground contaminants being disturbed, leaking out into the groundwater;	Concerns noted.
Concerns with the potential increase in air pollution cause by engines running to leave/enter a one entrance site on to or off an already congested, heavily trafficked road;	Lower car parking and provision for electrified charging points will help to reduce pollution in the long term.
<i>Comments on amendments</i>	
Concerns with the impact from increased traffic generation;	The proposed traffic generation needs to be assessed in conjunction with the existing movements. The Transport Assessment Team comments are awaited.
The mews houses overlook and block light into the adjacent Kingston Street properties;	The mews terrace do not have any windows at first floor level in the rear elevation so would not cause any overlooking issues. The daylight and sunlight assessment has demonstrated that the proposal would not

	cause any significant levels of overshadowing.
Concerned with the loss of two silver birch trees (instead of one originally) and the impact on birds;	The loss of the silver birch does not outweigh the benefits of the overall proposal. Also, the proposal will include new tree planting.
Concerns with the reduction in the number of trees within the development;	The number of proposed trees is acceptable for this site.
Disappointed the revised plans have not addressed concerns raised about inclusion of a Women's Resource Centre;	The WRC has been relocated.
The revised plans do not address concerns with the height of the apartment blocks;	The additional height of the apartment blocks over the parameters has been carefully assessed and is considered to be acceptable in this location.
Concerns with the impact of car parking on the surrounding streets and air pollution associated with increased vehicle movements;	The site is located within a highly sustainable location in terms of proximity to the railway, local shops, city centre which are within walking distance. This would in my view limit the amount of vehicle movements necessary.
The revised B.09 is still three storey and has not overcome previous concerns;	B.09 has been modified in height, form and layout such that it would not cause significant harm to the residential amenity if the adjoining neighbours.
The dark grey brick for the mews houses is would not out of character;	Dark grey brick would add contrast to the surrounding the palette of materials.
Concerns with the quality of neighbourhood life if properties are rented out to short term tenants;	
Concerned with the future height of the rear wall serving the Kingston Street properties when buildings are demolished;	The minimum height of the boundary wall is proposed to 2 metres. The applicant has notified all the residents affected

	with a Party Wall Agreement.
--	------------------------------

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

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

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

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

8.113 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.

8.114 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 applicant has 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>
City Council Infrastructure	
Informal open space	Onsite provision with shortfall to be provided through offsite contribution (see below)

Provision for children and teenagers	No contribution sought.
Indoor sports	£102,354 towards the provision and/or improvement of and/or access to, indoor sports facilities at the Abbey Pool.
Outdoor sports	£90,559 towards the improvement to and enhancement of the artificial grass pitch carpet (from sand to rubber crumb) at Coldham's Common.
Community facilities	£256,770 – towards providing/improving additional equipment and/or facilities as part of community meeting space on the Mill Road Depot site.
Affordable housing	50% provision on site. Tenure and dwelling type mix to be submitted for approval.
County Council – Education / Refuse	
Early years	£314,835 towards offsite provision – no project identified – triggers – 50% prior to commencement and 50% prior to occupation.
Primary School	£545,714 towards offsite provision – no project identified – triggers – 50% prior to commencement and 50% prior to occupation.
Secondary School	£475,524 – towards expansion and redevelopment of Chesterton Community College – triggers – 50% prior to commencement and 50% prior to occupation.
Life Long Learning (Libraries)	No contributions sought
Strategic waste	No contributions sought
Monitoring	£650
County Council – Transport	
Public highway	Delivery of site access improvement including works within the public highway.
Chisholm Trail	Proportionate contribution towards Chisholm Trail.

8.115 Subject to the completion of a S106 planning obligation to secure the above 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.

### Affordable Housing

8.116 The development is required to make provision for affordable housing and I have assessed the proposals for affordable housing in paragraphs 8.13 to 8.18 above. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement. 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).

### Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

9.1 The proposal is for the redevelopment of the existing Mill Road Depot site for residential development consisting of 182 dwellings including 50% affordable housing, the provision of open space and the provision for the Chisholm Trail along the eastern boundary of the site. The proposal also includes a basement car park, cycle and bins storage and hard and soft landscaping.

9.2 The proposed development has had extensive pre-application consultation with variety of consultees prior to its submission. Nevertheless, the scheme has been amended post submission to address issues that were not satisfactorily resolved at the pre-application stage and to take on board local concerns.

9.3 The proposed development has been guided by the SPD for the site which is material consideration and is due to be adopted following the adoption of the emerging Local Plan (2014). The SPD contains several development parameters including site layout, building height, open space and transport and access. The proposed development is largely compliant with these parameters save for building height and open space. The building heights have been exceeded along the eastern boundary where the SPD recommended

typical building heights of 3-4 storeys and the potential for a 5 storey adjacent to the south-east corner. The proposed development following amendments to the proposal, now exceeds the building height on four of the six apartment blocks by a single storey. Concerns have been raised with the height of the apartment blocks along the eastern boundary in terms of their impact on the character and appearance of the Conservation Area which was considered to amount to substantial harm. In order to demonstrate the additional storeys would not cause substantial harm, a townscape and views assessment was submitted with the application and updated following revisions to reduce the height of B.05. I have carefully considered the balance between a harmful impact on the Conservation Area with the significant public benefits that would arise from the development. These amount to a significant number of affordable homes and provision of a sustainable, well connected development.

- 9.5 In terms of residential amenity, the proposed development has been carefully assessed to ensure it does not have a significantly detrimental impact on the adjoining and surrounding residents. I have concluded that there will be some degree of impact on residents of surrounding properties but the impact would not be significant.

## 10.0 RECOMMENDATION

**APPROVE** subject to completion of the s106 Agreement, including identification of education projects to be delegated to officers, and the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting 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 the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5.

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

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

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

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

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

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

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

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

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

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

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

The combined sound rating level of sound emitted from all fixed plant and/or machinery associated with the development at the use hereby approved shall not exceed the sound rating level limits specified within the Mott Macdonald 'Mill Road Depot, Cambridge Noise and Vibration impact assessment report dated 18th December 2017 (Document reference: 383347NS01 | 01 | D)'.

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

14. Prior to the commencement of development/construction, details of an alternative ventilation scheme for the habitable rooms within blocks B2, B3, B4, B5, B6 and B7 on the east and south façades to negate / replace the need to open windows, in order to protect future occupiers from external traffic and railway noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system.

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

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

15. Prior to the commencement of development/construction, a noise insulation / attenuation scheme as appropriate, detailing the acoustic /noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the residential units as a result of high ambient noise levels in the area from road and rail shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

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

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

16. Prior to the commencement of development, a detailed ground-borne mitigation building design scheme demonstrating how the propagation of ground-borne vibration including reradiated vibration noise within blocks 2 - 7 is to be controlled to ensure that vibrations from railway traffic are not amplified between the foundations and the receiving rooms, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the amenity of future occupants from vibrations attributed to the use of the adjacent railway line (Cambridge Local Plan 2006 policy 4/13)

17. Prior to the commencement of above ground works to any units within blocks B2, B3, B4, B5, B6 and B7, on the east and south elevations, full details of the design and construction of the enclosed winter gardens located on the east and south elevations of said blocks, including the acoustic / noise insulation performance specification of the glazing, to reduce the level of noise experienced at the residential units as a result of high ambient noise levels in the area from road and rail shall be submitted to and approved in writing by the local planning authority.

The winter gardens shall be installed in accordance with the approved details and retained in situ thereafter.

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

18. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded) as detailed within the Mott Macdonald "Mill Road Development - Lighting Strategy" document dated 8th December 2017.



The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

19. The B1 or D1 use space on the ground floor of B.09 shall be open only between 08:00 and 23:00 Monday to Saturday and 09:00 and 18:00 Sunday and Bank Holidays.

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

20. Amplified music shall not be permitted on the ground floor of the B.09 building at any time.

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

21. Before the development hereby permitted is commenced, a scheme for the insulation of the ground floor of B.09 building in order to minimise the level of noise emanating from the said building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the building hereby permitted is occupied and shall be thereafter retained as such.

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

22. Prior to occupation, further information shall be submitted and agreed in writing by the local planning authority in relation to the technical specification of the proposed gas fired Combined Heat and Power System, including emissions standards. Any gas fired CHP shall meet an emissions standard of:

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

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

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

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

23. The industrial plant approved under Condition 22 shall be installed in accordance with the approved details before the first occupation of the development and shall thereafter be retained as such.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

24. The development hereby approved shall utilise low NO<sub>x</sub> boilers, i.e., boilers that meet a dry NO<sub>x</sub> emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality. Details of the boilers shall be submitted to the local planning authority for approval prior to installation.

A manufacturers NO<sub>x</sub> emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority. The details shall demonstrate compliance with the agreed emissions limits. The scheme as approved shall be fully carried out in accordance with the approved details before first occupation and shall be thereafter retained.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

25. The electric vehicle charge points and associated infrastructure as detailed in and as shown on drawing numbers 17024\_07\_099 (Basement Plan) and 17024\_07\_109 (Houses) shall be installed prior to use of the development hereby permitted and maintained thereafter.

Reason: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF) Paragraph 35 and Policy 4/14 of the Cambridge Local Plan (2006).

26. The provision of an allocated car club car parking space and car club vehicle as detailed in the Air Quality Assessment (Ref: DM/JEB/P17-1283/02) shall be agreed prior to first occupation of the development hereby permitted and maintained thereafter.

Reason: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF) Paragraph 35 and Policy 4/14 of the Cambridge Local Plan (2006).

27. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

28. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

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

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

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

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

31. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

34. Development shall not commence until a construction management strategy for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy shall be implemented for the duration of the construction period.

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

35. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority

Reason: To ensure appropriate foul water drainage. (Cambridge Local Plan 2006 policy 4/16)

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

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

37. 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)

38. No development shall take place until full details of Sustainable Urban Drainage/landscape features 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, low flow channels, details showing method of inflow and outflow and detailed design of such features, sections showing details of lining, dimensions, construction, surface treatment, details of culverts, gulleys, rills etc. Details of softworks to drainage features. The development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate landscaping and surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

39. No development shall take place until full details of the play areas 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: location and general arrangement, levels, play equipment, surfacing, fencing, seating and other furniture, lighting and softworks. The development shall be carried out in accordance with the approved details.

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

40. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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

41. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

42. 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)

43. Prior to the installation of any surface material except for access requirements, sample panels for all surfacing types shall be required to a minimum size of 1.0 x 1.0m complete with the correct laying patterns and jointing. The sample panel shall be retained on site during the course of the development unless otherwise agreed.

Reason: In the interests of the visual amenity and to ensure that the quality and colour of the detailing of the paving. (Cambridge Local Plan 2006 policy 3/12).

44. Before starting any brick work, sample panels (minimum 1x1m) of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

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

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

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan

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

A. the statement of significance and research objectives;

B. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

C. The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.



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

47. Prior to first occupation, a scheme for the type and location of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Reason: To improve the bio-diversity contribution of the site (Cambridge Local Plan 2006 policy 3/1).

48. The approved renewable and low carbon 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.

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

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

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

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

50. Prior to the commencement of development (or in accordance with an alternative timetable otherwise agreed in writing by the local planning authority), with the exception of any works of demolition or below ground works, 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).

51. The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

In the interests of residential safety (Cambridge Local Plan 2006 policy 3/7).

52. Prior to the first occupation of the development hereby approved, the highway works associated with the S278 highways work shall be carried out fully in accordance with the approved details.

Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

53. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed street trees within the development have been submitted to and approved in writing by the Local Planning Authority. The street trees shall thereafter be maintained in accordance with the approved management and maintenance details unless local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

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

Hard copies can also be provided upon request

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

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

**INFORMATIVE:** The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Council's website on <https://www.cambridge.gov.uk/land-pollution>  
Hard copies can also be provided upon request.

**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)

**INFORMATIVE:** The principle areas of concern that should be addressed are:

i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)

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

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

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

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

**INFORMATIVE:** The developer is advised that part of the proposed structure may support future public highway. Prior to commencement the developer must contact the Highway Authority to provide an Approval In Principle document in accordance with BD2 Volume 1 Highway Structures: Approval Procedures and General Design, Section 1 Approval Procedures of the Design Manual for Roads and Bridges.



## Appendix Two – Comments from Urban Design and Conservation

### Conservation Officer comments

1<sup>st</sup> comments:

The proposed development is unacceptable and should be refused for the following reasons:

- 1. The scale, design and prominence of the proposed eastern blocks within the site fails to preserve or enhance the character or appearance of the of the conservation area contrary to 2006 Local Plan policy 4/11 Conservation Areas.*
- 2. The proposals detract from the conservation area and its setting contrary to policy 3/13 Tall Buildings.*
- 3. The proposal for a number of 5-6 storey blocks fails to demonstrate that it has a positive impact on the setting in terms of location on the site, height, scale and form, materials, wider townscape and available views and is therefore contrary to policy 3/12 “The Design of New Buildings”.*

### Summary

As the site is within a conservation area therefore the LPA has a statutory duty *to pay special attention to preserving or enhancing the conservation area when determining the planning applications.*

The Mill Road Depot SPD acknowledged that “it is vital that detailed proposals respond to the wider context established in the Mill Road Conservation Area.” This reflects Local Plan policy 4/11 which requires that the design of any new building preserves or enhances the character or appearance of the Conservation Area. Mill Road area has special character but the proposed scheme is not “of Mill Road”.

Few buildings in the Mill Road area reach even four storeys and then only as isolated instances punctuating the prevalent 2-3 storey townscape. However, the application includes bulky blocks of five and six storey height. Buildings of this nature in the position proposed will seriously harm the character or appearance of the conservation area.



Local Plan policy requires the five and six storey blocks are treated as *tall buildings* in policy terms. Under this policy, “new buildings which are significantly taller than their neighbour” will only be permitted if they will not detract from conservation areas and their settings.

The NPPF para 132 advises that when considering the impacts on a designated heritage asset (eg conservation area), *great weight* should be given to its conservation. It further advises that where a proposed development will lead to substantial harm to the conservation area, *consent should be refused unless there are substantial public benefits that outweigh that harm.*

It has not been demonstrated that the current scheme is the most sensitive of a range of designs or different orientations, that minimises harm and delivers public benefits in the most sustainable and appropriate way.

## **Background.**

### **The Listed Buildings & Conservation Areas Act**

S72 is a general duty as respects conservation areas in exercise of planning functions.

In the exercise, with respect to any buildings or other land in a conservation area, of any [Planning functions or provisions] ***special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.***

### **Local Plan 2006**

#### 3/12 The Design of New Buildings

New buildings will be permitted where it can be demonstrated that they: a. *have a positive impact on their setting in terms of location on the site, height, scale and form, materials, detailing, wider townscape and landscape impacts and available views;*

#### 3/13 Tall Buildings and the Skyline

New buildings which are significantly taller than their neighbours and/or roof-top plant or other features on existing buildings, will only be permitted if it can be demonstrated that they **will not detract from: a,b,c,d. Conservation Areas and their settings;**

#### 4/11 Conservation Areas

Development within, or which affect the setting of or impact on views into and out of conservation areas, will only be permitted if: a... b. *the design of any new building* or the alteration of an existing one *preserves or enhances the character or appearance of the Conservation Area* by faithfully reflecting its context or providing a successful contrast with it; c....

### **Local Plan Review**

Policy 60: Tall buildings

“Any proposals that are considered tall, that is significantly taller than the

buildings that surround them and/or exceed 19m within the historic core (see

Section Three, on the City Centre) or 13m outside it, will be considered

against the following criteria”

- a. location, setting and context
- b. historical impact
- c. scale, massing and architectural quality
- d. amenity and microclimate
- e. public realm

Appendix F notes that

“F.4 Cambridge has not experienced pressure for exceptionally tall structures as in

larger cities such as London, Birmingham and Manchester. However, it does face

pressure for ***buildings that are taller than the prevailing built form across the city at between five and ten residential storeys. Given the relatively modest scale of buildings in Cambridge, this increased height has the potential to impact on both the immediate and wider skyline.***”

### **NPPF**

131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

132. *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.*

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.....

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

### **Mill Road Depot Planning and Development Brief SPD**

In its “***Vision & Key Principles***” the SPD states (3.1):

“The design will ***respect the typical form, scale and character of buildings and streets in the Mill Road Conservation Area***, exploiting opportunities to incorporate taller buildings up to four storeys adjacent to the railway at the eastern boundary of the site.....”

4.6.7 A range of building heights should be provided across the site to create visual interest and character (see figure 42). ***It is vital that detailed proposals respond to the wider context established in the Mill Road Conservation Area.***

4.6.8 In broad terms, typical building heights are likely to follow a distinct east-west pattern across the site. The westerly line of building frontages, potentially involving the retained coach house-style buildings, proposed for refurbishment form **a tight two storey edge at the western boundary** of the site adjacent to private gardens to the rear of properties on Kingston Street. Buildings in the **centre of the site will typically involve 2-3 storeys** depending on the exact house types proposed. At the eastern edge of the site, it is proposed that **the apartment buildings increase up to 4 storeys**. Façades of any apartment building will need to be broken down to avoid the appearance of a long, horizontal edge to the railway line. **A taller buildings, e.g. maximum of 5 storeys, could be** appropriate at the south eastern edge of the site.

## **Discussion.**

### **The Character and Appearance of the Conservation Area.**

A conservation area is “an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”.

The Mill Road area is a contrast to other parts of central Cambridge. According to the conservation area appraisal, the Mill Road area is a well-detailed and well-preserved Victorian suburb - *this is its special interest or significance*. To usefully assess context, the appraisal necessarily addresses the Mill Road area as a discrete entity (within the Cambridge central conservation area). Physical characteristics include the character of the 2-3 storey houses and the linear streets. Houses on pavement edge or with narrow front garden, Brick timber and slate, pitched roofs, on street parking, open space as set pieces (eg Mill Road Cemetery, Romsey Recreation Ground, Ditchburn Place).

Character is not only about physical appearance - the character of a place is a group of qualities. The Mill Road area is celebrated for its particular retail character, its strong sense of identity, its winter fair. It is a demonstrably “different” part of Cambridge.

According to Wikipedia for instance, “It runs southeast from near to Parker's Piece, at the junction with Gonville Place, East Road, and Parkside. It crosses the main railway line and links to the city's ring road (the A1134). It passes through the wards of Petersfield and Romsey, which are divided by the railway line. It is a busy, cosmopolitan street home to many independent businesses, churches, a Hindu temple and a mosque.”

The railway line (though not actually within the designated area) is important to the setting of the conservation area and is a recognised feature associated with it both visually and historically.

The railway bridge allows wide views of the surroundings. Chimneys and the roofs of terraced streets can be seen. Nothing is taller than the top the building running parallel with the old library. The chimneys of the locally listed houses next to the bridge feature. At some distance, the cluster of taller buildings can be seen marking the railway station cb1 area. Views sideways from the top being parapeted, are had from buses but the approaches either side are open and pedestrians travelling from the west can see into the site

obliquely once past the old library and Regent buildings, and from the east can view the railway side of the site.

### **Mill Road Conservation Area Appraisal & the Depot.**

1.2 (page 2). **“Overall, the Conservation Area provides an example of a well-detailed and well-preserved Victorian suburb with only a few examples of modern infill.”** At page 3, “A large City Council Depot off Mill Road is surprisingly discreet.” Further, the appraisal townscape analysis maps include a Negative Buildings notation (one such building is marked west of Kingston Street), this notation is not used on the Depot site however. In other words, visually the Depot neither reinforces nor detracts from the key characteristics of the CA. The Depot can therefore be said to have a neutral presence.

In terms of heritage value (four types of value identified by HE in eg “Managing Significance in Decision Taking” GPA2 HE. Enhancement 32.” Sites in conservation areas that could add to the character and value of the area”), it has a degree of “communal” or “historic” value (eg the Eagle Foundry originally on the site was one of the earliest (c. 1845-1859) features of the Victorian development of Mill Road) as distinct from “aesthetic” or “evidential” values for its industrial then later, Corporation depot use. The Depot’s 1905 gatehouse with its inscription to the City Corporation, provides a tangible connection with the site’s use.

#### Setting – NPPG para 013

“The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

“The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.”

This is important for understanding the railway role as a contributor to the setting of the conservation area at Mill Road. Also, the historic relationship between places – referred to in the NPPG extract, is relevant to the schemes impact from Gt Eastern Street. That “buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each” (ref first para of above extract). The row of tall blocks has impacts in these terms – it creates separation between the two halves of the conservation area.

As tall buildings, the apartment blocks are not in locations the Local Plan Review (Submission version Apndx F .31) regards as those where tall buildings could potentially, have positive impacts, eg local nodes, key city street junctions, ends of important vistas, or in/around principal transport junctions. The situation is very different to that at CB1, the railway station area where “tall buildings” have been considered appropriate.

Beyond creating a transition of scale across the site, there is no “strategic” justification for buildings of scale in the position proposed – they are not an arrival point (like the station) or a significant node nor marking an entrance to the city.

The submitted views, demonstrate that the buildings will be visible from a number of points:  
mainly from Mill Road bridge – in context with the railway line;  
Ainsworth Street – in context with the two storey Victorian terrace housing; and  
Gywdir Street – in context with the roofscape of the dwellings in Kingston Street.

Views across the railway form an aspect of the setting of the Romsey side of the area. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. From either side, the existing character is of openness and small scale elements.

The appearance of the apartment block element of the scheme is contrary to the characteristics of built development in the Mill Road area. The scale and extent of the blocks introduces a form that would be different in the area. Different can be a successful contrast but in this particular case is not judged to be positive or to *enhance* the conservation area. It would not mark a building of significant function (eg church, community centre, warehouse etc). A visual

barrier would be erected dividing the halves of the conservation area whereas it is currently open. The choice of proposed external materials (and steel) may reflect instances of use of red or grey brick in the conservation area but their use over the sheer surfaces of 5-6 storeys apartment blocks would amplify the building's scale.

As a result of the choices made in the design of the site, overall, the proposed scheme does not reflect Mill Road area - it has the appearance of a scheme for a periphery growth areas or new settlement.

The scheme has the appearance of a periphery growth area or a new settlement.

**Setting of the Listed Building.** The red line boundary of the full Planning application excludes the Mill Road frontage, the entrance lodge, Listed former library etc. In terms of the setting of the Listed former library, any change due to the current application affects its wider rather than its immediate setting. I do not consider any benefit to its setting to arise from the current application.

#### **The level of Harm.**

Application proposals should recognise, minimise, and justify any harm to the conservation area.

Issues that have previously been identified as part of the conservation area appraisal included "the protection of views into, out of and across the conservation area" (page 4).

That the SPD acknowledged a need for special justification for even four storeys, implies that this taller scheme necessitates a yet greater level of harm and greater degree of justification.

The extra height of the proposals cause harm to the significance of the heritage asset (conservation area). Submitted view 08 shows the taller building visible over the roof of houses at Gwydir Street car park; verified view 12 Ainsworth Street, shows the harmful effect of the top two storeys of one of the taller blocks as does 13 - even as background elements, the blocks at 5-6 storeys would have an incongruous presence in the conservation area which would be reduced in buildings of less height. From the east in view 02, the extra height takes the blocks higher than the tree that otherwise provide some screening. However, the fixed views submitted do not adequately describe the impact on wider views appreciated as a

person *moves* across the bridge – a key vantage point in the conservation area.

Mill Road railway bridge is one of the reference points (F.22) specifically highlighted in the Local Plan Review Tall Buildings appendix. Also, an important positive view from the railway bridge north is denoted on the CA appraisal townscape analysis map. The applicant's statement that the proposed apartment blocks, would have "no impact on the character and appearance of the Conservation Area in views from the east side of Mill Road bridge", fails to recognise that the apartment blocks would feature not simply from the one or two static views represented in the submitted views. In reality, views here are not limited to one angle or direction. The scale and openness of the area can be seen in a sweep around the bridge or its approach from the east.

Rather than introducing one taller building at a point indicated in the SPD, the application introduces a run of buildings above 4 storeys. The site - currently "discreet", would become *prominent* due to the scale and design of the apartment blocks, and in a manner that would not reinforce the significance of the conservation area nor preserve its character or appearance.

The appearance of the development would work against perception of the fundamental significance of the Mill Road area – as an area of homogeneous character; the Romsey and Petersfield parts joined not separated by the railway, and as an area that contrasts with the city centre.

Because of the crucial location of the tall blocks next to the railway; their scale (beyond the SPD) and presence as a result of 5-6 storeys; the challenge they would signal to the fundamental character of the area; and the sensitivity of the conservation area already having been raised as an issue in the appraisal, their impact should be regarded as creating substantial harm in terms of NPPF para 133.

The level of harm has not been clearly and convincingly justified as required by NPPF Para. 132 ('As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'). as being for example, "the most sensitive of a range of designs or different orientations, that minimises harm and delivers public benefits in the most sustainable and appropriate way".



Paragraph 4.6.9. of the SPD acknowledged that although few buildings in the conservation area reach four storeys ***an exception for a 4 storey apartment block could be made*** on the grounds of : a positive context for investment; separation and screening from the nearby streets; seeking highest design quality and avoidance of long horizontal facades ie *it was necessary to invoke exceptional circumstances*. To now seek to justify scale even further beyond that in the SPD, therefore carries the implication that additional harm has to be justified.

The limited justification for moving from the original brief/SPD in the submitted D&A Statement simply states (page 28):

The first of these are imperatives that remain subject to detail on a case by case basis. Regarding the last, it is unclear how the special character of Mill Road area was taken into account in the comparison with other sites in Cambridge or whether these sites are comparable in terms of constraints.

With reference to the NPPG (019) it has not been demonstrated that in the context of harm to the conservation area, the current proposals (rather than alternative development options) will minimise that harm and “will deliver public benefits in the most sustainable and appropriate way”.

2<sup>nd</sup> comments – following submission on amended plans and additional information:

It is considered that there are no material Conservation issues with the amendments/additional material submitted for this application.

Urban Design

1<sup>st</sup> comments:

The proposed development is unacceptable and should be refused for the following reasons:

- *Block B.05: The overall scale is considered to be excessively tall for the location on the site and creates an overly bulky form that is harmful in key views looking south from Ainsworth Street in the Conservation Area. As such the proposals fail to meet Policies 3/4 and 3/12 of the Cambridge Local Plan (2006).*

- *Building B.09: The flat roof form and use of red brick across an entirely blank and unrelieved western elevation combine to create a building that will be overbearing in scale against the finer grain terraces of Kingston Street. As such the proposals fail to meet Policies 3/4 and 3/12 of the Cambridge Local Plan (2006).*

The Urban Design comments will be limited to the design of the proposals in terms of the approach to scale and massing, quality of public and private amenity spaces and the overall architectural approach taken by the proposals. Our comments will assess compliance and departure of the proposals with the Mill Road Depot Supplementary Planning Document (SPD) of June 2016.

*Draft Mill Road Depot Planning and Development Brief Supplementary Planning Document (March 2017);*

The compliance with the SPD parameters is considered in detail under the relevant headings in these comments. In summary however, the scheme is consistent with the Transport & Access parameter and Uses parameter. There is a significant departure in terms of the overall scale and massing identified in the Building heights and types parameter in terms of the overall height of buildings along the eastern side of the site adjacent to the railway. The amount of open space falls below that identified in the SPD.

*Townscape and Views Assessment (December 2017)*

A comprehensive 'Townscape and Views Assessment (December 2017)' has been submitted to satisfy Policy 3/13. This assessment has reviewed 21 views from publically accessible locations around the site taking in key vantage points, longer range views as well as more local views.

The views considered to be most sensitive have been provided as full rendered visualisations and are limited to Mill Road Bridge (View 02), Hooper Street/Kingston Street junction (View 09) and Ainsworth Street (View 12).

We largely support the conclusions of the assessment in terms of the assessment of the overall visibility of the scheme. However we are unconvinced by the conclusions reached to the assessment of the impact of the proposals from Ainsworth Street captured in Viewpoint 12 (verified view – fully rendered visualisation) and Viewpoint 13 (verified view – building outlines). The overall height of

Building B.05 is clearly visible above the prevailing and proposed built form and in our opinion appears incongruous against the prevailing character of the Conservation Area.

*Response to context;*

The development site is relatively discrete with limited viewpoints from publically accessible areas in the nearby and wider Conservation Area. The overall approach to the likely acceptable development form is contained within the Development Parameters that combine to form the overall development framework for the site.

Conservation colleagues will be providing detailed comments regarding the acceptability of the proposals in terms of impact on the Conservation Area. However we have suggested some more detailed changes to particular elevations on Hooper Street, to the overall height of Building B.05 and form of B.09 elsewhere in these comments that we believe are needed to create an overall form of development that is more appropriate to the prevailing context.

*Movement and Access*

The SPD establishes the Transport and Access framework for the site as well as safeguarding the alignment for the Chisholm Trail along the eastern boundary.

The proposed layout in the submitted application creates the north-south links established in the SPD framework but omits the proposed secondary east-west link shown in Figure 28 of the SPD. An emergency vehicle access is proposed via the pedestrian/cycle link connecting into Hooper Street.

Overall the network of pedestrian, cycle and motor vehicle routes creates a permeable and well-connected grid that is consistent with the SPD and the established alignment of routes found in this part of the Mill Road Conservation Area.

The proposals safeguard the route for the Chisholm Trail that runs along the eastern boundary of the site and facilitates the connection into the wider on-street network.

*Layout*

The Transport and Access framework helps to establish the overall layout of the development reflecting the predominantly north-south

orientation of surrounding residential streets in the Mill Road Conservation Area. The layout provides two areas of open space to serve the development and wider area. The overall layout is largely consistent with the SPD.

### *Scale and massing*

The SPD established the overall approach to the acceptable scale and massing on the development site. Lower development against the western boundary with the Kingston Street properties is shown in Figure 42: Building Heights of the SPD with taller development along the eastern side of the site adjacent to the existing railway line. The SPD also identified a location for a taller 5 storey building to the south-eastern section of site.

The proposals are compliant with the SPD in that they follow the overall massing strategy identified in Figure 42. However the proposed scheme departs from the massing strategy in four key areas.

- **Building B.02** occupies the area identified in the SPD as an ‘opportunity for taller development’ which in Paragraph 4.6.7 states ‘A taller building, e.g. maximum of 5 storeys, could be appropriate at the south eastern edge of the site’. Building B.02 is proposed at 6 storeys which exceeds the SPD guidance by one storey. This part of the site is considered to be the least sensitive in terms of proximity to existing residential development. The additional height, when assessed from the submitted viewpoints, is not considered to be harmful in overall urban design terms although colleagues will be making detailed comments with regards to the overall impact on the Conservation Area. The overall increase does not impact on the quality of amenity spaces provided on the development.
- The overall height of the apartment blocks **Buildings B.03 and B.04** along the eastern boundary exceeds the SPD guidance by a single storey. Building B.07 exceeds the SPD guidance by 1-2 storeys. The additional height, when assessed from the submitted viewpoints, is not considered to be harmful in overall urban design terms although Conservation colleagues will be making detailed comments with regards to the overall impact on the Conservation Area.

- **Building B.05** - Viewpoints 12 and 13 demonstrates the negative impact of the increased scale of the development in views looking south from Ainsworth Street whereby the bulk of Building B.05 is visually intrusive above the proposed Hooper Street terrace and incongruous in the overall finer grain and articulated roofscape of this section of the Conservation Area. Suggestions for amendments to this Building are made elsewhere in these comments.
- **Building B.09** against the western boundary is proposed at 3 storeys. The 3 storey form is proposed to close down the view when looking north from the Mill Road entrance to the site and is considered to be successful in this regard. However the overall height and form of the building in close proximity to the boundary of the Kingston Street properties is considered problematic. The flat roof form and use of red brick across an entirely blank and unrelieved western elevation combine to create a building that will be overbearing in scale against the finer grain terraces of Kingston Street. A more articulated form (possibly to read at 2.5 storeys with accommodation in the pitched roof roofspace) that is moved further away from the boundary would create a more successful relationship with the existing dwellings to the west.

### *Daylight and sunlight assessments*

The applicant has submitted a 'Sun hours on ground assessment' prepared by GIA for all of the Public Open Spaces on the development. This assessment reveals that all of these spaces pass and exceed the minimum BRE guidance.

The GIA 'Daylight & Sunlight – overshadowing impacts assessments (14th December 2017)' has assessed the impact of the proposals on private amenity spaces to the east of the site. Existing Units 1 & 2 see the most impact but we are suggesting a revised approach to the scale and massing elsewhere in these comments that will improve this relationship. The conclusion to this assessment is that all properties meet the minimum criteria identified in the BRE guidance (including units 1 & 2) and a number of units will see an improvement over their current situation given the increased setback of the proposed 'mews' houses.

### *Open Space and Landscape*

Figure 33 Open Space in the SPD establishes the distribution of open space on the Mill Road Depot site. The SPD establishes that the site (2.7Ha) could accommodate between 20 and 25% of open space including the land safeguarded for the Chisholm Trail. It recognised that it would not be possible for the site to accommodate open space to meet the full Council Open Space standards whilst delivering the indicated 167 units.

The scheme proposes an increased number of units (184) on a smaller site area (2.15Ha). The DAS (page 122) identifies the Landscape Strategy which identifies 'green open spaces'. The approximate area of each of these spaces is shown below:

- Eagle Park: 269.37m<sup>2</sup>
- Eagle Foundry Street Gardens: 1213.97m<sup>2</sup>
- Area to the east of 'The Limes': 297.44m<sup>2</sup>
- Total open space area: 4200.78m<sup>2</sup> or 0.42Ha

This equates to 19.5% (excluding the area identified for the Chisholm Trail) of the site being public open space. This is close to the minimum amount of open area space indicated in the SPD.

Paragraph 4.4.10 of the SPD highlights the importance of undertaking shadow studies to 'demonstrate that the public open space receives a reasonable amount of sunlight'. The GIA study referred to earlier in these comments demonstrates that the proposed spaces meet and exceed the minimum BRE guidelines.

The need for a clear management plan for the areas of public realm and landscape/open space will help to mitigate potential concerns around the intensity of use of these spaces by future residents. It is also worth noting that all units benefit from outdoor private amenity spaces and all 'family houses' have gardens.

Landscape colleagues will be providing detailed comments regarding the landscape proposals. The one key area that we would highlight, that relates to the functional design of the parking provided for the townhouses (H.23-H.32) that front onto Eagle Foundry Street, is the potential for overrun of the proposed landscaped areas by vehicles attempting to manoeuvre into the parking spaces (see drawing: MMD-367749-C-DR-01-XX-1125). These need to be adjusted and a tracking diagram provided to demonstrate that they work.

*Elevations and Materials*

The overall approach to the elevational design within the scheme is supported in urban design terms along with the chosen palette of materials. However there are a number of changes that need to be made in order to create a development that sits more comfortably into the surrounding established context. These changes are described in more detail below.

### *Building typologies*

#### Houses - Hooper Street elevation (Units H48, 49, 50, 51, 52 & 53)

- Unit H48 needs to be 'grander in appearance' respond to the context whereby individual houses are often set back with a bay window and more fancy dentil course.
- H49, H50, H51, H52, H53 – these would be better paired (i.e. front doors adjacent) to respond to the character and configuration of the row/terrace houses in the locale.
- Both H48 and H49 are very blank at ground floor where they face onto the pedestrian/cycle route. Introducing a bay to the ground floor would increase surveillance of the route.
- Vertical division of the windows is uncharacteristic of the area. Horizontally divided windows should be proposed.
- The ridge creates a long and continuous line which is uncharacteristic of the area. This should be broken and vent cowls/chimneys (as used at Trumpington Meadows) could be used to achieve this finer grain articulation.
- The overall ridge height needs to be reduced. As proposed it currently exceeds the existing terraced properties in the foreground diminishing the sense of perspective.

#### Apartments - Unit B.02

Further clarification of the ramp arrangements into the basement level car parking is required. The ramp appears to start beyond the envelope of the building with in the public realm creating a level change between the footpath and carriageway. Such an arrangement makes the ramp unduly intrusive and our strong preference would be for it to start at the building line.

#### Unit B.05

This block is the most visible from the Conservation Area and appears incongruous with the established fine grain of Ainsworth Street when viewed from Viewpoint 12 and 13 in the Townscape and Views Assessment.

The overall height needs to be down to reduce the impact from these key views. A more recessive/perforate approach to the upper floors would help to reduce the bulk of the building.

There is also an issue with height of parapet to conceal lift overrun. Duplex units should be considered (as at CB1 Block L1) to remove the need for lift overrun and allow for a lower parapet again helping to reduce the overall height of the block.

#### Unit B.08

We are concerned about the rear elevation when viewed from Hooper Street (see submitted Viewpoint 9). The overall height combined with the hipped roof form is overly bulky when viewed across the garages. This elevation needs to be visually reduced in scale to create the appearance of upper floor rooms in the roofspace and the rear projections detailed to read as subservient to the main 'Eagle Park' facing frontage block.

#### Unit B.09

As described previously in these comments, the overall height and form of the building in close proximity to the boundary of the Kingston Street properties is considered problematic. The flat roof form and use of red brick across an entirely blank and unrelieved western elevation combine to create a building that will be overbearing in scale against the finer grain terraces of Kingston Street. A more articulated form (possibly to read at 2.5 storeys with accommodation in the pitched roof roofspace) that is moved further away from the boundary would create a more successful relationship with the existing dwellings to the west.

2<sup>nd</sup> comments – following review of amended plans and additional information:

The proposed development has addressed the main concerns raised in the original consultation comments and is acceptable subject to condition.

#### Block B.05

The amendments have removed the top floor of the block to create a 5 storey building with the height of the eastern section reduced further to remove it from the view looking south down Ainsworth



Street. The result is a building that sits more comfortably in this view. Whilst of a larger format form, it is now much less prominent in the view and combined with the proposed terraced houses on Hooper Street with their more articulated roofscape that help to screen the massing of Block B.05, the form is now considered acceptable in design terms.

#### Building B.09

The view into the Depot Site from Mill Road is important in terms of connecting the new development back to the existing. There is also an important relationship between the building closing this view and the retained Gatehouse and Library. As such an increase in the overall scale of this building was considered appropriate as the scheme was discussed at the pre-application stage. However, whilst supporting the principle of a more prominent building to terminate the view from the Mill Road entrance, the building as submitted was considered to have an overbearing impact on existing neighbouring properties on Kingston Street due to a combination of the overall height and boxy form.

The building has been comprehensively redesigned to address these concerns. The 'gabled' form still allows for the needed height to terminate the view but creates a much more articulated appearance. The pitched roof results in a diminishing plane when viewed from existing properties on Kingston Street and in combination with the retained boundary wall effectively responds to the context. Overall the changes are considered to be acceptable in design terms.

#### Building B.08

The upper floor rear elevation of these units has been changed to pull the proposed roofing material down to create a more subservient appearance of 'rooms in the roof'. Whilst the overall roof form and massing is unchanged we consider that the changes do satisfactorily address our previous concerns and that the proposed units will be less prominent than the previous iteration where the brickwork extended for a full three storeys.

#### Hooper Street elevations

Doors are now 'paired', as per existing terraced houses in the Conservation Area and chimney 'cowls' have been added to

accommodate the MVHR extract and provide a secondary finer grain articulation to the roofscape. These changes are considered acceptable in design terms.

An additional unit is proposed to the east of the 'row' with an angled east elevation. The additional unit is considered acceptable in design terms and makes better use of the available land.

The detached dwelling to the west of the pedestrian/cycle link has had a number of changes made to it to respond to our previous concerns. These changes are considered acceptable in design terms.

#### Tracking Diagram - car parking spaces on Eagle Foundry Street

The revised tracking diagram provided by Mott MacDonald (drawing number MMD-367749-C-DR-01-XX-1125 Rev P2) is the same as the one previously submitted with the application. Based on this information it is apparent that no changes have been made. However Landscape Colleagues have been in discussion with the applicant's Landscape Architect regarding this issue and associated concerns regarding the proposed trees along this frontage. A revised approach that looks at both the hard and soft landscaping is needed. This revised approach will improve the tracking/manoeuvrability into the car parking spaces.

#### Revised access ramp arrangement

The ramp to the basement has been redesigned to reduce the impact on the public realm by relocating the start of the ramp approximately 10 metres further east than the previously proposed position. As such it now sits much more within the perceived threshold of the building and is considered acceptable in design terms.

**Cambridge City  
Council  
Design & Conservation  
Panel**

**Notes of the meeting Wednesday 6<sup>th</sup>  
September 2017**

**Attendees:**

David Grech	Co-opted member (formerly Historic England and
Acting Chair) Mark Richards	RIBA
Russell Davies	RTPI
Stacey Weiser	Cambridge Past, Present & Future
Ian Steen	Co-opted member (retired
architect) Robert Myers	Landscape
Institute	
Jon Harris	Co-opted member (architectural historian)
Tony Nix	RICS

**Officers:**

Sav Patel City Council  
Sarah Dyer City Council  
Jonathan Brookes City Council  
Christian Brady City Council  
Jonathan Hurst City Council  
Niamh Lenihan City Council

**Apologies – Di Haigh and Chris Davis**

**1. Presentation – Draft development proposals - Mill Road Depot**

Pre-application presentation of draft development proposals for the City Council Depot site

on Mill Road. A Draft Supplementary Planning Document has been approved by the Council

(copy attached) and the design team, led by Allies and Morrison, is preparing a full Planning application for the site for submission later in the year. This is an opportunity to see and comment on the current proposals which are still being developed with active involvement of Council officers and will be subject to further public consultation.

The client for the project is the Cambridge Investment Partnership - a joint venture between Cambridge City Council and Hill Investment Partnerships. CIP has been formed to develop sites to meet the need for housing, and in particular affordable housing in Cambridge.

The application will seek to deliver around 220 homes, of which 50% will be affordable, in a mix of houses and apartments.

Presentation by Bob Allies, Max Kettenacker and Oliver Unwin of Allies & Morrison Architects accompanied by Andy Thompson of Beacon Planning and representatives from the Cambridge Investment Partnership.

The Panel's comments were as follows:

- **Overall Approach.**

The Panel were supportive of the overall approach adopted in the design, with an orthogonal area of low-rise housing that responded to the strong north-south grid evident in the adjacent Victorian terraces. Meanwhile, the blocks of flats to the east are splayed to relate to the railway, and the low-rise housing fronting onto Hooper Street again respects the existing alignment of that street. The open spaces are then used to reconcile the differing alignments.

- **History.**

The Panel also welcomes the retention of the gatehouse and, along with the suggested street names, would encourage the inclusion of other historic references on site such as cast iron street furniture to acknowledge the former iron foundry on the site, and possibly incorporating into the children's play area an appropriately robust, child-sized replica of the Eagle locomotive.

- **Density.**

The SPD prepared for this site sets out a capacity of 167 dwellings at a density of 62 dwellings per hectare (dph), which reflects the 60 to 65 dph of the adjacent Victorian terraces. The current proposal represents a significant departure from the SPD, proposing 219 dwellings at a density of 86 dph. This was a key concern among the Panel who, although aware of the City Council's need to increase social housing provision, questioned the appropriateness of this density, which would require buildings of a scale and form that would be alien to the predominant character and appearance of the conservation area. Such an increase in density would also have implications for car parking and open space within the site, and increase pressure on the single point of access.

The Panel appreciated that the increased density would enable a significant additional number of affordable houses to be delivered (approximately 26), but the Panel were unclear as to whether the consequences of such an increase in density, including the adverse impact on the character and appearance of the conservation area, had been fully understood and accepted by the Council as a whole; or if the departure from the SPD only reflected the aspirations of that section of the Council directly involved in CIP.

- **Views.**

The Panel were shown the (unverified) results of the views assessment which suggests that the development would have either little or no visual impact when seen from most key views in the surrounding area. The tallest element would be clearly visible from Ainsworth Street to the north, and the taller blocks along the railway would again be clearly visible both from the bridge and the railway. However, since the whole site lies within the conservation area, the design team are reminded that the impact of these taller buildings, and how they are experienced from within the site, should also be part of any consideration of impact on the character or appearance of the conservation area.

- **Apartment blocks facing the railway line.**

While the Panel did not object to the principle of locating the taller elements parallel with the railway (and indeed acknowledged that they would afford a degree of acoustic shading to the low rise housing to the west), concern was expressed as to their overall scale and form, and the quality of the spaces between these blocks. The acoustic impact on the houses to the east, as a result of reflected noise from the railway, may also be an issue, and the Panel would welcome the opportunity to review the results of acoustic modelling work in due course. The Panel also recommended that the over-simplistic roofline facing the railway should be reviewed, and consideration should be given to utilising these roofs for external amenity space for the residents, which might also alleviate some of the pressure on the green spaces at ground level.

- **Relationship with Chisholm Trail.**

The Panel would wish to emphasise the need to deliver an active frontage onto the Chisholm Trail, but at the same time noted the need to respect the privacy of the residents in the ground floor units. The Panel therefore recommended a more considered approach to ground levels across the site, allowing the ground level to be stepped up in the open spaces to the west of the flats, and thereby enabling the level of the ground floor units to be lifted above the level of the Chisholm Trail. This could result in a more positive treatment along the frontage with the Chisholm Trail, for the benefit of both residents and cyclists. A consequence of this might also be to reduce the excavations required for the underground carpark, and a corresponding reduction in the amount of soil to be removed from site.

- **Middle block (7 storeys)**

The Panel were particularly uncomfortable with what appears as a sudden change of architectural treatment from the low-rise dwellings

to the tallest elements on the site, and had grave concerns over the top two stories on the 7 storey block.

- **Mill Park.**

The Panel were advised that the current proposal delivers 28% open space, slightly in excess of the 25% set out in the SPD. However, the Panel noted that the current proposal also includes an additional 52 dwellings over the figure set out in the SPD, and that the resulting additional number of residents would mean less open space per resident compared to that envisaged in the SPD. The Panel therefore questioned, in general terms, whether the amount of open space provision was adequate for a site of the density now proposed.

The park is likely to come under heavy pressure and, in order to avoid the issues of noise and anti-social behaviour that have been experienced at the similarly sized park within CB1; consideration should be given to limiting the activities that might take place in this space. It should be seen more as a peaceful garden space, with trees and play equipment, and not a space to kick a football around in. Consideration might therefore be given to planting more trees than currently proposed, to help control the use of the space.

The Panel also expressed some concern that the largest blocks are sited to the south of the main open spaces, which is likely to result in problems of overshadowing. It is understood that a shading study has been undertaken, and the Panel would welcome the opportunity to review the findings to better understand how sunlight would penetrate these open spaces at different times of the day and year.

- **Trees.**

The recognition of the importance of the trees within the site is supported by the Panel. However, some concern was expressed over the relationship between the basement carpark and the trees that are to be planted along the east side of Eagle Foundry Walk as the proximity of the basement would result in some trees being unable to spread their roots to the east. The use of tree pits to accommodate two trees facing onto the Chisholm Trail was also noted, and these would require careful consideration to ensure the trees can flourish.

- **Garden spaces.**

Concern was expressed that a number of north facing gardens were significantly shorter than the south facing gardens. Further consideration should be given to making these gardens longer, possibly by relocating the bin store areas from the front of the houses, so as to reduce the problem of overshadowing. Some concern was also expressed over the

small yard' spaces on the 2 bed houses on the west side of Kingston Mews, but it was accepted that this replicated a solution that has already been successfully adopted elsewhere. However, the Panel felt that this house type would not be suitable for social housing.

- **Renewables.**

The Panel note that discussions on the use of renewable energy are only at a preliminary stage, but would like to encourage the proposal for a CHP system, along with some careful siting of photovoltaic panels on roofs. However, the use of PV panels should not be seen to prevent the use of the roofs over the flats for amenity space, and it might be possible to incorporate PV panels onto shelters within such amenity areas. Any use of PV panels should be integral to the design, and not be seen as a subsequent 'add-on'.

- **Community Building.**

The Panel noted that the community building has been relocated from the SPD so as to create a visual stop at the end of the entrance road. Whilst acknowledging that this may not be a good location for a private dwelling, the Panel asked that more consideration be given to the possible uses of this building, and whether it may need some secure external space (e.g. to enable it to be used for a nursery).

- **Materials.**

The design team are encouraged to consider broadening their palette of materials to achieve a more distinctive result.

- **Shared surface areas.**

The Panel welcomed the treatment of the 'raised table' area around the retained gatehouse building, and would encourage the use of shared surfaces to be extended throughout the site, along with the exclusion of tarmac, to create a more pleasant environment. Consideration might also be given to making Kingston Mews one-way (heading south).

### **Conclusion.**

**The Panel were broadly comfortable with the approach applied to the overall layout and location of the housing and vehicular circulation. However, the departure from the SPD and the resulting scale and massing of the higher elements, together with their impact on the open space and the wider Conservation Area were issues of particular concern.**

**Since a development of this density will be inconsistent with the existing character and appearance of the Conservation Area, there is a need to weigh the resulting harm against the public benefit of**

the social housing provision, and whether such harm is justified. The Panel will leave such questions for the Planning Committee Members to consider.

The Panel concluded it would be inappropriate to vote on the proposals at this stage, but would like to re-visit the scheme at a future meeting following a firmer steer from City Council Members and officers on the issue of density, and once the design has been developed further.

2. Notes of the last meeting Wednesday 12<sup>th</sup> July 2017.

Notes agreed.

3. Date of next meeting Wednesday 11<sup>th</sup> October 2017.

**Reminder**

**CABE 'traffic light' definitions:**

**GREEN:** a good scheme, or one that is acceptable subject to minor improvements

**AMBER:** in need of *significant* improvements to make it acceptable, but not a matter of starting from scratch

**RED:** the scheme is fundamentally flawed and a fresh start is needed.



**Cambridge City Council  
Design & Conservation  
Panel**

**Notes of the meeting Wednesday 14<sup>th</sup>  
February 2018**

**Attendees:**

David Grech	(retired architect, formerly Historic England) Acting Chair
Zoe Skelding	RIBA
Russell Davies	RTPI (retired)
Ian Steen	retired architect, co-opted member
Robert Myers	Landscape Institute
Stacey Weiser	Cambridge Past Present & Future
Tony Nix	RICS

**Officers:**

Jonathan Brookes  
Jonathan Hurst  
Council Sav Patel

**Observers:**

Cllr Martin Smart	City
Ffion Jones	City
Hannah Walker	City
Lorraine King	East Cambs District Council
Rebecca Saunt	East Cambs District Council

**Apologies – Di Haigh and Jon Harris**

**1. Presentation – Mill Road Depot, Mill Road (17/2245/FUL)**

The erection of 184 dwellings (including 50% affordable housing), 72sqm of floor-space consisting of Use Class A1 (Shop), A2 (Financial and Professional Services), A3 (Food and Drinks) or D1 (Non-Residential Institutions) - in the alternative, basement car park (101 spaces), surface water pumping station, open space (including play area), alterations to the junction with Mill Road, together with associated external works including cycle parking and landscaping.

This was last seen by the Panel at pre-application stage in September 2017 when a total of

220 dwellings were proposed (a vote was not cast at that meeting). Other work since then has included sunlight and acoustic analysis as well as further assessment work on views and development of the landscaping.

The site area has been reduced, with a YMCA building now proposed for the south east corner of the site, but that does not form part of the current application.

Presentation by Bob Allies and Max Kettenacker with Oliver Unwin of Allies & Morrison Architects accompanied by Andy Thompson of Beacon Planning, David Digby of Cambridge Investment Partnership and Steve McCoy of TEP (landscaping).

The Panel's comments were as follows:

The Panel noted and welcomed much of the work that had taken place to refine the project since they last saw it in September 2017. Many of the Panel's comments concerning landscaping, north-facing gardens, materials and the profiles to the blocks facing the railway had been specifically addressed in the revised site layout and elevational treatments. However, while there had also been some reduction in heights to some of the blocks alongside the railway, the Panel's previous concern over the departure from the development density set out in the SPD remained. In response to questions on this, Bob Allies accepted that the taller elements within the scheme represented a departure from the existing character and appearance of the conservation area, but questioned whether it was right that a pre-existing character should so influence the future evolution of our cities, and prevent a brownfield site from being re-developed to its full potential.

- **The departure from the SPD.**

Much of the Panels consideration of the project focused on this aspect since, in attempting to achieve a higher quantum of development on the site to that permitted in the SPD, the resulting scheme is almost bound to have a negative impact on the prevailing character and appearance of the Mill Road Conservation Area. The SPD sets out an overall density of 62 dwellings per hectare for this site, which is consistent with the density found in the adjacent streets of predominantly two-storey terraced housing. The density now proposed for the site is significantly higher, at approximately 82 dph. The SPD also allows for taller buildings to be placed alongside the railway, with a maximum height of 4-stories, plus one 5-storey block at the southern end. While the scheme now submitted for planning permission includes two SPD compliant 4-storey blocks alongside the railway at the northern end of the site

(Buildings B06 and B07), it also includes a 6-storey block (Building B05) near the centre of the eastern boundary, plus two 5-storey blocks alongside the railway in the southern half of the site (Buildings B03 and B04), and a 6-storey block at the southern end (Building B02). The Panel concluded that these departures from the SPD would result in a degree of harm to the conservation area, but it was then necessary to consider whether that harm was justified by the wider public benefits that the scheme would deliver through the provision of 92 affordable dwellings.

- **Degree of ‘harm’ to the Mill Road Conservation Area.**

The Panel noted the Conservation Officer’s view that this scheme would result in ‘substantial harm’ to the character and appearance of the Mill Road Conservation Area as described within the terms of the NPPF. The Panel further noted that the Government’s Planning Practice Guidance identifies ‘substantial harm’ as a high test. In this instance, when considering the degree of visibility of the taller elements in relation to the overall size of the Mill Road Conservation Area, the Panel concluded that, while the level of harm may be high (e.g. in views along Ainsworth Street), the overall impact is unlikely to cross the threshold of ‘substantial harm’. Two members of the Panel considered the level of harm was justified by the degree of public benefit that would be delivered, while others concluded that the level of harm was not outweighed by the public benefits. Some voiced deep concern over what they considered to be overdevelopment within a Conservation Area, and the worrying precedent that this might set. Whilst the Panel could not reach an overall consensus on this issue, there was broad agreement that the most harmful element in the scheme is Building B05, and that the harm to the Conservation Area might be significantly reduced if this block was to be reduced from 6-storeys down to 4-storeys. There was less concern over the impact of Building B02, and in particular its impact in views from Mill Road Bridge, though many in the Panel had concerns over the impact of this building on views within the site, and in particular the view looking east along Headley Street (where the building is seen to dwarf the adjacent 2 and 3-storey houses). It was again noted that the whole site lies within the Mill Road Conservation Area and the views within the site are also pertinent to the character and appearance of the Conservation Area as a whole.

- **The gateway building (B09)**

The Panel were sympathetic to the views of residents regarding the impact of a three storey building in such close proximity to the western boundary of the site and the gardens to the existing dwellings along Kingston Street. The Panel therefore welcomed the decision by the design team to review this building and revise the proposal in order to reduce the impact on the neighbouring gardens.

- **Landscaping.**

The Panel welcomed the development of the landscaping proposals. The additional detail for the tree pits appears, in principle, convincing, although their proximity to the underground car parking will mean they are likely to require to be irrigated if they are to succeed. The opening up of Eagle Park through the re-siting of Building B08 is a significant enhancement, but it was felt that the location of the play area could have an adverse impact on this space.

Whilst there was an acknowledgement that this was the most practical location, its intrusive nature would be compounded by the need to fence the play area. The design of this area might benefit from further consideration, and in particular whether the northern corner of the play area might be cut back. The use of swales and the grass bank are welcome additions that encourage play; and the footpath between the Green and Park has the potential to become an important informal social space within the development.

- **The Chisholm Trail corridor.**

The Panel noted that the Chisholm Trail corridor is included within the open space calculation of the site as a whole, whereas the roads and pavements are excluded from this calculation. The Panel therefore questioned the logic in including the Chisholm Trail, but accepted that the corridor has also been included within the open space calculations set out in the SPD. In the event that the Chisholm Trail is not routed through the site (e.g. should it be re-routed east of the railway) then the Panel would expect this corridor to remain as amenity space for the enjoyment of the residents. The Panel also noted that the Chisholm Trail is likely to be used by cyclists travelling at speed, and the treatment of the trail at the northern end of the site, where it passes the pumping station and meets the road, will need careful consideration.

- **Renewables – PV.**

As most of the roofs on the site have an East-West orientation, the Panel questioned the effectiveness of PV for much of the development. The Panel were advised that many of the roof pitches are relatively shallow and there would only be a modest reduction in efficiency of the panels on these roofs.

- **Car parking.**

The Panel noted that the overall parking ratio had been reduced in response to feedback from the pre-application consultation exercise. The Panel identified the need for strict management of the on-street visitor parking provision, as 'fly parking' would have a significant detrimental impact on the quality of the public realm. The Panel also expressed some concern over the suggestion that some of the underground parking spaces may be allocated to the YMCA development, compounding a concern that the YMCA proposal did not form part of the current application.

- **Gatehouse and YMCA building (separate application).**

The Panel were disappointed that the application was not a single, holistic proposal for the site, and that the Gatehouse and YMCA building would now form a separate application, since this made it difficult to assess both the full impact of the development and the extent of public benefits that would be delivered. The Panel also had concerns as to what might happen if the YMCA did not relocate to this site. While ongoing negotiations with the YMCA appear encouraging, it was the Panel's view that, should these not come to fruition, then this part of the site should be made available for additional social housing (mirroring the 50% ratio that is to be delivered on the rest of the site).

### **Conclusion.**

**The challenge being faced by the design team to deliver new homes on a large scale and within this sensitive location is understood. Despite the obvious public benefits of both removing a current blight on the Conservation Area and the provision of significant numbers of affordable housing, the Panel must express its reservations. How a Conservation Area evolves in order to provide new homes on a brownfield site is the fundamental issue at the heart of this scheme.**

**VERDICT – GREEN (2), AMBER (5) with 1 abstention.**

**(As Cambridge PPF have already submitted comments on this proposal Stacey Weiser did not participate in the vote.)**

**2. Notes of the last meeting – Wednesday 13<sup>th</sup> December 2017**  
Notes agreed.

**3. Date of next meeting – Wednesday 14<sup>th</sup> March 2018**

#### **Reminder**

#### **CABE 'traffic light' definitions:**

**GREEN:** a good scheme, or one that is acceptable subject to minor improvements

**AMBER:** in need of *significant* improvements to make it acceptable, but not a matter of starting from scratch

**RED:** the scheme is fundamentally flawed and a fresh start is needed.



<b>Application Number</b>	18/0002/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	9th January 2018	<b>Officer</b>	Rob Brereton
<b>Target Date</b>	10th April 2018		
<b>Ward</b>	Romsey		
<b>Site</b>	Romsey Labour Club Mill Road Cambridge CB1 3NL		
<b>Proposal</b>	Mixed use development comprising a Day Nursery at ground floor and 37 self-contained 1xbed student rooms at the rear and on the upper floors along with a vehicle drop-off zone, disabled car parking space, cycle parking and associated landscaping.		
<b>Applicant</b>	N/A 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 principle is acceptable</li> <li>-The design and impact on surroundings is acceptable</li> <li>-The impact on neighbour amenity is acceptable</li> <li>-The overall removal and new land uses is acceptable in principle.</li> </ul>
RECOMMENDATION	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is located on the south side of Mill Road, immediately east of the junction with Coleridge Road (to the south) and Hemingford Road (to the north). This site has an active frontage onto both Mill Road and Coleridge Road. Immediately south of the site is Ruth Bagnall Court, a four storey apartment building. The ground level rises from north to south across the site.

- 1.2 The site is located within the Central Conservation Area under the Mill Road Area Conservation Area Appraisal (2011). The building presently occupying the site was originally constructed in the 1920s. The building is known as Romsey Labour Club. This building has been designated a Building of Local Interest. Its description is as follows:

*‘The Labour Club is a single-storey red brick building on a corner site. It retains a stone cornice with the ‘Romsey Town Labour Club’ and some Venetian windows to either side of the front entrance with rubbed red brick arches. A decorative stone cartouche lies over the panelled double front doors and the flat roof hidden by a parapet. It was designed by E.W. Bond.’*

- 1.3 Originally, the principle central section of the building contained a Private Members Club which is a sui generis use. Until recently the central area of the building was used by the Arthur Rank Hospice as a second hand furniture store (Use class A1) granted temporary planning permission until August 2016. This shop has recently closed. The eastern wing is currently occupied by the Tsunami Fight Club, a non for profit gym and a D2 use. Above this gym is one self-contained residential apartment in C3 use. The Trumpington Boxing Club occupies the western wing. This is also a D2 use.
- 1.4 The majority of the site is covered in hardstanding, with some hedging between the building and Coleridge Road and some vegetation and small trees between the front façade of the building and Mill Road. The vehicular entrance to the site is to the rear off Coleridge Road.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for a mixed use development comprising a Day Nursery at ground floor and 37 self-contained 1xbed student rooms at the rear and on the upper floors along with a vehicle drop-off zone, disabled car parking space, cycle parking and associated landscaping.
- 2.2 The proposed re-development involves the demolition of the majority of the existing building on the site. The front elevation along Mill Road and part of the west elevation along Coleridge



Road would be retained. Above these facades, two additional storeys are proposed within a gable ended pitched roof. This element is contemporary in design using zinc cladding and large box dormers. The ridge height is 10.5 metres and eaves is 7.5 metres. This building would contain a nursery for 0-2 year olds at ground floor and student accommodation in floors above including thirteen 1 bed flats.

- 2.3 To the south of this building two new student apartment blocks are proposed to replace the Labour Club's existing wings. The block facing Coleridge Road would be stepped from four stories in height or 10.8 metres closest to the junction with Mill Road, down to three stories or 8.6 metres in height and finally the section of this block closest to Ruth Bagnell Court is two storeys in height or 5.9 metres. This block would contain fifteen 1 bed student flats. The block adjoining the boundary with the rear garden of No. 276 Mill Road would be two storeys in height or circa 7 metres in height and contain a further nine one bed flats. Both are contemporary in appearance using large openings and flat roofs.
- 2.4 These proposed buildings all surround an internal landscaped courtyard which is split to cater for students and children using the nursery. Six student flats facing Coleridge Road have balconies.
- 2.5 All plant and cycle storage is located within the proposed basement which is similar in area to the existing basement. A vehicular drop off area is proposed between the proposed four storey block and Coleridge Road.
- 2.6 Some minor amendments have been received to the original proposal during the process of this original application to address some points of concern, these include:
- A zinc clad mansard roof has been introduced to the upper floor of the student accommodation block facing onto Coleridge Road.
  - The materials pallet has been simplified with the removal of the buff brick so that the majority of the scheme is clad in red brick.
  - The basement cycle ramp has been widened, moved back from the ground floor doors to the internal courtyard and a cycle lane was provided on both sides.

- Cycle stands have been amended from a diagonal orientation to a parallel orientation in the basement and four additional cycle spaces have been introduced to the Mill Road frontage.
- The refuse storage area has been rearranged to provide separate storage areas for the nursery and student accommodation.
- The speed limit quoted in the Transport Statement has been amended to the correct figure of 20mph.

### 3.0 RECENT RELEVANT SITE HISTORY

Reference	Description	Outcome
16/0821/FUL	Mixed used development comprising a Day Nursery at ground floor and 40 self-contained 1xbed student rooms at the rear and on the upper floors along with a vehicle drop-off zone, cycle parking and associated landscaping.	Refused by Planning Committee (5/07/2017)
14/0733/FUL	Temporary change of use of part of the ground floor of the Romsey Labour Club from a Sui Generis Private Members Club to A1 (Shop) use to be occupied by the Arthur Rank Hospice Charity.	Approved
C/03/1010	Installation of new pedestrian access and replacement of existing window with door.	Approved
C/01/0508	Change of use of west wing from Labour Club (Use Class D2) to mental health centre (Lifecraft: Use Class D1); erection of single storey extension and porch.	Approved

#### Overcoming previous reasons for refusal

- 3.1 The previous application planning reference 16/0821/FUL was refused (officer overturn) for the following reasons by Planning Committee dated 5<sup>th</sup> July 2017.

1. *The proposed development would be in close proximity to kitchen and living room windows within Ruth Bagnell Court. Due to the scale of the proposed building, it would result in the significant deterioration of daylight within north facing kitchen windows 4 and 7 (at first and ground floors) as identified in the 't16 Design Daylight and Sunlight Assessment' of June 2017. Given that existing daylight levels within the kitchens are already limited, the impact would be to significantly reduce daylight into the kitchens further and thus harm the residential amenity of existing occupants. In combination with the loss of light, the south facing 4 storey part of the development onto Coleridge Road would be within 4m and 6m of the north elevation of flats within Ruth Bagnell Court. Kitchen and living room windows of flats in this development face north towards the Coleridge Road wing and the outlook from the single aspect living room windows of flat 11 and corresponding flats above and below this would be dominated by the proposed development to the extent that it would significantly enclose and harm the amenity of existing occupants. As such, the proposal is contrary to Cambridge Local Plan (2016) policies 3/4 and 3/7 in that it has failed to properly respond to its context, has failed to have proper regard for the constraints of the site and would fail to provide an acceptable relationship between existing and proposed buildings. As such, the proposal is also contrary to NPPF (2012) guidance at paragraph 17 in that it would fail to safeguard the amenity of existing occupants.*
  
2. *The proposed courtyard space for the scheme would be small, cramped and feel hemmed-in for potential users. Given that the external environment to the site is onto a busy highway, the amenity space provided by the courtyard is inadequate and would provide little relief to the busy external environment. To this extent, the proposal represents a poor and inflexible layout and poor design and would fail to provide an external space that would be enjoyable to use for proposed existing and future users of it. As such, the proposal is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11 and is contrary to the NPPF (2012) at paragraph 17 in that it would fail to secure a high quality external space design and good standard of amenity for future users.*

3.2 This proposal aims to overcome these two reasons for refusal.

1. To overcome the first reason the proposed block facing Coleridge Road has been amended from entirely four storeys to a stepped design of a mixture of four, three and two storeys. The element closest to Ruth Bagnell Court is now two storeys in height. The depth of this block has also been altered so that the two storey element closest to Ruth Bagnell Court is triangular in shape rather than the rectangular shape of the previous proposal. This has led to the loss of 3 student flats as the total number of flats for this scheme is 37. It is stated this design has been informed by the attached Sunlight Daylight Assessment which indicates more favourable impacts to the daylight of habitable rooms in adjoining flats in Ruth Bagnal Court.
2. The internal courtyard for student accommodation use of the previous scheme had an area of circa 204 square metres and this proposal has an area of circa 236 square metres. Six balconies that were not part of the previous scheme have also been introduced to student flats further adding to this proposals amenity space. The internal courtyard for nurse use of the previous scheme had an area of circa 47 metres and this proposal has an area of circa 85 square metres.

### 3.3 Other differences include:

- The addition of a disabled space and the removal of some grass verge in the south western corner of the site fronting onto Coleridge Road
- The proposed block adjoining No. 276 Mill road now stretches the full depth of the site, 1.7 metres more than the previous scheme.
- Additional cycle storage stands at ground floor level and improvements in accessibility to the basement cycle store.

## 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 3/8 3/11 3/12 4/4 4/11 4/12 4/13 4/15 5/1 5/4 5/5 5/7 5/11 5/12 5/14 6/1 7/10 8/1 8/2 8/4 8/6 8/9 8/10 8/16 8/18 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Affordable Housing (January 2008)

	Planning Obligations Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge City Council (2011) – Open Space and Recreation Strategy Balanced and Mixed Communities – A Good Practice Guide (2006) Cycle Parking Guide for New Residential Developments (2010) 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, the following policies in the emerging Local Plan are of relevance:

## Policy 46 - Development of student housing

This policy has been subject to a number of objections and so should be afforded only limited weight.

### 6.0 CONSULTATIONS

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

- 6.1 No objection to highway safety. However, the local planning authority should take into account the potential for students to park vehicles on surrounding roads imposing additional parking demands upon the on-street parking. The Transport Statement has provided some information regarding the end-user, however this relies upon that user being the operator and retaining its nearby facility. Should this operator change, or the operator relinquish their existing site, the proposed arrangement will cease.

The following conditions are sought: No unbound material shall be used in the surface finish of the forecourt within 6 metres of the highway boundary of the site; no gates are erected without specific planning permission; the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification; the access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway; the manoeuvring area and access shall be provided as shown and retained free of obstruction; and a traffic management plan shall be provided prior to commencement.

The Local Highway Authority has also requested that a Travel Plan should be secured through a planning condition.

#### **Environmental Health**

- 6.2 No objection subject to conditions on controlling contaminated land, limiting demolition/construction hours, limiting collection and deliveries during demolition/construction, a construction/demolition noise and vibration assessment, mitigation of dust, hours of use of the nursery, a noise insulation scheme for external and internal and to control lighting.

## **Refuse and Recycling**

- 6.3 The Refuse and Recycling team stated regarding the original scheme prior to amendments: The Nursery bins and the HMO bins need to be in separate bin stores. The number on bins required for HMO flats is at least 2 x 1100 for refuse and 2 x 1100 for recycling, so space needs to be allowed for this.

*(Officer Note: the scheme has been amended to address this issue with separate stores)*

Any further comments on this amended scheme will be added to the amendment sheet dated 26/03/2017.

## **Sustainability Design and Construction**

- 6.4 No objection subject to standard renewable energy condition. Policy 8/16 of the Cambridge Local Plan 2006 requires major developments to meet at least 10% of their predicted energy requirements through the use of on-site renewable energy, with the policy measured in terms of carbon reduction. The Design and Access Statement makes reference to the use of photovoltaic panels, which are also shown on the roof plan of the building (drawing number PL-2-03 Rev P5), with reference also made to the potential use of air source heat pumps (it should be noted that MVHR is not a renewable technology and as such should not be counted towards the 10% requirement). While the general approach to renewable energy provision is supported, carbon calculations following the requirements set out in Section 2.4 of the Council's Sustainable Design and Construction Supplementary Planning Document have not been submitted, although they are referenced in the Sustainability Report. It is considered that this could be dealt with by way of condition.

## **Urban Design and Conservation Team**

- 6.5 The submitted application follows on from a previously refused scheme for the site 16/0821/FUL, which the Urban Design and Conservation team had previously commented on.

The key issues with the previous scheme that was refused by planning committee related to the size of the main courtyard



(considered too small) and the potential overbearing impact to Ruth Bagnall Court.

The Urban Design and Conservation Team have reviewed the new application in light of these issues.

#### Courtyard area

In comparison to the refused application (16/0821/FUL), the proposed courtyard area has been enlarged by reducing the width of the building on the eastern boundary. This has been facilitated by providing decked access arrangement for these rooms. The chamfering of the Coleridge Road block adjacent to Ruth Bagnall Court has also increased the sense of space at the southern end of the courtyard area. This approach is considered acceptable.

#### The impact on the Mill Road Conservation Area and Building of Local Interest

The changes to the scheme to address the previous reasons for refusal have resulted in a design development of the Coleridge Road block. When considering the impact of the scheme on the Mill Road Conservation Area (CA), the opportunities for long views towards the site are limited due to the tight enclosure of the surrounding streets and the deflections in the street alignment of Mill Road itself. The key view in terms of the CA, is that from the junction of Mill Road and Coleridge Road when looking north-east. The submitted CGI shows the relationship between the retained Romsey Labour Club and the proposed additions along with the immediate context of the site.

The Coleridge Road block has been reduced in height and length when compared to the refused application 16/0821/FUL. This has been beneficial in terms of the relationship with Ruth Bagnall Court. Whilst it is acknowledged that the scale relationship and proximity to the retained BLI and the proposed gable is similar to the previous scheme which was not considered harmful, the changes has created a more marked stepping of the massing towards the BLI than shown in the previous refused scheme.

However on balance, whilst there is an impact on the BLI and the appearance of the scheme from Mill Road, the level of harm is considered to be less than substantial. Given that the scheme is securing the beneficial reuse of the BLI overall, the

harm needs to be weighed against the public benefits of the scheme.

#### Relationship with Ruth Bagnall Court

The length and massing of the proposed Coleridge Road block has been reduced to address previous concerns regarding proximity and potential overbearing relationship with Ruth Bagnall Court. The proposed stepped form has produced a much greater gap between the proposed Coleridge Road block and Ruth Bagnall Court, than the previously refused scheme. In addition, the submitted Daylight and Sunlight Assessment shows that all of the windows assessed meet the 80% Vertical Sky Component (VSC) BRE criteria for daylight, as well as the BRE 80% criteria for sunlight, measured in the report through the Annual Probable Sunlight Hours. We therefore raise no objection with regards to the potential overshadowing or overbearing impact of the proposal on the existing Ruth Bagnall Court.

#### **Access Officer**

- 6.6 No comments received for this application but comments on the previous application can be summarised as follows:

*The proposal has a good access statement, however*

- ☐ *The entrance to the nursery should be powered or have one door leaf of a minimum of 900mm, making them asymmetrical.*
- ☐ *The nursery rooms should have hearing loops.*
- ☐ *The residential basement should have 2 secure mobility scooter charging points.*
- ☐ *As the site is remote from teaching facilities there should be at least 2 and possibly 5 Blue Badge parking spaces.*

Any further comments on this scheme will be added to the amendment sheet dated 26/03/2017.

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

- 6.7 No comments received for this application but comments on the previous application can be summarised as follows:

*No objection, as there is no loss of any significant trees.  
Replacement planting is sought were possible.*

Any further comments on this scheme will be added to the amendment sheet dated 26/03/2017.

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

- 6.8 No objection subject to conditions. The Landscape team feels the proposals need some minor adjustments to suit the hierarchy of spaces and end user needs but considers the development is broadly acceptable at this stage and finer details can be assessed by condition. Recommended details to be sought by condition include hard and soft landscaping, landscape maintenance and management plan and boundary treatment.

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

- 6.9 No comments received for this application but comments on the previous application can be summarised as follows:

*Acceptable subject to a standard condition on Surface Water Drainage.*

Any further comments on this scheme will be added to the amendment sheet dated 26/03/2017.

### **Cambridge City Council Drainage Team**

- 6.10 No objection to standard surface water drainage conditions.

### **Policy**

- 6.11 No Objection: Previous comments have been issued for a similar application on the same site under planning reference 16/0821/FUL but these comments did not take into account Counsel advice was received (on 18 May 2017) regarding the Romsey Labour Club, its relationship to Policy 7/10 of the Cambridge Local Plan 2006 and the status of Policy 46: Development of Student Housing. It is suggested that this advice is used as a basis for consideration in the determination of application 18/0002/FUL.

In relation to the protection of community facilities (Policy 5/11), the Council does not object in principle to the type of development being proposed on this site, as noted in previous comments to application 16/0821/FUL.

*(Officer Note: The Counsel Advice for the City Council from Douglas Edwards QC is summarised within the officer assessment between paragraphs 8.6-8.9).*

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

#### **6.12 Indoor Sports:**

The proposed development is within a mile of the Abbey Sports Centre and Gym sporting 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. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution of £9,146 (plus indexation) is requested towards the provision and/or improvement to the gym studio and/or gym equipment at Abbey Sports Centre and Gym, Whitehill Road, Cambridge CB5 8NT

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has formally agreed one other specific contribution for this project. The council has proposed, but not formally agreed two further specific contributions for this project, so there is still scope for this contribution (and one other) to be requested.

#### **Outdoor Sports:**

This proposed development is within 600m of Coleridge Recreation Ground, which is on the council's 2016/17 target list of outdoor sports facilities for which specific S106 contributions may be sought.

The Cambridge and South Cambridgeshire Playing Pitches Strategy (2016) highlights scope for improving the capacity of

this facility there in order to mitigate the impact of local development.

Based on the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £8,092 (plus indexation) for the provision of and / or improvement of outdoor sports pitches and changing rooms at Coleridge Recreation Ground.

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has agreed only two specific contributions for this project, so there is still scope for this contribution (and up to two others) to be requested.

Informal Open Space:

This proposed development is within 400m of the Romsey Recreation Ground. Romsey Recreation Ground play area is on the council's target list of facilities for which specific S106 contributions will be sought. This highlights the scope for improving the informal open space equipment and facilities in order to mitigate the impact of local development.

Based on the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £8,228 towards the provision of and/or improvement of and/or access to informal open space facilities at Romsey Recreation Ground, Cambridge.

Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council has agreed only one specific contribution for this project, so there is still scope for this contribution (and up to three others) to be requested.

Play provision for children and teenagers:

This is a planning application for non-family student housing and, under the council's Planning Obligation Strategy SPD 2010, the council does not seek S106 contributions for play provision from such developments.

Any further comments on this scheme will be added to the amendment sheet dated 26/03/2017. Little change to these comments are envisaged as a short space of time has elapsed

since these comments were previously given and the scheme only contains 3 less 1 bedroom student flats than the previous scheme.

### **Cambridge County Council Growth & Development team**

- 6.13 No objection to amended scheme in terms of the provision of a nursery. The Growth and Development team agrees, after receiving further information that it would be acceptable for the child care provider Patacake to move its 0-2 age group in Sedly Court to the Romsey Labour Club as this would free up more space for other age groups in their Sedly Court premises. It also agrees that Ofsted guidance has informed the design of this 0-2 age group nursery space and it is acceptable for their needs.
- 6.14 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. Any further comments on amended scheme dated 26/03/2017 will be added to the amendment sheet.

## **7.0 REPRESENTATIONS**

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

Flat 11	Adam And Eve Court, Adam And Eve Street, Cambridge Cambridgeshire CB1 1DX
92	Ainsworth Street Cambridge Cambridgeshire CB1 2PD
3	Ashbury Close Cambridge Cambridgeshire CB1 3RW
8	Birdwood Road Cambridge Cambridgeshire CB1 3SU
1B	Brackyn Road Cambridge Cambridgeshire CB1 3PL
7A	Brackyn Road Cambridge Cambridgeshire CB1 3PL
51	Brookfields Cambridge Cambridgeshire CB1 3NZ
112	Brooks Road Cambridge Cambridgeshire CB1 3HR
12	Brookside Cambridge Cambridgeshire CB2 1JE
85	Burnside Cambridge Cambridgeshire CB1 3PA
95	Burnside Cambridge Cambridgeshire CB1 3PA
81	Burnside, The Brook, CB13PA
Camcycle-	The Bike Depot 140 Cowley Road Cambridge CB4 0DL
Cambridge Past Present and Future	
139	Catharine Street Cambridge Cambridgeshire CB1 3AP

2	Cavendish Road Cambridge Cambridgeshire CB1 3AF
96	Cavendish Road Cambridge Cambridgeshire CB1 3AF
29	Cherry Close Milton CB24 6BZ
134	Cherry Hinton Road Cambridge Cambridgeshire CB1 7AJ
268	Cherry Hinton Road Cambridge Cambridgeshire CB1 7AU
67	Cherry Hinton Road Cambridge Cambridgeshire CB1 7BS
43	Coleridge Road Cambridge Cambridgeshire CB1 3PH
69	Coleridge Road Cambridge Cambridgeshire CB1 3PH
3	Croft Cottages Croft Road Newmarket CB8 0AQ
31	Cyprus Road Cambridge Cambridgeshire CB1 3QA
5	Duck End Girton CAMBRIDGE CB3 0PZ
26	Elan House 20 Cherry Hinton Road Cambridge Cambridgeshire CB1 7BL
14	Elsworth Close St Ives Cambridgeshire PE27 5YB
20B	Fanshawe Road Cambridge Cambridgeshire CB1 3QY
2	Flamsteed Road Cambridge Cambridgeshire CB1 3QU
69	Glisson Road Cambridge Cambridgeshire CB1 2HG
61	Glisson Road CB12HG
75	Great Eastern Street Cambridge Cambridgeshire CB1 3AB
8	Great Eastern Street Cambridge Cambridgeshire CB1 3AD
64	Great Eastern Street Cambridge Cambridgeshire CB1 3AD
7	Greville Road Cambridge Cambridgeshire CB1 3QJ
25	Greville Road Cambridge Cambridgeshire CB1 3QJ
8	Greville Road Cambridge Cambridgeshire CB1 3QL
54	Greville Road Cambridge Cambridgeshire CB1 3QL
19	Gunhild Close Cambridge Cambridgeshire CB1 8RD
26	Haden Way Willingham Cambridge Cb245hb
18	Halifax Road Cambridge Cambridgeshire CB4 3PX
46	Harvey Goodwin Avenue Cambridge Cambridgeshire CB4 3EU
11	Hemingford Road Cambridge Cambridgeshire CB1 3BY
83	Hemingford Road Cambridge Cambridgeshire CB1 3BY
91	Hemingford Road Cambridge Cambridgeshire CB1 3BY
76	High street little wilbraham cambridge CB21 5JY

57	Hobart Road Cambridge Cambridgeshire CB1 3PT
71	Hobart Road Cambridge Cambridgeshire CB1 3PT
6	Hobart Road Cambridge Cambridgeshire CB1 3PU
9	Hobart Road Cambridge Cambridgeshire CB1 3PU
12	Holbrook Road Cambridge Cambridgeshire CB1 7ST
14	Holyoake Court Whitehill Road Cambridge Cambridgeshire CB5 8NB
49	Howard Close Cambridge Cambridgeshire CB5 8QU
51	Humberstone Road Cambridge Cambridgeshire CB4 1JD
13	Lady Jermy Way Teversham Cambridge CB19BG
43	London Road Stapleford Cambridge CB225DE
11	Lyndewode Road Cambridge Cambridgeshire CB1 2HL
11	Macfarlane Close Impington Cambridge cb24 9lz
6	Madras Road Cambridge Cambridgeshire CB1 3PX
5	Malta Road Cambridge Cambridgeshire CB1 3PZ
6A	Malta Road Cambridge Cambridgeshire CB1 3PZ
8A	Malta Road Cambridge Cambridgeshire CB1 3PZ
8	Malta Road Cambridge Cb1 3pz
69	Mawson Road Cambridge Cambridgeshire CB1 2DZ
173A	Mill Road Cambridge Cambridgeshire CB1 3AN
256	Mill Road Cambridge Cambridgeshire CB1 3NF
260	Mill Road Cambridge Cambridgeshire CB1 3NF
372	Mill Road Cambridge Cambridgeshire CB1 3NN
Mill Road History Society	
3	Montreal Road Cambridge Cambridgeshire CB1 3NP
6	Montreal Road Cambridge Cambridgeshire CB1 3NP
Montreal Square Cambridge Cambridgeshire CB1 3NR	
543	Newmarket Road Cambridge Cambridgeshire CB5 8PA
7	Northampton Close Ely CB6 3QT
13	Nuttings Road Cambridge Cambridgeshire CB1 3HU
39	Ravensworth Gardens Cambridge Cambridgeshire CB1 2XL
11	Ross Street Cambridge Cambridgeshire CB1 3BP
159	Ross Street Cambridge Cambridgeshire CB1 3BS
72	Ross Street Cambridge Cambridgeshire CB1 3BU
21	Royal Way Cambridge Cambridgeshire CB2 9AW
22	Ruth Bagnall Court Coleridge Road Cambridge Cambridgeshire CB1 3NU
104	Seymour Street Cambridge Cambridgeshire CB1 3DQ
32	Shirley Close Milton Cambridge CB24 6BG



1	Smithy Cottages Taunton TA1 5DT
7	South Terrace Sawston Cambridge CB22 3EL
79	St Matthews Gardens Cambridge Cambridgeshire CB1 2PH
9	Suez Road Cambridge Cambridgeshire CB1 3QB
82	Suez Road Cambridge Cambridgeshire CB1 3QD
18	Sunmead Walk Cambridge Cambridgeshire CB1 9YB
1	Swanns Terrace Cambridge Cambridgeshire CB1 3LX
36	Tenison Road Cambridge Cambridgeshire CB1 2DW
10	The Broadway Mill Road Cambridge Cambridgeshire CB1 3AH
21	Tiverton Way Cambridge Cambridgeshire CB1 3TU
21	Vinery Road Cambridge Cambridgeshire CB1 3DN
89	Vinery Road Cambridge Cambridgeshire CB1 3DW
11	Vinter Terrace Cambridge Cambridgeshire CB2 1LJ
151	Walpole Road Cambridge Cambridgeshire CB1 3UD
27	Warren Close Cambridge Cambridgeshire CB2 1LB
7a	West End Wilburton, Ely Cambridgeshire CB6 3RE
44	Windsor Road Cambridge Cambridgeshire CB4 3JN
104A	Wulfstan Way Cambridge Cambridgeshire CB1 8QJ

7.2 The representation in support can be summarised as follows:

- It is a huge improvement in design of the building.
- However there is concern that there is no space for occupants of the self-contained flats to socialise with other residents indoors.
- The grass verges around the building look as if they will be walked over. These should either be hard paving or have ground cover plans rather than grass.

7.3 The representations in objection can be summarised as follows:

*Loss of heritage*

- The existing building serves the local community and is also a historic part of the culture of Cambridge.
- The Romsey Labour Club was built by local residents for local residents - its historical significance as an iconic Romsey building and its legacy as a centre for the local community should be protected.

- It is imperative that we respect and celebrate our history to respect what has made our communities what they are today so we can foster deeper and more productive community values and connections.
- Romsey is a centre of culture and diversity that has long resisted the gentrification that has swept over much of the city.
- This building has served the local community and is also a historic part of the culture of Cambridge.
- Cambridge has historically made poor decisions for preserving its heritage and unique character - the destruction of Petty Cury comes to mind, as well as the fact that our high Street is regularly rated as one of the least unique in the country. There is a real risk of turning this end of Mill Road into nothing but character-less student flats, which would be an enormous, short-sighted mistake.
- Our social past is important to past and current residents and as such its character should be preserved and not destroyed.
- Romsey Labour club was built in 1925 and 1928 by volunteers of Romsey town and has been a valued part of Romsey Town ever since. It is a historic building and was built by volunteers for the use of local people. The new development is not community focused but profit focused.
- The building is irreplaceable as a historical asset. Both its distinctive 1920s style and the foundation Stone laid by Britain's first Labour Prime Minister, Ramsay Macdonald (which acknowledges the voluntary labour that built it) make it an important stop on any historical tour of the area.
- Romney Labour Club has until recently been a community hub: Not only as a Social Club but also as a great live music venue then more latterly as a charity shop. In my mind it would be best utilised as a community centre. The building itself should be listed and it should be reopened as a licenced social Club in the evenings.

#### *Loss of building of architectural significance*

- Its buildings play a huge role in its character and individuality - Victorian and Edwardian houses on our iconic terraced streets are some of the most sought after properties in the city. Romsey Labour Club and its architectural significance to the local area should be protected.

- Replacing it with a soulless building, built with the cheapest (and most profitable materials for the developers) is a disgrace to everything that the Romsey community stand for.
- The Romsey Labour Club must be kept as a Building of Local Interest and for community use- which is what working people donated their time for almost 100 years ago.
- I agree the building should be modernised, however demolishing it for another generic 'new build' would be a real shame.
- With its history and character of the building should remain. Right next door on Coleridge road is an eye sore of a modern development cheaply constructed. Please consider the character and historic importance this building plays before agreeing to have it redeveloped.
- Keeping just the façade given the history of the building and what it represents within the social history of the immediate area and the wider context of the town, seems a wasted opportunity, and not within the spirit of the Local Plan 4/12.
- The Romsey Labour Club was constructed by the working railway men by fund raising and in their spare time. The Conservative Club, further down Mill Road, was then funded by Lord Claude Hamilton, the Director of the Great Eastern Railway in response to try and overshadow the Labour Club. This is an integral part of the history of Romsey Town. That is why it seems inconceivable that in an area where it is not possible to attach a satellite dish to the front of your house, the developer is proposing to make such a large change to this historic façade, making it insignificant.

*Loss of existing uses and failure to replace with a use of similar community benefit*

- The Tsunami Gym and Thomas Beckett boxing club are local businesses are run by residents for residents and serve a vital community function. Providing fitness and wellbeing facilities for everyone.
- The Tsunami Gym is one of the few places in the area Romsey neighbours can interact socially
- The Trumpington Boxing Club and Tsunami Gym are used by over 200 men, women and children of all ages.
- It is clear that the proposed nursery would cause a significant decrease in social inclusion in Cambridge compared to the current businesses operated in the Romsey Labour Club.

- In addition to the limited benefits associated with such a small nursery for only 24 babies, it is clear that the fees charged would make the nursery accessible to a very small proportion of the Cambridge community.
- This building was constructed with the volunteer labour of local people for community use, as stated on the outside of the building, and it would be ironical and wrong to have this building taken out of community use especially in this already built up area that is desperate need of community facilities.
- There are sadly only too few community spaces in Cambridge welcoming different generations under one roof; it would be totally unacceptable to destroy this one which is so valued and thriving.
- There seems to be a disconnect between the student accommodation and the provision of nursery facilities. Presumably it is not the children of the residents of these single room units who will be attending the nursery. Why is a nursery the choice of community facility when there is already a very successful Boxing Studio there, and a gym would probably be a more welcome resource for the residents.
- Businesses that bring people together, to do something for the benefit of their physical, mental and social health is absolutely essential for any town and for any area that can call itself a community. Without this, we, the community, are isolated and separate from each other.
- The proposed development is for profit only. The Romsey Mill club currently hold a non-profit community fitness club. The planning application states that the current Tsunami fight club is a commercial business. This is not true. The members' fees pay for the workers' wages at most. But there is no profit made from this club, it is a community group for the people and with the people. This is true to the value base of why the club was built.
- There is increasing concern that so many of Cambridge's leisure and small business facilities are being closed so that the council can maximise their profits through building yet more unsustainable and ethically dubious student accommodation.
- A core aspect of many lives is training and socialising at the Tsunami Gym.
- It is not stated where this gym will be re-located.

- To demolish this building is to leave employees of the gym currently there, with no work and to deprive local people of an opportunity to take exercise locally.
- The building is home to Tsunami gym, which offers a variety of specialised fitness and martial arts classes like MMA, BJJ, Jujitsu, and others. I do not know of any other close-by gym that offers the same variety and scope of training.

### *Poor design*

- Whilst the retention of the Labour club façade is welcome, the design and size of the rest of the development is out of keeping with the local Conservation Area and would overshadow surrounding properties, creating a 'closed in' feeling on that corner of Mill Rd.
- This is a historically significant building for the local area and deserves a more suitable plan that would benefit both the existing local community and potential residents of the site.
- It is an appalling design and will be a blight on the Coleridge Road/Mill Road junction for years to come. The tall building and the resulting change in the roofline will block out the sky and sunlight, and create aesthetic tension and street level claustrophobia.
- As regards the design and the scale. The design shows no sympathy with the surrounding vernacular, which is a Conservation Area.
- It is odd that the design takes the neighbouring block of flats as its reference.
- The 3rd floor extension has no design merit whatsoever and sits awkwardly on the roof.
- The scale, or massing, of the proposed building as it looms over the old Romsey Town Labour Club is unacceptable and represents a poor relationship with of the club's elegant design, and a mockery of the principles of the Conservation Area.
- Cambridge does not need more characterless glass and wood student accommodation.
- While the frontage being retained is welcomed the rest of the development is out of keeping in size, scale and style with the frontage and surrounding buildings and not in keeping with a Conservation Area.
- It is considered that the development as a whole has a disconnected relationship to the frontage and is unsympathetic to the Conservation Area.

- The architects have attempted to address the issue of overshadowing Ruth Bagnall Court, for which the previous proposal was refused, and also modified their choice of bricks as requested. But there still seem to be a range of problems to do with mass, scale, materials (eg. the overbearing metal clad hipped roof fronting Mill Road), treatment and usage, which illustrate the tension between the desire to maximise economic units and insufficient attention given to the quality of the built and living environment, both as a modern development and within its historical and cultural context.
- The Romsey Labour Club has always had a particular relationship with the urban character of Romsey. This proposal does not reflect or acknowledge that.
- The coldly utilitarian block that would replace the existing building is surely out of keeping with the Victorian buildings on either side of Mill Road.
- The four-storey 'square block' buildings dominating the view from Mill Road are out of scale with the predominant two-storey Victorian houses, and do not enhance the Conservation Area.
- The protruding square concrete balconies in this new application do not reflect any buildings nearby, and serve to exaggerate the 'blockiness' of the existing building.
- It neither preserves or enhances the character or appearance of the Conservation Area. In particular, the additional storey proposed to be added to the Labour club building footprint is completely out of keeping with the character of buildings in the area.

*Contrary to policy*

- The design thus does not comply with 3/4 Responding to context or 4/11 and 4/12 (Conservation Areas and How Buildings of Local Interest should be treated), and 5/11 (Protection of existing community facilities).

*Over provision of student accommodation*

- Cambridge does not require any more student accommodation of low architectural merit.
- Mill Road has had runner-up status in national high street competitions due to its diversity and community involvement, however this ecosystem would be seriously compromised if

- there is too much student/affordable housing development up and down the length and breadth of the street.
- The seemingly unstoppable spread of student accommodation across Cambridge is blighting the city and obstructing opportunities for housing for families and local individuals.
  - Student accommodation blights most of the town centre and serves only the few, mostly from outside of the local community.
  - What the community needs is affordable family homes for rent not more student bedsits for a transient population.
  - There is already too much development of student rooms along this side of Romsey: there is student room provision just next door at the Royal Standard development; not to mention the McLaren development further down the road which is scheduled to provide rooms for hundreds of students of the Anglian Ruskin University. Is there really a need for even more student housing when it is apparent to residents that there is a great lack of family housing in the area.
  - This building should be preserved and affordable housing should be considered elsewhere.
  - Having read the policy statement, which 'suggest[s]' that the previous advice (from May 2017) is still applicable. However, as the status of the emerging plan has moved on since May 2017, and is due to be adopted next year, and as the existing plan was meant to apply to only 2016, it would seem reasonable that the emerging plan and the principles underpinning it, which have changed since the Local Plan 2006 was adopted, is given more weight.
  - Student flats do not pay any council tax.
  - It cannot be possible to need more student accommodation. You could make an indoor market, a food hall for local food providers. or even heaven forbid some much needed social housing with a community hub.
  - The addition of a further 37 student flats into a small section of Mill Road (from Coleridge to Brookfields) will overwhelm the character of the neighbourhood, turning it from a close-knit residential area into one with a predominantly transient population of students.
  - Having worked in student accommodation for the last fifteen years the supply now outweighs the demand. New Student blocks built within the last three years are not being filled and adding to this stock will result in losses to investors and

empty accommodation, criminal with the homeless people sleeping on the street in Cambridge.

#### *Overdevelopment of the site*

- The proposed plans to incorporate 37 units onto a relatively small site are an example of overcrowding that would negatively impact both existing residents and potential residents in the area.
- The development also needs to be considered in the context of cumulative impact of other developments in the area as Mill Road has recently been highly developed.
- The development is too dense for the site and there is insufficient green space included in the development

#### *Poor quality accommodation*

- The proposed rooms are very small with little communal/amenity space, which would be cramped and isolating for residents.
- The student 'courtyard' appears to have no amenities, and this seems a wasted opportunity.
- The scheme designs in the potential for isolation and loneliness.
- With respect to the second ground for rejection of the previous proposal - that the amenity space is inadequate, and does not provide a high quality external space design - the new proposal provides barely more amenity space, and is still hemmed in, and thus is still inadequate.

#### *Poor drop off arrangements for both the Nursery and student accommodation*

- The corner with Coleridge Rd would be a difficult place to use for drop off.
- The Mill Road/Coleridge Road junction has long been a major congestion bottleneck - at peak times traffic is backed up beyond Mill Road bridge and far into Coleridge Road. It is also an accident hotspot and the addition of a nursery and the inevitable drop offs and pickups will add more congestion and increase the accident tally.
- Parents of nursery aged children cannot just 'drop' off their children in a drop off area. It takes time to take a child out of a car and hand them over to a nursery carer. Picking up



similarly takes 5-10 minutes and the proposed small drop off area would not be sufficient in size.

- Mill Road is already congested, and Coleridge is increasingly used as a "rat-run" therefore the drop off arrangements will be dangerous to traffic.
- The location of the site on a busy road junction is likely to produce more traffic congestion and parking problems to the area.
- The proposed development is bound to increase traffic at the already packed corner of Mill Road and Coleridge Road.
- The proposed development illustrates an inadequate provision for the increased traffic generated from the day nursery on what is an already very busy corner. The transport assessment states that the road next to the site is 30pmh in fact it is 20mph.
- There is already a Nursery close by and no dedicated parking will cause an issue with traffic especially on the busy Mill Road. Parents will be arriving in a constant stream, will block the pavements and road and cause traffic jams which will in turn cause chaos, accidents and increased pollution.

#### *Nursery use is not fit for purpose*

- The nursey space proposed is too small in size and the outdoor area dedicated to the nursery is also insufficient in size.
- The proposed development also hosts a ground floor day nursery. There is however already two day nurseries within 4 miles of the area. It therefore questions of displacement and possible job loss for staff of the other nurseries.
- The limited space and busy external road also holds in question the safety and well-being for children attending the nursery. With no clear drop off spot identified for the nursery it also puts children and families at risk and will likely cause illegal parking and obstructions which in turn may lead to more accidents.
- The directly opposite a nursery has just had its funding cut so addition of new nursery makes no sense here and seems as if lip service to have the accommodation plans signed off rather than for actual community benefit.
- Placing Nursery and student accommodation together is nonsensical and the two very different groups could encounter friction.

- What assurances are there that the ground floor will actually be used as a nursery when existing nurseries are either having funding cuts or becoming unviable as nursery places are not funded to the full cost of providing them.

### *Lack of parking*

- The lack of any parking provision could lead to further pressure on local streets where parking demand already exceeds supply.
- As Malta Road is the closest road to the proposed nursery to park on, most parents will park on Malta Road for drop off and pick up, thus making it very difficult for residents of Malta road to park on the roads they live on.
- Some of the students residing at the proposed development will also park on Malta road and surrounding roads. Even if restrictions are placed on them not being able to have a car in Cambridge, it definitely won't be policed.
- The students will have cars parked in adjacent streets together will increased traffic to the premises from delivery vehicles and taxis.
- The local business Cam Cycle have filled their objection to the application 18/0002/FUL because of the basement cycle park's non-compliance with Local Plan policy 8/6.
- Almost no provision of car parking spaces has been provided. As someone who already lives in an area with high student occupancy, they regularly can and do have cars. Therefore this proposal will further worsen the known congestion and parking issues in Romsey.
- The nursery and student accommodation will increase drastically the traffic and the needs to find car parking space. It will form queues in an already busy road. It will also result in more cars parked in the adjacent roads. All the demand from the students like their own cars, deliveries orders, night parties will cause a lot of disturbance in the surrounded areas and neighbourhood. It should take into account the fact that increasing even more the traffic at Mill road will also affect more extensive area off Mill Road.
- No parking has been provided. Romsey's roads are incredibly narrow, mostly one way, and parking is often oversubscribed, traffic milling around for a parking space will be exacerbated by this development.
- The residential cycle park is underground and requires access via a set of stairs with a wheeling ramp. We fear that

this arrangement may be difficult to use regardless of any improvements made to it, and therefore not meet the goal of policy 8/6.

#### *The overshadowing and enclosure of the amenity spaces of adjoining neighbours*

- The height and location of the proposal would significantly reduce natural light reaching the gardens of properties on Malta Road.
- It is questioned why no shadow study has been conducted regarding the effect on homes on Malta road.
- The building will overshadow several properties along Malta Road including 6A Malta Road.
- The consequences of this development hard up against the eastern boundary would be to deny residents at Malta Road the quite enjoyment of their properties due to overbearing visual impact and visual domination.

#### *Loss of daylight to habitable rooms*

- There are daylight issues with surrounding properties.
- The proposal would impact in terms of daylight very badly on windows of Ruth Bagnall Court where tenants already pay high rent.

#### *Impacts to neighbours from the occupiers of student accommodation*

- The development is not connected formally to any university, so there will be no easy control over noise and disturbances occurring on the site.
- There is a risk of noise pollution and based on some the student flats that we can see in the area, there is risk of the external environment becoming unsightly and a health and safety risk.
- While students are a welcome element, they are not a long term asset to the community. In large numbers they create problems due to factors such as noise, car parking and rubbish, all of which would surely exacerbate the chaotic and overcrowded nature of this busy road junction.
- Anti-social behaviour and littering may increase
- There are the potential issues of noise and general disruption, particularly after 10-11pm and what can

sometimes go on until the early hours/all night, depending on who is renting at any given time.

### *Landscaping*

- To respond to the rejection, a section of landscaping at the frontage has been removed to provide a disabled parking space, thus the external frontage now consists largely of parking spaces. This provides absolutely no green 'relief' between the site and road for pedestrians/residents.
- I note that the landscaping remains vague it must be stated how local ecology be protected through this process.
- There is insufficient landscaping and tree cover at the front of the building. This is needed to soften the corner of Mill Road and Coleridge Road.

### *Miscellaneous*

- The proposed development is likely to encourage the growing inequality in Cambridge and, specifically, whether the development will promote social inclusion in a way that is consistent with the Cambridge Local Plan.
- There seems to be no information about how the student accommodation will be managed. This is an important issue as it does not 'belong' to any one of the universities/colleges.
- Romsey Town has witnessed the loss of a number of public, common, open and shared spaces in recent years: examples include the Jubilee pub on Catherine Street, The Duke of Argyle Pub in Argyle Street, the open area at the end of Thoday Street and the old Junior School adjacent to the Labour Club are just a handful of examples. If we add the proposed development of the Cambridge Beds Centre and the Mosque development, both within about 300 metres of the Labour Club, it is clear that the problem of overcrowding is set to become a whole lot worse.
- Already overstretched local services such as GP surgeries cannot support yet further residents via new high density housing.
- This development will increase the traffic in Romsey and adversely affect the air quality of its residents.
- It seems the flats are not proposed, requested, managed, or owned by an educational institution. Are they guaranteed to remain student flats, or could they become available to the general public

- Romsey Labour Club has been a great part of the community for years and the council/government should help fund its refurbishment into a community centre and bar as it has always been. The city is lacking in community spaces and this one is in a perfect location.
- The recent report on Student Housing claimed that student flats would only be acceptable if allocated to a specific University or language school. These are not allocated to any educational establishment and are a unwelcome application.

7.4 A petition organised by No. 3 Mill Road objecting to the proposal was also received with signatures from the following addresses:

	Adam and Eve Court, Cambridge
22	Argyle Street, CB1 3LR
107	Argyle Street, CB1 3LS
6	Aston House, CB1 2BP
50	Beadon Drive, Braintree
	Beech House Adventurers Drove Oxlode Pymoor Ely, CB6 2DZ
11	Beye Road, CB2 8FP
53	Brewery Road, Pampisford
15	Bridge End, Earieh
10A	Buges Road, CB25 9ND,
9	Cavendish Court, CB4 3FC
	CB2 0AN
	CB23 3AN
12	Chalks Road, Great Abbington
230	Cherry Hinton Road
Flat 4, 132	Cherry Hinton Road, CB1 7AJ
Flat 3, 164	Coleridge Road, CB1 3PR
15	Ditton Fields
66A	Fallowfield, CB4 1PE
2	Flamsteed Road, Cambridge CB1 3QU
66	Gade Avenue, Watford
248	George Lambton Avenue
34	Grafton Street
64	Great Eastern Street CB1 3AS

35	Great Farthing Close, PE27 5JX
8	Greville Road, CB1 3QL
191	Gwydir Street, CB1 2LJ
17	Hatherdewe Close, CB1 3LQ
12	Helbrook Road, CB1 7ST
4	Hereward Road, CB2 9DZ
57	Hobart Road, CB1 3PT
14	Holyoake Court, CB5 8NB
1B	Houghton Road
10B	Houghton Road
61	Howard Close, CB5 8QU
67	Humberstone Road, CB4 1JD
20	John Street, CB1 1DT
26	John Street, CB1 1DT
43	London Road, Stapleford, CB2 2BE
32	Mill Road
6	Montreal Road, CB1 3NP
4	Natal Road, CB1 3NS
13	Nuttings Road, CB1 3HU
40	Otter Close, CB23 8EA
116	Oxford Road, CB4 2P2
39	Porson Road
59	Pybckbek, CM23 4DJ
2	Rathmore Road
44	Richmond Road, CB4 3AT
72	Ross Street
223	Ross Street
33	Saint Barnabas Road, CB1 2BX
93	Scholas Walk, CB4 1DU
5	Sherbourne Close, CB4 1RT
32	Shirley Close CB24 6BE
64	Speedwell Close, CB1 9YZ
3	The Lynx, Cambridge
32	Thorley Road, CB5 8NE
15	Whitgist Road, CB1 9AY
39	Whittle Avenue, CB2 9BU

7.5 The concerns of this petition can be summarised as the following:

- Objection to the development of this historic community building which was built by the community for the community.

- The city already has too many student flats and the proposed further flats are not required.
- The loss of Tsunami Fitness Gym and it not being replaced will lead to the over 200 members unable to improve the physical and mental health. Existing members cannot afford cooperate gyms to work out.
- Romsey is already adequately provided for in terms of nurseries and this use would not give community benefit when compared to the existing gym use.
- The proposal would add to traffic problems in the area.

7.6 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. Any further comments on amended scheme dated 27/03/2018 will be added to the amendment sheet.

## **8.0 ASSESSMENT**

### **Background**

8.09 Given the recent refusal of planning permission on the two grounds set out at para. 3.1 - residential amenity impact to Ruth Bagnell Court and insufficient courtyard space - officer advice to members of the Planning Committee is to be cautious in how they approach their consideration of the revised application. The applicants have amended their previous scheme to solely address the two reasons for refusal. It is important that Members are seen to be consistent in their approach to planning applications. The previous reasons for refusal are a material consideration.

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Renewable energy and sustainability
4. Disabled access
5. Residential amenity
6. Loss of leisure facilities
7. Refuse arrangements

8. Transport and Highway safety
9. Car and cycle parking
10. Third party representations
11. Planning Obligations (s106 Agreement)

### **Principle of Development**

- 8.2 There has been no change in terms of relevant local and national planning policy since the previous application which was taken to planning committee in July last year.

#### Student Use

- 8.3 The application proposes the creation of 37 one-bed self-contained student studio flats. The proposal has come forward at a period in time when existing and emerging student accommodation policies are in a state of flux. Recently the Council has procured a Student Housing Demand and Supply Study (the Study) (January 2017) to form an evidence base for the emerging local plan. Emerging policy 46 has recently been amended to take account of the Study. The Study is a material consideration but has little weight in decision-making because it has not been subject to public consultation. Emerging policy 46 has little weight in decision making because it is subject to significant objection.
- 8.4 The key principle issues that arise from the application are that the applicants do not specify an end user for the student accommodation, such as Anglian Ruskin University (ARU) or the University of Cambridge; that they question whether it is necessary to enter into a S106 agreement to restrict occupation to either ARU or the University; and that they are seeking studio accommodation as opposed to hostel accommodation. The applicants state that no end user is in place (despite discussions) and as a result the application is speculative. It is also evident that the proposal is in direct conflict with emerging policy 46 (as modified) which seeks that:

*'Proposals for new student accommodation will be permitted if they meet identified needs of an existing educational institution within the city of Cambridge in providing housing for students attending full-time courses of one academic year or more. Schemes should demonstrate that they have entered into a*



*formal agreement with the University of Cambridge or Anglia Ruskin University or other existing educational establishments within Cambridge providing full-time courses of one academic year or more. This formal agreement will confirm that the proposed accommodation is suitable in type, layout, affordability and maintenance regime for the relevant institution. The council will seek appropriate controls to ensure that approved schemes are occupied solely as student accommodation for an identified institution and managed effectively....'*

- 8.5 Members will be aware that the Council's policy section in the previous application had raised an issue that there is no certainty that studio accommodation is acceptable to Anglia Ruskin University or the University of Cambridge and that it can be more expensive and less appealing to some students. They initially advised that in light of the evidence base on student accommodation, the application was not considered suitable to meet the identified accommodation needs of Anglia Ruskin University or the University of Cambridge and was contrary to policy 7/10.
- 8.6 Following the receipt of the policy advice, the applicants have sought Simon Bird QC's advice. The advice deals with two main issues, firstly in respect of the continuing legitimacy of 7/10 in seeking to discriminate in favour of ARU and the University of Cambridge in terms of occupancy restrictions and, secondly, the consideration as to whether 7/10 is at all applicable to the proposal given that it is for student *studio* units as opposed to *hostel* accommodation. Following the receipt of this advice, the Council has sought its own advice from Douglas Edwards QC, who also represents the Council regarding the examination (EIP) into the emerging local plan. Members of the Planning Committee were invited to a briefing on the subject of student policy (existing and proposed) on 14 June 17 to discuss the implications of the applicants and Council's QCs' advice, both of which concur on the key issues. The Council's QC's advice supersedes that provided initially by policy colleagues.
- 8.7 In summary, the outcome of Counsel advice is such that:
- Criteria a) of policy 7/10 in seeking to restrict speculative student hostel accommodation to full time students attending Anglia Ruskin University or the University of Cambridge is out of date and cannot be relied upon as a reason for refusal.

7/10 is discriminatory and is inconsistent with the NPPF and emerging policy in this respect.

- Policy 7/10 should not be applied to studio units, only hostel accommodation i.e. those with shared communal facilities. The policy does not reflect more recent trends in student accommodation provision for studios and is out of date in this respect. The proposed scheme cannot be reasonably considered to be hostel accommodation as no communal facility to any material extent within the building is provided.
- The Study as an evidence base suggests that there is a need for studio accommodation. Weight can be given to the objective assessment of student studio need but no weight can be attributed to the policy proposal contained therein as they have not been subject to public consultation. Studio accommodation for students cannot be resisted on the basis of the Study.
- Criteria b), c) and d) in relation to management arrangements regarding the keeping of cars, the proximity of the accommodation to the educational institution and appropriate provision for students who are disabled remain relevant for decision making when 7/10 is engaged.
- For decision making purposes, emerging policy 46 can only be given limited weight.
- In respect of the proposal, there is no conflict with the development plan and no objection to the principle or type of student accommodation (studios) can be sustained.

8.8 In light of the Counsel advice, whilst the application is clearly speculative, as the proposal is not for hostel accommodation and is for studio accommodation, 7/10 is not engaged for decision making purposes. It would therefore be unreasonable to seek an occupation restriction to either ARU or the University of Cambridge.

8.9 The question therefore arises as to whether it is reasonable to seek to control issues of car parking management, proximity to the education institution and provision for disabled students in so far as other policies of the local plan may be relevant. I deal with each of these matters in turn below.

## *Car Parking and Management*

- 8.10 In relation to car parking management, there are no car parking spaces provided on site for students. The proposal is located outside of the controlled parking zone. It is reasonable to assume that without any form of control over student ownership of cars at this site that students would own and park cars within the surrounding residential streets. From my site visit, it is clear that car parking within this part of Mill Road is at a premium. This part of Mill Road accommodates a good number of family housing in Victorian terraced streets which are reliant on on-street car parking within a tightly packed street frontage, with many cars straddling both pavement and highway in terms of parking provision. Being close to the city centre, the area is also subject to commuter parking. As a worst-case scenario, if 40 students were to own cars at this development, this would exacerbate local parking pressures and cause harm to the residential amenity of local residents, many of whom rely on on-street car parking. That harm could be defined as increased inconvenience in terms of finding space to park, the likely increased distance of a car parking space to a dwelling and noise and disturbance associated with increased car ownership and associated parking along the narrow streets of this part of Cambridge.
- 8.11 Policy 3/7 of the local plan requires at criterion K) that development proposals will be permitted where provision is made for the adequate management and maintenance of development. Supporting paragraph 3.22 states that new development will be expected to address or mitigate any impact it may have on community safety and the public realm. In my view, even in the absence of being able to continue to apply criterion b) of policy 7/10, policy 3/7 can be relied upon and there is sufficient evidence locally to suggest that without any form of management of car ownership by students living at this site that harm, to the day-to-day amenity of local residents, would result.
- 8.12 In this location, on a main route into the City by foot, cycle or bus and in close proximity to the ARU campus in particular (600m), there should be no need for students to own a car (except for purposes of impaired mobility). On this basis, I am of

the view that it is appropriate to seek a S106 agreement to seek to limit car parking ownership of future student occupiers.

8.13 The proposal incorporates studio units and no educational institution would be tied to the scheme through a S106. As such, students within the scheme could be attending multiple educational institutions at any one time. Those institutions may not be directly involved in the day-to-day management of the accommodation. It is therefore reasonable to approach a S106 clause on the following basis.

1: That it requires the appointment of a management company for *all* of the studio units comprised within the scheme to actively monitor and manage a stipulation that no students of the scheme, except for mobility reasons, shall be allowed to keep a car within Cambridge. The management company will need to be appointed prior to the occupation of any student unit and have an ongoing overarching management role for all of the student units.

2: That all students of the scheme prior to their occupation shall be required to sign a tenancy agreement that prohibits them from keeping a car in Cambridge.

3: That as part of the tenancy agreement, if a student is found to be keeping a car in Cambridge that an official warning is given and that following breaches result in the termination of the tenancy within a specified time period.

4: That the Council is able to request information concerning all breaches and action taken with regard to them, together with details as to what monitoring has taken place and any complaints that have been received.

8.14 I appreciate that even with an overarching management company in place, a S106 clause such as this can be difficult to enforce because there are many streets within this part of Cambridge that a student could choose to park a vehicle and it is difficult to relate any such parking to the occupation of the building. Ultimately, the control over the parking on the City's streets lies with the County Council and any such obligation could not remove a student car from a street. It could only go as far as seeking to limit student ownership of cars, put measures in place to make students aware of this and invoke penalties if a

breach of a tenancy agreement is found to have taken place. This is the practical limit of any such S106 clause.

8.15 With regard to overall management, I note that the application is accompanied by a draft management plan. The management plan sets out the following:

- Each room will be for a single student
- Tenancy agreements will be for 48-50 weeks
- Sub-letting will be prohibited
- The managing agent will be responsible for enforcing the tenancy agreement
- No car use by students (S106, Proctorial Control and Tenancy secured)
- Promotion of sustainable travel options
- Management of vehicle drop-off for term start/finish
- Bin collection

8.16 Subject to a S106 clause to seek the submission, agreement and implementation of a management plan to include these elements, I am satisfied that the application would accord with policy 3/7.

#### *Proximity*

8.17 In the absence of any identified educational institution being associated with the grant of planning permission, the question arises on the grounds of sustainability as to whether the location of the site is suitable for most educational institutions within Cambridge. This part of Mill Road is well served by public transport, the city centre, the railway station and the Mill Road local centre are all accessible by foot or by cycle and it is likely that most students living at this site will find themselves able to travel with relative ease to their associated educational institution. On this basis, I do not consider it necessary for any permission to restrict, by name, the educational institution to which students could attend.

8.18 It is reasonable, however, to ensure that any students residing at the building are attending an educational institution on a full time course of at least an academic year within the City of Cambridge. I note that the applicant is proposing that tenancy agreements are to be no less than 48 weeks. Occupation by students attending educational institutions outside of Cambridge

would not be meeting the needs identified in the existing local plan and as evidenced in the Student Study to support the emerging local plan of Cambridge's education sector. It is reasonable to conclude also that such occupation would not necessarily be a sustainable use of the building. Likewise, it is still necessary to ensure that occupation is by students who are enrolled on full time courses of at least an academic year. The reason for this is two-fold. Firstly, any shorter term occupation – say for example by language school students or crammer students– over the course of the year would be likely to attract a higher turn-over of use of the property and could cause considerably more noise and disturbance to the local neighbourhood than full time students. These students are typically younger, gather in larger groups and due to their shorter time in Cambridge, can be less respectful of the established amenity of an area if not properly managed.

- 8.19 The S106 will have to ensure that a clause is required to ensure the City Council is able to request the names of any occupiers, the length of associated tenancy periods, the educational institution to which they attend and the title of the occupier's course and its length. This is to ensure that the Council can be satisfied that the building accommodates students and student only on full time courses for the minimum tenancy period as set out by the applicant.
- 8.20 It would, however, be reasonable to allow a more flexible use of the building during the summer recess when it is no longer required for its primary purpose and may be vacant. Any such temporary use would have to be agreed first with the Council to ensure that adequate management arrangements are in place to protect residential amenity.
- 8.21 On this basis and with these controls in place, I consider the occupation of the building by full time students of a Cambridge educational institution would be sustainable and that the impact on residential amenity would be mitigated in accordance with adopted policies 3/1 and 3/7.

#### *Provision for Disabled Students*

- 8.22 Policies 3/11 and 3/12 seek for new buildings to be convenient, safe and accessible to all users and visitors. The applicant's

Design and Access Statement states that all rooms are designed to be DDA compliant. The applicants confirm that:

- External surfaces and parking areas will be paved in a smooth hard material suitable for use by wheelchairs.
- All doors are to have level thresholds.
- Double doors are to have one leaf of minimum 900mm width.
- An internal lift is to be provided of sufficient size at 2m x 2m (minimum internal car size 1.8m x1.8m) for use by a wheelchair user and attendant. Control buttons are to be at a height suitable for wheelchair users and will include tactile indications and visual and audible indication of the floor reached.
- WC accommodation within each unit has been designed for use by the visiting disabled.
- Light switches, electrical socket outlets and intercom door entry systems are to be located at a height suitable for disabled use.
- One flat is fully kitted out for a wheelchair user including a wet room.
- Consideration is to be given to the interior colour contrast
- The communal garden is to be fully accessible.
- A charging point for disabled buggies is to be provided in the downstairs lobby.
- Hearing loops are to be provided in communal areas.

8.23 Notwithstanding that policy 7/10 is not engaged with regard to criterion d), policies 3/11 and 3/12 are still applicable. My view is that the applicants have suitably addressed this issue.

#### *Loss of Flat*

8.24 The existing building has one first floor flat on the rear south eastern wing above the Tsunami Fight Club. This will be lost as

part of the redevelopment of the scheme. A recent appeal decision at 115-117 Grantchester Meadows (16/1529/FUL) has clarified that the replacement of a dwelling with student accommodation does not conflict with policy 5/4 as both forms of accommodation are residential. Given that there would be an increase in residential floorspace overall the scheme complies with policy 5/4.

### *Affordable Housing*

- 8.25 The Council's adopted and emerging policies regarding student accommodation together with the Council's draft Affordable Housing SPD (2014) do not require student schemes to contribute towards the supply of affordable housing. As the proposal is for studio units which are a C3 use, without a S106 to ensure the units would remain in student use, adopted policy 5/5 would be engaged and the scheme would be required to provide 40% or more of the units or an equivalent site area as affordable housing. That notwithstanding, the scheme is clearly designed for student use and has limited amenity space associated with it. As such, I am doubtful that occupation other than by students on a temporary basis of an academic year would be appropriate.

### *Studio Units*

- 8.26 The Study evidence base suggests that the Colleges of the University predict an increasing demand for self-contained studio flats, that expansion of the post-graduate population is predicted and there is a lack of studio style accommodation for this sector (see paras 4.25, 4.27, 4.32, 4.42 and 4.57 of the Study). Provision for this sector could release existing housing stock (a position taken by the Inspector in the Mill Road appeal 14/1496/FUL and put forward by the applicants) albeit the Council policy position is that there is no evidence to support this. The applicant's QC's advice on this issue is that emerging policy in respect of studio accommodation 'sets its face against the provision of student flats' and that no weight can be given to this emerging policy. The Council's QC considers it 'doubtful that the 2017 Assessment [the Student Study], when considered as a whole, can properly be relied upon by the Council to oppose that element of Duxford's [the applicant] proposed development which seeks to provide self-contained student accommodation'.



8.27 As such, my conclusion is that the Study demonstrates an objectively assessed need for studio accommodation for students and there are no grounds to resist the application on this basis.

*Summary of Principle of Student Use*

8.28 Policy 7/10 is not engaged by the proposal and no conflict therefore arises. The site is not presently allocated for any particular land use and no other adopted policy regarding the principle of the student accommodation is engaged. This is a mixed use area and student accommodation is capable of being provided in principle on this site. As such, the principle of student accommodation on this site raises no conflict with the development plan and the proposal would help to meet the identified student accommodation need within Cambridge. Whilst the proposed development is in conflict with emerging policy 46, only limited weight can be attached to this because substantial objection has been raised to it. There is no sustained basis for objection arising from the Student Study in relation to the studios. The site is located in a sustainable location. Measures can be put in place and secured through a S106 for the management of the accommodation in terms of full-time student occupation and the keeping of cars.

A S106 could secure the following:

- A management plan to be submitted, agreed and implemented for all units with a specific requirement for overarching control through appointment of a management company with responsibility for all the student units concerning the monitoring and management of car parking etc.
- Occupation only by full time students attending an educational institution within Cambridge.
- Requirement for minimum tenancy period of 48 weeks for all student occupants
- Requirement for request of information in relation to car parking management and occupier details (name, educational institution, tenancy length and course length)

Allowance for out of term time use subject to submission of management information to the satisfaction of the LPA regarding the protection of residential amenity.

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

#### Response to context

- 8.29 This scheme has gone through the pre-application process since the previous scheme was refused at Planning Committee. This section of Mill Road predominantly comprises of fine grain two storey domestic scaled terrace houses, whilst directly opposite the site lies the two storey Romsey Mill Community Centre which is also designated as a BLI. Directly to the south of the site, outside of the Conservation Area lies the Ruth Bagnall Court, a part three and four storey shallow pitched roof flat block. The scale and massing of this flat block forms a contrast to the prevailing two storey semi-detached properties on Coleridge Road. Opposite Ruth Bagnall Court lies a smaller two storey flat block (Denham Place) which is setback from the road frontage behind mature tree planting.

#### Mill Road frontage

- 8.30 In my opinion part of the reason for designating Romsey Labour Club as a Building of Local Interest (BLI) is because of its historic use and links to being a building for party members and built by local party members. This use is historic and the building has not been in this use for decades. All the most valuable architectural features as listed in the BLI description are located on the front façade and side elevations of the Romsey Labour Club. The rest of the building has been heavily altered and is not considered of particular architectural merit. I consider the rear of this building currently has little links to the aforementioned historic Labour Club use. The retention of the front façade and side elevations is welcomed as a link to an important social building in Romsey.
- 8.31 The proposed two storeys above this single storey element are contemporary in design using vertically proportioned box dormers and zinc cladding. This modern design is considered in keeping with the streetscene of the Conservation Area as it uses a gable ended pitched roof framed by two chimneys on

both side elevations and a third central chimney. Many other properties on Mill Road are of a similar pitched roof design, it is also noted the height is stepped down in line No. 276 where the building adjoins the boundary with this neighbour.

- 8.32 The proposed first and second floors are also considered subservient to the BLI below. This is because they are indented 2 metres from the ground floor front elevation and 2 metres from the side elevation. Its bulk is further assimilated by the second floor being within a pitched roof and the use of zinc cladding. The four dormer openings match the rhythm of the windows below within the BLI elevation. Similarly the proposed red brick treatment of the gable elevations is supported and forms a relationship with the retained BLI frontage. It is therefore considered that the proposed addition would complement the retained BLI ground floor elevations below.
- 8.33 The Urban Design and Conservation Team has no objection to this element of the development and state:

*‘whilst there is an impact on the BLI and the appearance of the scheme from Mill Road, the level of harm is considered to be less than substantial. Given that the scheme is securing the beneficial reuse of the BLI overall, the harm needs to be weighed against the public benefits of the scheme.’*

It is my opinion there is significant benefit to the public in terms of introducing a nursery use (which will be explained further in paragraphs below) and securing renovations for the BLI front façade which currently is in a state of disrepair.

#### Coleridge Road frontage

- 8.34 The block facing Coleridge Road was four storeys in height or 11.2 metres and 19.6 metres wide in the previous scheme. This block has been scaled back in height and depth. This scheme proposes a block which is stepped from four stories in height or 10.8 metres closest to the junction with Mill Road, down to three stories or 8.6 metres in height and finally the section of this block closest to Ruth Bagnell Court is two storeys in height or 5.9 metres. While the previous scheme had a uniform front façade the bulk of this proposal is broken up as the entrance and stairwell in the middle of the block is indented and four

balconies protrude from first and second floor studios either side of this central entrance. Different brick has been used to accentuate this indentation. I consider this adds visual interest to this scheme. The third floor of this block, amended to be contained within a mansard roof, gives this block an acceptable impact on the scale of existing houses opposite on Mill Road.

The proposed 2.6m gap between the Coleridge Road and Mill Road blocks at 2nd and 3rd floor level is considered acceptable and emphasises the two separate blocks. The block is contemporary in design with the mansard roof clad in zinc and the use of large glazed openings. Further examination of materials is recommended via condition.

#### Block adjoining the boundary with No. 276 Mill Road

- 8.35 The block proposed for this location would be very similar in form to the eastern wing of the Romsey Labour Club it replaces but is 7.6 metres deeper. It would be two storeys in height or 6 metres in height. The design of this block is considered acceptable and its sedum roof complementary to the contemporary design.
- 8.36 The Urban Design and Conservation Team has no objections to the scale and design of this proposal. In my opinion the proposal will have a positive impact on the heritage asset of the Building of Local Interest and surrounding Conservation Area. In my opinion is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, 4/11 and 4/12.

#### **Renewable Energy and Sustainability**

- 8.37 Policy 8/16 of the Cambridge Local Plan 2006 requires major developments to meet at least 10% of their predicted energy requirements through the use of on-site renewable energy, with the policy measured in terms of carbon reduction. The renewable energy officer has stated that the applicant's general approach is supported but further clarity is required, specifically in relation to carbon calculations. A condition requiring a fully calculated scheme of renewable energy is therefore recommended.

## **Disabled Access**

- 8.38 In terms of disabled access the only change to this proposal from the previous scheme is a designated disabled parking space has been added. The entrance doors to the nursery are powered, incorporating hearing loops at fit out stage and putting two mobility scooter charging points within the proposed basement. I consider this is sufficient, but the Disabled Access officer has been re-consulted and any further comments will be reported and responded to on the amendment sheet prior to planning committee.

## **Residential Amenity**

### *Impact on amenity of neighbouring occupiers*

Loss of daylight to habitable rooms

### Ruth Bagnall Court

- 8.39 The proposed two storey element (6 metres in height) of the block facing Coleridge Road is 4.7 metres from Ruth Bagnall Court. The three storey element (8.6 metres in height) of the block is set back a further 12.9 metres away. In the previous scheme the block facing Coleridge Road was four storeys high and between 4.7m and 12.9m away from the side elevation of Ruth Bagnall Court. The proposed two-storey block adjoining the boundary of No. 276 Mill Road is located 9.5 metres from the north facing units of Ruth Bagnall Court. This is similar to the existing wing of Romsey Labour Club it would replace. A daylight/sunlight assessment was sought to consider if the single aspect apartments of Ruth Bagnall Court facing north would be impacted by this scheme.
- 8.40 A BRE Daylight and Sunlight assessment accompanies the submitted amendments (dated December 2017). The report provides an analysis of the existing and proposed Vertical Sky Component (VSC) and No Sky Line (NSL) figures for 46 windows within Ruth Bagnall Court, 233-235 Mill Road and 229-231 Mill Road.
- 8.41 The previous application determined that 3 windows to habitable rooms in Ruth Bagnall Court would fail to meet the 80% BRE criteria for daylight and this was one of the reasons

for refusal. The amended design used the Sunlight and Daylight Assessment to inform where to scale back the bulk of this block facing Coleridge Road. This assessment confirms using the Vertical Sky Component (VSC) and No Sky Line (NSL) tests that all 25 windows of Ruth Bagnall windows facing the proposal would meet and in many cases exceed the 80% criteria. I am therefore of the opinion this scheme would have an acceptable impact upon the daylight entering these single aspect apartments of Ruth Bagnall Court and has overcome previous reason for refusal 1.

### Mill Road

- 8.42 All the windows within the front facades of Nos. 229, 231, 233 and 235 Mill Road where subject to a Sunlight Daylight Assessment including a Vertical Sky Component, Average Daylight Factor and Annual Probable Sunlight Hours. These properties are located across the street and the assessment found that the impact would be negligible to these properties. I therefore consider the minor level of loss of light to these properties to be acceptable.
- 8.43 No. 276 Mill Road is located immediately to the east of the subject side. It is an end of terrace property and has a single storey garage adjoining boundary. The rear garden of this proposal slopes downward toward the south and is at a lower level. No. 276 Mill Road has no windows in its side elevation. It has three windows in the side elevation of its rear return facing the proposal these are to a kitchen at ground floor and two obscurely glazed windows at first, one to a small bedroom and the other to a bathroom. All these windows would be located 10 metres away from the proposed side elevation of the scheme. Currently the elevation they face is between 1.5 metres lower than the proposal and 0.9 metres higher than the proposal, which is 6 metres tall. A first floor rear bedroom window and a ground floor dining room window is also located perpendicular to this elevation. The dining room is dual aspect so a loss of daylight to this window is considered acceptable. The aforementioned Sunlight Daylight Assessment concluded that these windows described above would receive a slight improvement in daylight as the flat above the Romsey Labour Club is removed and therefore reducing the height by 0.9 metres south west of these windows.

### Malta Road

- 8.44 The corner of the rear elevation of the proposed two storey block is nearly 16 metres west of the rear elevation of No. 6 Malta Road. This is considered a sufficient distance to dispel any potentially detrimental impacts to the rear windows to these properties on Malta road.

Outlook

### Ruth Bagnall Court

- 8.45 This scheme has a setback to the southeast corner of the block facing Coleridge Road. The element of this block closest to the side elevation of Ruth Bagnall Court at 4.7 metres away is single storey and steps up to two storey 12.9 metres away. In my opinion the flats of Ruth Bagnall Court would have an acceptable outlook. Previously the ground floor flat in Ruth Bagnall Court facing the proposed rear elevation of the four storey block had a very poor north facing outlook but this has been significantly improved and now this flat would benefit from looking out onto the internal courtyard. I am therefore of the opinion this improved outlook has robustly overcome the previous reason for refusal. The Urban Design and Conservation Team's advice supports this conclusion.

### No. 276 Mill Road

- 8.46 The windows in the rear elevations of this property already have a poor outlook onto the eastern wing of the Romsey Labour Club and the flat above. The uniform height of the proposed elevation is considered to give a similar outlook and where height is lowered would improve outlook.

### Malta Road

- 8.47 Because of the aforementioned distances between the proposal, outlook to these properties is not considered to be unduly impacted.

Enclosure of amenity space

## Ruth Bagnall Court

- 8.48 Three flats on the north-western corner of Ruth Bagnall Court have balconies which face the proposal. The setback to the southeast corner and stepping down of the block facing Coleridge Road to the south is considered to remove any potential detrimental enclosure impacts. It is also noted these balconies are all dual aspect and also face Coleridge Road.

## Mill Road

- 8.49 The sun path study (D&A Statement part 5) indicates that the two storey eastern 'wing' results in minor additional overshadowing to the rear garden of No. 276 Mill Road at 15:00 and 17:00 on the March and September equinox and June summer solstice. The proposals also result in minor additional overshadowing to the rear garden of No. 278 Mill Road at 17:00 on the June summer solstice. The level of overshadowing is considered acceptable as it would be minimal and comparable with the existing situation. Adjacent gardens west on Mill Road remain predominantly well-lit spaces.
- 8.50 The existing 2/3 storey elevation forming the eastern wing of the Romsey Labour Club already in my opinion encloses this neighbour, with several first floor windows overlooking the garden adding to this sense of enclosure. While the proposal adjoining this boundary is greater in height and 6 metres deeper the area adjoining the patio and outbuilding would be 0.9 metre less in height and the proposal would have no windows facing No. 276 Mill Road. It is therefore my opinion that this proposal would not have a greater overbearing impact on the garden to No. 276 Mill Road than is the current situation.
- 8.51 No. 274 Mill Road is currently used as a Language Institute. It is a large mock Tudor two storey red brick and wood panelling building. It is set within a large parcel of land bordered along Coleridge Road by mature trees. It is noted from the sun path study there would be additional overshadowing during the Winter Solstice at 9am and 11am on the north western corner of the plot of No. 274 Mill Road. This sun path and shadow study does not factor in the mature vegetation on the boundary which already creates some overshadowing. I am therefore of the opinion as this proposal will only impact a small proportion of No. 274's large grounds the impact is acceptable.



## Noise

- 8.52 The Environmental Health team is satisfied that subject to conditions, noise from this proposal will not create detrimental impacts to neighbouring properties. I concur with their assessment as this development is located on a busy junction. It is also noted the main amenity space will be contained within the middle of the proposed scheme. I have therefore recommended conditions requiring noise insulation and construction/demolition noise and vibration assessment to be submitted and examined prior to commencement as well as several standard conditions to ensure construction and demolition causes as minimal impact as possible. The team has asked for the nursery hours of use to be agreed and subject to a condition.
- 8.53 Patacake, the proposed end user for this nursery, proposes to be open 8am-6pm Monday to Friday and closed on Saturdays, Sundays and Bank Holidays. It is therefore recommended that these opening times are restricted by means of a planning condition since the impact of opening outside of these hours has not been considered. It is also noted the proposed nursery would be closed during the period between Christmas and New Year. In my opinion I consider the proposed opening hours would not cause any undue noise or disturbance to local residents.
- 8.54 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, 3/12 and 4/13.

### *Amenity for future occupiers of the site*

## Outlook

### Mill Road Frontage

- 8.55 All windows to student apartments in this section of the proposal are considered to have an acceptable outlook. Six student flats would have acute views of the nursery's amenity space directly below. This relationship is considered acceptable. Having visited Patacake's nursery premise at Sedley Court, that also has student accommodation above, I

witnessed two uses that in my opinion work well together. These student flats also overlooked nursery open space. I am of the opinion therefore this overlooking is acceptable. First and second floor flats have very acute views diagonally of windows to student flats in the Coleridge Road block and the block adjoining the boundary with No. 276 Mill Road. Because of the location of glazing this impact is not considered detrimental.

Block facing Coleridge and block adjoining the boundary with No. 276 Mill Road

- 8.56 All windows to student apartments in this section of the proposal are considered to have an acceptable outlook. There is 11.5 metres between the two wings internally. The windows have been arranged so that they do not directly face one another. The arrangement is acceptable.

*Amenity space*

Nursery Courtyard

- 8.57 The central courtyard is 11.5 metres wide by 26.1 metres deep. Of this area the nursery has an amenity space of 85.4 square metres. The nursery courtyard is enclosed on the south side by a perforated metal screen and is partially covered by the 1st floor student accommodation above. This makes the space partially overshadowed. However, having spoken to Patacake, the potential future occupant, I understand this is purposely like this as children of the young age proposed to use this nursery cannot be too exposed to the weather and UV. Having been to their premises at the nearby Sedley Court I saw the outdoor amenity space currently used for the similar age group is well covered. I note the proposed space is 45% larger than the previous scheme and it would not be as overshadowed or enclosed as the previous scheme as it is of a greater depth. I am therefore of the opinion that this space is acceptable for this proposed nursery use and is now large enough and well enough lit to overcome the previous reason for refusal 2 as set out at paragraph 3.1. It is very relevant that Cambridge County Council Growth & Development team advise that the external space is compliant with Ofsted guidance for the 0-2 age group and it is acceptable for their needs. Given that Patacake are also satisfied with the proposed space provision, it is very

difficult to see how the Council could sustain the previous reason for refusal at appeal.

### Student accommodation amenity space

8.58 The proposed central courtyard space is considered adequate for the future occupants of the student apartments. It is 236 square metres in area, 32 square metres larger than the previous scheme. The shadow path study shows this courtyard space will receive sufficient light from the south. I agree with the conditions the landscape officer has recommended that ensure this will be a high quality space. Buffer planting is sought as part of the recommended landscape condition to ensure there is no overlooking from this space into ground floor flats. I also note this scheme proposes six studios facing Coleridge Road that will have small private balconies. I therefore consider that the increased area of this communal amenity space and additional private balcony amenity spaces combine to give a sufficient amount of amenity space for the future student occupiers. The site is also a five minute walk to Coleridge Recreation Ground, an expansive and well equipped area of open space.

8.59 In reaching a conclusion on this issue, it may help members to consider how this scheme compares to other student schemes recently approved.

Site	Number of rooms	Area of approved usable amenity space (sq. m)	Usable amenity space per student (sq. m)
91-93 East Road 14/0764/FUL	33	76	2.3
100 Histon Road 12/1576/FUL	71	329	4.6
1 Milton Road 14/1938/S73	211	168	1.86
7-9 Abbey Street 11/1430/FUL	24	194	8.08
73 Humberstone Road 13/0115/FUL	15	67	4.46
Texaco Site	98	45	0.46
Primrose Street 15/0140/FUL	30	197.6	6.6
Romsey Labour Club 18/0002/FUL	37	236.8	6.4

Members will see from the table that the proposal compares favourably to other similarly sized student schemes across the City in terms of usable external amenity space per student. As

such, it is my view that the previous reason for refusal has been overcome.

- 8.60 No internal communal space has been provided for the student accommodation use. This is considered acceptable as there is no policy requirement to do so in such a central location surrounded by many amenities. Technical housing standards *nationally described space standards* published by Department of Communities and Local Government March 2015 does not apply to the size of these one bed units as they will be used for student accommodation and a Section 106 agreement would ensure this. I consider each of the proposed flats are large enough in floor area to cater for the needs of a single student occupier.
- 8.61 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. I also consider this larger central courtyard along with 6 private balconies overcomes the previous reason for refusal as now in my opinion both future student occupiers and child and staff of the proposed Nursery have an adequate amount of amenity space.

### **Loss of leisure facilities**

- 8.62 Currently the east and west wings of the existing building are used as gymnasiums (Class D2) by Tsunami Gym (Mixed Martial Arts) and Becket Boxing Gym. 463sqm existing gross internal floorspace (Tsunami Gym space – 156.1sqm and Trumpington Community Boxing Club including basement – 307.2sqm) of D2 use will be removed and 260sqm gross new internal floorspace of D1 (nursery space) is proposed to replace this. Literature associated with the application indicates the basement area of Trumpington Community Boxing Club is used mainly for storage. It is also noted that neither existing gym operate with the benefit of planning permission however both appear to have been in situ for more than 10 years and, if so, are therefore established.
- 8.63 Policy 6/1 of the Cambridge City Local Plan (2006) states that development leading to the loss of leisure facilities will be permitted if:

- a. the facility can be replaced to at least its existing scale and quality within the new development; or
- b. the facility is to be relocated to another appropriate premises or site of similar or improved accessibility.

8.64 In my opinion, the gymnasiums are established and their loss would not be in compliance with this policy since neither policy criterion are met by the proposal. However, I consider there would be a public benefit to the proposed new nursery which would create a recognised need for additional 0-2yr spaces in the area (recognised by the Cambridge County Council Growth and Development team). I consider this to be a material planning consideration that, in this instance, outweighs the policy requirement. I also note that Patacake, as the proposed end user, intends these additional premises to free up their current 0-2yr unit at Sedley Court for more child care places. In addition, the proposed nursery would be of a greater floor area to the two gymnasiums it is proposed to replace.

8.65 The loss of the gyms/boxing club did not previously form a reason for refusal. Whilst I am aware that a significant number of objections have been received this time around in relation to this loss, I am of the opinion that the harm associated with the loss of these two small specialist gyms is outweighed by the public benefits of the proposed nursery. Whilst contrary to Policy 6/1 this is a material consideration that is sufficient to weigh in favour of the development.

### **Refuse Arrangements**

8.66 An adequate amount of bin storage has been provided in this scheme. The onus remains on the owner/users of the site to ensure that waste legislation, as enforced by the City Council, is followed when the dual-use site is operational. As per the City Council's Refuse Team's consultees comments the bin store has been separated so that the nursery and student accommodation have separate bin stores. The refuse officer is satisfied the loading bays provided are large enough to accommodate RCV emptying bins and the location of the bin store is satisfactory to accommodate this. Further comments from the refuse officer are awaited and Members will be updated prior to the committee meeting.

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

### **Transport and Highway Safety**

8.68 The Highway Authority is satisfied the proposal will not have an adverse impact on highway safety based modeling provided in the Transport Statement by Transport Planning Associates. However the Highway Authority and neighbours have pointed out that the speed limit on Mill Road is 20mph not 30mph. The Transport Statement has therefore been updated. The Transport Statement presents trip rates for a generic occupier taken from TRICS (Trip Rate Information Computer System). This forecast of trips by mode is modeled using local census data and has been accepted by the County Council. The conclusion is that a generic occupier might attract 3 arrivals by car in the morning and 2 in the evening.

8.69 The Transport Statement also presents an analysis using data taken from a local nursery (Patacake) which also happens to be the prospective end occupier. This forecasts four arrivals by car in the morning and 2 in the evening. The trip rates have been accepted by the County Council and given that the site is located in a highly sustainable location in a dense urban area, it is very likely that a significant number of parents would be dropping off by foot or by bicycle. Conditions are recommended to ensure highway safety is not unduly impacted by the development during its construction.

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

### **Car and Cycle Parking**

8.71 One disabled space and a set down area are proposed as part of this application. This is less than the maximum parking standards outlined in Appendix C of the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good transport accessibility exists. This site is located in a particularly sustainable location on the junction of Mill Road and Coleridge Road. Mill Road has many shops and services and the city centre is within walking distance or cycling distance. It is, therefore, my view that it would be unreasonable to refuse the application for this reason

on the basis of lack of parking. The impacts of off-site car parking are to be dealt with through the S106 as set out in the assessment of the principle of development.

8.72 All cycle parking for students is located in the basement. The scheme has been amended to make this area easier to access. The ramp down to the basement is over 5 metres long and 2.2 metres wide and has two indents for bicycle wheels either side of the ramp. In my opinion this is considered acceptable. 48 cycle spaces are proposed in this basement and 14 further visitor spaces are proposed outside facing Coleridge Road. These outdoor visitor spaces are well spaced for larger cargo bicycles that maybe used to drop off children to the proposed nursery. This amount of parking is in line with policy.

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

### **Third Party Representations**

8.74 The majority of third party representations are addressed in the report above, those issues that are not address are considered in the table below:

<b>Concern</b>	<b>Response</b>
The Tsunami gym is a non-profit community facility	The Tsunami gym is not a registered charity and its loss is addressed in paragraphs 8.63 - 865
Too much student accommodation will compromise the diversity on this street and in Cambridge.	There is no policy basis for refusing further student accommodation in this location and each scheme is dealt with on a case by case basis. See paragraphs 8.3 to 8.28
No council tax being collected	This is not a planning consideration
Ruth Bagnall Court is not comparable as it is outside of the Conservation Area	While it is agreed Ruth Bagnall Court is outside of the Conservation Area, it forms part of the context of the site and its relationship to the proposal is a planning consideration.

Site should be only used as a multi- purpose community centre.	There is no planning reason for the redevelopment of this site to a student accommodation and nursery use not to be considered. It is noted what is currently on site are two gyms, the loss of which is not considered under policy 5/11 but instead 6/1 of the Cambridge Local Plan 2006.
Affordable housing is what is required in this location.	See paragraph 8.25
A nursery directly opposite has had its funding cut, therefore a nursery in this location is not warranted.	This is not a planning matter and it is noted the Cambridge County Council Growth and Development team has identified that there is a current need for the additional nursery places provided by this scheme in the area.
Loss of Nursery use in the future	If the proposed end user of the nursery were to go out of business the named use class of this area would remain. Therefore if a change of use were required in the future this would require planning permission.
Anti-social behaviour and littering may increase with the number of student occupiers	This is a management issue and not a planning consideration. How this development will be managed will be set out in the recommended Section 106.

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

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



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

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

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

City Council Infrastructure (Open spaces and Community facilities)

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

Three contributions are identified as being necessary. These are £9,146 (plus indexation) to Abbey Sports Centre and Gym, Whitehill Road, £8,092 (plus indexation) to Coleridge Recreation Ground and £8,228 to informal open space facilities at Romsey Recreation Ground, Cambridge.

- 8.78 I agree with the reasoning set out in paragraph 6.12 above that contributions towards these projects meet the requirements of the CIL regulations. Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Occupation

- 8.79 In accordance with my assessment regarding the principle of development, the following S106 provisions are required:

- A management plan to be submitted, agreed and implemented for all units with a specific requirement for overarching control through appointment of a management company with responsibility for all the student units concerning the monitoring and management of car parking etc.
- Occupation only by full time students attending an educational institution within Cambridge.
- Requirement for minimum tenancy period of 48 weeks for all student occupants
- Requirement for request of information in relation to car parking management and occupier details (name, educational institution, tenancy length and course length)
- Allowance for out of term time use subject to submission of management information to the satisfaction of the LPA regarding the protection of residential amenity.

### Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

9.1 The larger size of the proposed central courtyard and addition of six balconies has overcome reason for refusal 1 on the previous scheme. Both the student accommodation use and nursery use would have an adequate amount of external amenity space. The County Council and the prospective occupant Patacake support the extent of provision proposed. The amount of external space for future students has been increased and given the location – close to Coleridge Rec. – and comparison with other student schemes, I consider that reason for refusal 1 has been robustly addressed and would be very difficult to sustain as a reason for refusal on appeal. With the recommended landscaping condition, a high quality space would be created.

- 9.2 The length and massing of the proposed Coleridge Road block has been reduced to address the previous reason for refusal regarding proximity and potential overbearing relationship with Ruth Bagnall Court. The proposed stepped form has produced a much greater gap between the proposed Coleridge Road block and Ruth Bagnall Court, than the previously refused scheme. All windows assessed would meet the BRE standards for daylight and sunlight.
- 9.3 Policy 7/10 is not engaged by the proposal and no conflict therefore arises. The site is not presently allocated for any particular land use and no other adopted policy regarding the principle of the student accommodation is engaged. This is a mixed use area and student accommodation is capable of being provided in principle on this site. As such, the principle of student accommodation on this site raises no conflict with the development plan and the proposal would help to meet the identified student accommodation need within Cambridge. Whilst the proposed development is in conflict with emerging policy 46, only limited weight can be attached to this because substantial objection has been raised to it. There is no sustained basis for objection arising from the Student Study in relation to the studios. The site is located in a sustainable location. Measures can be put in place and secured through a S106 for the management of the accommodation in terms of full-time student occupation and the keeping of cars.
- 9.4 The design of the development is considered to respect the context of the site and to be in keeping with the character and appearance of the Conservation Area. The works to the building respect its status as a Building of Local Interest and importantly retain existing architectural features of merit. The site lies in a sustainable location and the proposal can provide the required level of renewable energy, disabled access requirements, car and cycle parking and appropriate refuse arrangements. The proposal will not adversely impact on highway safety or harm the amenity of occupiers of nearby dwellings and will provide a high quality living environment for its future occupiers. The proposal will result in the loss of two small gymnasiums but this is outweighed by the benefits of providing a nursery use that meets a recognised need. Measures necessary to secure infrastructure provision and to mitigate the development can be secured through a S106 in full compliance of the CIL regulations.

## 10.0 RECOMMENDATION

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

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

(b) A report setting 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 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. No development shall commence until details/specification of solar control glazing for all windows has been submitted to and approved in writing by the local planning authority. The windows shall be installed in accordance with the approved details and maintained thereafter.

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

11. No development shall commence until a method statement for the retention of the front and rear elevations of the existing Labour Club building has been submitted to and approved in writing by the local planning authority. The development works shall be undertaken in accordance with the approved method statement unless otherwise agreed in writing by the local planning authority.

Reason: to ensure the structural integrity of the elevations of the existing building to be retained are consistent with Cambridge Local Plan (2006) Policy 4/12.

12. Prior to demolition of the parts of the Labour Club building not due for retention, an archaeological building record by an approved archaeological contractor shall be undertaken and submitted to the LPA for approval.

Reason: to be consistent with NPPF paragraph 141.

13. Prior to any demolition works being undertaken, a schedule of works of repair or alteration of the Labour Club Building elements to be retained (front and return elevations) shall be submitted to and approved by the LPA. The schedule shall include for instance, any cleaning, repointing, brick or stone works and window repairs or replacement.

Reason: to protect the appearance of the retained elements of the BLI in accordance with Cambridge Local Plan (2006) Policy 4/12.

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

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

15. No development shall commence until details of the proposed spandrel panels, including a schedule of the windows they are to be introduced to, have been submitted to and approved in writing by the local planning authority. The panels shall be erected in accordance with the approved details and thereafter maintained unless agreed otherwise in writing by the local planning authority.

Reason: To ensure that the appearance of the external surfaces of the development and levels of privacy achieved are appropriate (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12 and 3/14).



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

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

17. No development hereby permitted shall be commenced until surface water drainage works in accordance with the December 2017 GH Bullard & Associates FRA and Drainage Strategy have been submitted to and approved in writing by 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 or flooding off site for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

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

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

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

18. 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)

19. 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; buffer planting to the front of ground floor units; 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, privacy and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety

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

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

22. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: To prevent surface water discharging to the highway in the interests of highway safety.

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

Reason: In the interests of highway safety.

24. 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

25. 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)

26. 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)

27. 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

28. The nursery use, hereby permitted, shall be carried out only between the hours of 8.00am - 6.00pm Monday to Friday. The use shall not be carried out on Saturdays, Sundays or Bank Holidays.

Reason: To protect the amenity of occupiers of nearby properties and because the merits of operation outside of these hours have not been considered (Cambridge Local Plan 2006 policy 4/13)

29. Prior to the commencement of development/construction, a noise assessment of internal noise levels and a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the accommodation units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the accommodation units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

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

Reason: To protect the amenity of the proposed new residential units (Cambridge Local Plan 2006; Policy 4/13).

30. Prior to occupation of the residential units above and adjoining the nursery, the applicant shall demonstrate to the satisfaction of the Local Planning Authority a scheme of noise insulation that adequately protects internal noise levels in habitable rooms in those units from noise associated with the day-to-day use of the nursery. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of residential units adjoining the nursery (Cambridge Local Plan 2006; Policy 4/13)

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

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

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

32. Prior to the commencement of development, with the exception of the demolition of the existing buildings on the site, 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 total predicted energy requirements of the development and shall set out a schedule of proposed on-site renewable energy technologies, their respective energy contributions, location, design and a maintenance programme. It shall also include an assessment of any air quality noise or odour impact and mitigation measures required to maintain amenity and prevent nuisance in accordance with the Council Sustainable Construction And Design Supplementary Planning Document to be submitted in writing and agreed with the LPA prior to installation. The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any of the flats hereby approved and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme, unless otherwise 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 policies 4/13 and 8/16).

33. Notwithstanding the provisions of the Use Classes Order (1987) and the Town and Country Planning General Permitted Development Order (2015) as amended, the proposed nursery use shall only be used as as nursery and for no other purpose, either in a different use class or within the D1 use class as set out in the Use Classes Order (1987) as amended.

Reason: The application has only been assessed on the basis of the nursery use and for no other purpose in relation to its impact or justification as a community facility in replacing the existing leisure use (Cambridge Local Plan policies, 5/11, 6/1, 4/13).

**INFORMATIVE:** The developer is advised that part of the proposed structure supports the public highway. Prior to commencement the developer must contact the Highway Authority to provide an Approval In Principle document in accordance with BD2 Volume 1 Highway Structures: Approval Procedures and General Design, Section 1 Approval Procedures of the Design Manual for Roads and Bridges.

Reason: In the interests of highway safety.

**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)



**INFORMATIVE:** If suspect ground conditions or contaminated materials are encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and an appropriate remediation and validation/reporting scheme agreed with the LPA. Remedial actions shall then be implemented in line with the agreed remediation scheme and a validation report will be provided to the LPA for consideration.

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.

**INFORMATIVE:** In relation to Condition No. 4, it is recommended that consideration be given to the use of external shading, designed according to the elevation in question (e.g. vertical shading works better on west facing elevations, while horizontal brise soleil works better on south facing elevations).

**INFORMATIVE:** The principle areas of concern that should be addressed are:

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

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.

This page is intentionally left blank

<b>Application Number</b>	17/2214/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	16th January 2018	<b>Officer</b>	Sav Patel
<b>Target Date</b>	17th April 2018		
<b>Ward</b>	Trumpington		
<b>Site</b>	Land At Anstey Way Cambridge		
<b>Proposal</b>	Erection of 56 no. affordable apartments, car parking and associated landscaping		
<b>Applicant</b>	CIP LLP CIP Offices Mill Road Depot Mill Road Cambridge CB1 2AZ		

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

- The proposed development would make efficient and effective use of brownfield land to provide 100% affordable housing;
- The design and scale of the proposed development would be in keeping with the character of the surrounding built form and make a positive contribution to the area;
- The proposed development would not have any significant adverse impact on the residential amenity of the surrounding neighbours;

**RECOMMENDATION: APPROVAL**

## **0.0 BACKGROUND**

0.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to help increase the amount of affordable housing within Cambridge. The target

is to provide 500 new dwelling across the City using mainly council owned sites/assets. The City Council has received £70million support from central government as part of the Devolution Deal to help achieve this target.

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

- 1.1 The application site area is 0.52 hectares and located on the northern side of Anstey Way. The site is enclosed by a loop road which extends off Anstey Way. The loop road is also called Anstey Way.
- 1.2 The site has been cleared of all buildings and structure. Previously, the site consisted of 28 residential units contained within a three storey block of flats (12 flats) and 16 single storey bungalows. The three storey block of flats was located at the front of the site (south) with a green area to the rear separating the flats from the single storey bungalows. The site is currently surrounded by hoarding.
- 1.3 The site is surrounded mainly by two storey housing development to the north and east. The dwellings to the north are characterised by two storey semi-detached and detached buildings. The dwellings to the east in Paget Road are set away from the site due to the depths of the rear gardens (approx. 34 metres). Each property benefits from rear access from the eastern arm of Anstey Way. The terrace of no.s 1 to 7 Paget Road are laid out at an angle on the corner of Anstey Way and Paget Road. These dwellings are set back from the Paget Road and are located closer to the site as they have smaller rear gardens.
- 1.4 To the west of the site are two and three storey dwellings and the three storey crescent building consisting of flats on the first and second floor and commercial use on the ground floor. The crescent building faces over green space which is visible from adjacent to Trumpington High Street.
- 1.5 In terms of site constraints, the site is not located within the Trumpington Conservation Area and there are no Listed Buildings or Buildings of Local Interest within close proximity to the site. The Conservation Area boundary extends from Trumpington High Street up to the crescent building to the east of the site. Therefore whilst the site is not within the

Conservation Area the development will affect its setting.

- 1.6 There are no trees within the site and there are no trees adjacent to the site that are protected by Tree Preservation Orders. There is a playing field and community pavilion approximately 60 metres to the east of the site.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for the redevelopment the site to create 56 new affordable homes of which 12 are specifically proposed for over 55's. The proposal also includes car parking, bin and cycle storage and landscaping. All 56 new units are proposed to be in the form of 1, 2 and 3 bed flats
- 2.2 The proposed flats are to be accommodated within 11 two and three storey apartment blocks (Blocks A, B, C, D, E, F, G, H, J, K and L) which are arranged around the perimeter of the site. The apartment blocks would enclose an internal court, which would provide two areas of communal outdoor space and two car parking courts. The over 55's units would be located at the northern end of the site in Blocks G, H and J. The communal garden for the over 55's would be separated from the rest of the site with a boundary fence. The over 55's units would be arranged in three two storey pitched blocks.
- 2.3 The proposal would provide two areas of communal outdoor space totalling 389.55sqm. Each apartment is proposed to have a balcony/terrace.
- 2.4 The proposal includes 50 car parking spaces (including 7 wheelchair accessible spaces and 14 visitor spaces). 35 of these spaces would be located within two parking courts within the site. 11 car parking spaces are proposed to be allocated for the over 55's units. These spaces would be located in front of and to the side of Block H, G and J. 4 visitor spaces are proposed at the front of the site on Anstey Way. The proposed layout includes two vehicle entrance points to the internal parking courts. One is located on the western side of the site and other on the east. The western entrance would serve apartment blocks A,E,F,K and L. The eastern entrance would serve apartment blocks B, C and D.

- 2.5 In terms of cycles and bins, the proposal includes 97 cycle parking spaces and waste storage for 3 waste streams within secure stores on the ground floor of the development.
- 2.6 The proposal would result in a net increase in residential units of 28 on the site over and above the 28 units previously on the site.
- 2.7 The following supporting information has been submitted with this planning application:
- Planning Statement;
  - Design and Access Statement;
  - Air Quality Assessment;
  - Ecology Report;
  - Flood Risk Assessment & Drainage Strategy;
  - Noise Impact Assessment;
  - Phase 1 Ground Condition Study;
  - Transport Statement; and
  - Tree Survey.
- 2.8 Following consultee comments the proposal has been amended to resolve and take on board the concerns raised by consultees. Amended plans were submitted on 22 February 2018. The amendments relate mainly to the following:
- The widening sections of the eastern and western arms of Anstey Way to 5 metres in response to highway concerns;
  - The layout of the cycle stores have been improved so they are all have Sheffield stands;
  - Provision has been made for cargo bikes;
  - Bin stores are located within 10 metres of the collection points;
  - Two entrance points have been introduced in the north

elevation of the over 55's to improve articulation, circulation and access;

- The first and second floor windows in the eastern elevation serving apartment Block C have been replaced with angled windows to mitigate overlooking into the gardens of the properties in 1 to 7 Paget Road.
- Alterations have been made to the entrance/exit points to improve visibility splays;

2.9 I have re-consulted consultees on the proposed amendments. I also re-consulted the residents in 1 to 7 Paget Road on the amendments to the windows in the east elevation.

### 3.0 SITE HISTORY

Reference	Description	Outcome
17/1133/DEMD ET	Demolition of flats and bungalows	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 3/8 3/11 3/12 5/1 5/5 5/9 /510 8/1 8/2 8/3 8/4 8/5 8/10 8/16

### 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)
	Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
	Affordable Housing (January 2008)
	Planning Obligation Strategy (March 2010)
	Public Art (January 2010)
Material Considerations	<u>City Wide Guidance</u>
	Cambridge Walking and Cycling Strategy (2002)
	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)**

1<sup>st</sup> comments:

- 6.1 Recommends refusal. No improvement is proposed to be carriageway width on Anstey Way. The carriageway [behind the crescent building] is currently too narrow to allow vehicles to pass each other conveniently and increased traffic on the western arm will lead to increased overrunning of the footway and verge, and lead to stopping within the carriageway or reverse back onto the road to the detriment of highway safety.
- 6.2 Highway Authority no longer accepts additional streets trees as it cannot undertake the ongoing maintenance burden. If trees are required then future maintenance of these will need to be undertaken by others;
- 6.3 The car parking provision is based upon maximum standards and the surrounding streets are uncontrolled parking. This is likely to impose parking demands upon on street parking which could impact the residential amenity but unlikely to result in any significant adverse impact on highway safety;
- 6.4 Vehicular and pedestrian visibility splays on the submitted drawing are required.
- 6.5 Subject to the above, if the planning authority is minded to approve the proposal in its current form then the following

conditions and informatives are recommended:

- No unbound materials;
- Remove PD rights for gates;
- To lay the access to CCC specification prior to first use;
- Construct access with adequate drainage measures;
- 2.0m x 2.0m visibility splays
- Keep manoeuvring area free from obstruction;
- Access shall be provided as shown on the approved plans;
- Traffic management plan to be agreed prior to demolition or construction;
- Traffic management plan informative;
- Offence to carry out works to a public highway informative;
- No overhanging public highway informative;
- Public utilities informative;

2<sup>nd</sup> comments:

- 6.6 The access on the eastern side of the site will require the eastern arm of Anstey Way to be widened to 5 metres to allow vehicles pass. The widening has been requested to be highway south of the access into the parking court.

### **Transport Planning Team (County)**

1st comments:

- 6.7 Holding objection on the basis that a robust assessment of the application cannot be undertaken until the outstanding information is provided.
- 6.8 Trip generation – separate trip rates for flats and house should be applied to the respective number in the proposal. Trip

generation should be provided for the existing development, proposed development and net difference for each peak and daily trip.

2<sup>nd</sup> comments from the Transport Planning Team on revised transport statement submitted on 20<sup>th</sup> Feb:

6.9 Comments awaited. I will add any further comments on to the amendment sheet or report them orally in my presentation.

### **Environmental Health**

6.10 The proposal is acceptable subject to the following conditions:

- Construction hours;
- Collection during construction;
- Construction/demolition noise/vibration and piling;
- Dust;
- Ventilation scheme;
- Contamination – previously unidentified;
- EV charging points;
- Dust informative;
- Demolition/construction noise/vibration informative;

### **Growth Project Officer (Housing team)**

6.11 The proposed quantum, tenure and mix of housing is acceptable in this location.

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

6.12 Conservation team

6.13 No material conservation issues with the proposal.

6.14 Urban design comments:

## 1<sup>st</sup> comments

- The principle of redeveloping this brownfield site to make better use of the land is supported in urban design terms;
- The site is located within a sustainable location in terms of the local shops, services and well positioned in terms of access to the city centre, railway station, Addenbrookes hospital and the playing field which is less than 100 metres to the east;
- The overall approach to break up the form of development into a series of buildings (11) each with their own access core is supported;
- The location of the three storey elements along the southern boundary and two storey forms located along the northern boundary responds to the suburban character of the site;

### 6.15 Layout, movement and access:

- The overall layout and arrangement of buildings creates a structure that provides well defined edges and fronts onto adjacent streets;
- All apartments appear to meet the emerging local plan space standards;
- Majority of units are dual aspect – concerned with the potential overheating of the 3 single aspect south facing units within Block C;

### 6.16 Northern block: over 55's building:

- Need to create a legible, shared main entrance for the over 55's building from the northern frontage to create a better relationship between the units and car parking as well as improve the quality of arrival space. Explore parallel parking arrangement to better resolve green areas. Clarify parking ratio.

#### 6.17 Central interior courtyard:

- Parking is well overlooked by the adjacent apartments and tree planting is incorporated which provides the potential to enhance the quality of these spaces and mitigate the visual impact;
- A central shared landscaped area (15m x 14m) divides the two courtyards, softening the interior and supplementing the private amenity space that apartments benefits from;
- We consider that concrete block pavers should be used instead of tarmac to further reinforce the private interior and create a more domestic character and appearance. These have been used successfully in similar situations on Aura Phase 1 and 2 at Clay Farm. Permeable paving could also be employed;

#### 6.18 Cycle stores:

- We have undertaken a detailed review of each of the bike stores proposed and we are concerned that stores G, B, C are not physically large enough to accommodate the required number of bikes;
- For a scheme of this density, with a car parking provision of less than 1:1, it is essential that bike provision is of high quality and that it meets the principles and dimensions set out in the guidance to ensure it is convenient, accessible and easy to use;
- Need to undertake detailed review of each bike store applying the dimensions requirements set out in the Cycle Parking Design Guidance and amend where necessary;

#### 6.19 Scale and massing:

- The proposed scale and massing is considered appropriate to the site's context;
- The proposed heights of buildings along the main southern

frontage are similar in height to the previous building. Here the combination of stepped building lines, gabled features, pitch roofs and projecting balconies creates a vertical rhythm that compliments existing buildings;

- The remainder of the street frontage steps down to 2 storey forms and is set back to manage the transition to the more suburban scale and character to the north. Flat and pitched roof forms, building line set backs and gaps, successfully break down the length of this frontage;

#### 6.20 Elevations and materials:

- We are still of the view that full height windows need to be rationalised, so that the large windows are provided mainly for the living spaces. This will help to further refine the massing by creating an ordered hierarchy to the windows, and practically it will provide greater internal space to place furniture.
- Full height windows on the eastern façade of block C could also create overlooking issues into the rear gardens of the Paget Road properties closest to the site.
- Further work required to rationalise the number of full height windows and explore solutions to resolve any overlooking issues. Suggest the introduction of a vertical recessed shadow gaps to further break down each frontage to a scale of individual dwellings.
- We support the palette of materials outlined in the DAS, which strikes a good balance between diversity and unity.

2<sup>nd</sup> comments in response to revised plans received on 22<sup>nd</sup> Feb:

#### 6.21 Main issues/concerns raised previously have been addressed through the submission of amended plans subject to conditions.

- Access to the over 55's units from the north elevation has been provided which resolves the previous concerns with the side accesses being the primary entrances;

- The applicant has undertaken a detailed review of the proposed bike store and amended the plans accordingly. The revised bikes stores are well integrated and the semi-vertical stand have been removed completely leaving sheffield stands;
- The proposed amended bike storage provision now meets with the requirements set out in the Cycle Parking Design Guide;
- The revised proposal also demonstrate ability to accommodate non-standard/off gauge bikes;
- We suggest the use of low stands to accommodate/park non-standard/off gauge bikes. This can be secured by condition;
- Visitor cycle parking is unclear but there is space within the site to accommodate this provision. This can be controlled by condition.
- The proposed projecting angled windows within the eastern elevation of Block C appear integrated into the overall façade and are acceptable features and solution to address the overlooking concerns;
- Detailing of the final quality of the scheme will be important and there a materials condition is recommended as well as a sample panel condition;

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

6.22 Whilst some aspects of the proposal are supported from a sustainable design and construction perspective, further information is required such as:

- Sustainability statement and the Council's Sustainability Checklist;
- A renewable energy statement that demonstrates 10% reduction in carbon emissions through the use of renewable energy in line with policy 8/16;

2<sup>nd</sup> Comments following receipt of additional information;

6.23 The proposed development is acceptable subject to the following conditions:

- 10% Renewable energy statement;
- Water efficiency

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

6.24 Whilst there is no objection to the removal of the trees required to accommodate the proposed development due to their limited stature and/or poor health, it is important for any development to accommodate a reasonable level of tree cover. Therefore due to the extent of building there is limited space on site for new trees the application is not supported.

2<sup>nd</sup> comments on revised plans:

6.25 Comments awaited. I will add comments on the amendment sheet or report them orally in my presentation.

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

6.26 No recommendation has been made based upon the proposal as submitted. The Landscape Officer has requested the following information and comments to be taken on board:

- The surrounding context has not been taken into account during the design process;
- A strategy for tree planting should be prepared which makes the most of the site perimeter which appear to be able to accommodate more trees than currently shown;
- Some areas defined as planted area are too deep and large to be adequately maintained;
- The planting plans are suitable to leave for condition clearance but outline strategies should be included in final information for approval.

2<sup>nd</sup> comments on revised plans:

6.27 Comments awaited. I will add comments on the amendment sheet or report them orally in my presentation.

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

6.28 No objections in principle to the proposed development subject to a surface water drainage condition.



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

6.29 The proposed development is acceptable subject to the following conditions:

- Surface water drainage;
- Infiltration testing result and calculations;
- Drainage works implemented prior to occupation;

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

6.30 The proposed development is acceptable subject to condition for the installation of bird boxes on the new building.

### **Planning Policy**

6.31 No comments to make.

### **Cambridge Airport**

6.32 No objection to the proposal due to maximum height of the proposed buildings. Airport has requested to be informed of any construction plan for the use of cranes.

### **Developer Contribution Monitoring Unit**

6.33 Community facilities:

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Councils Planning Obligations Strategy 2010, a specific S106 contribution of £34,534 (plus indexation) is requested towards the provision of and / or Improvement of community facilities and equipment at Trumpington Pavilion, Cambridge.

6.34 Indoor Sports:

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Councils Planning Obligations Strategy 2010, a specific S106 contribution of

£15,871 (plus indexation) is requested for the provision of and / or improvement and enhancement of indoor sports provision at the Trumpington Sports Centre, Lime Avenue, Cambridge, with specific provision for Inclusive Fitness Initiative (IFI) kit within the gym area.

#### 6.35 Outdoor Sports:

Given the scale of the proposed development on this site, and in line with the funding formula set out in the councils Planning Obligations Strategy 2010, a specific S106 contribution of £14,042 (plus indexation) is requested for the provision of and / or improvement of, and enhanced access to the grass sports pitch provision on King George V memorial playing fields off Antsy Way, and improvements to the existing changing facilities to support and enhance outdoor sport usage on the playing fields

#### 6.36 Informal Open Space:

Based on the funding formula set out in the councils Planning Obligations Strategy 2010, it is proposed that the council requests £14,278 (plus indexation) towards the provision and/or improvement of and/or access to Informal Open Space (including landscaping) at King George V Memorial Playing Field, Cambridge.

#### 6.37 Play provision for children and teenagers:

Based on the funding formula set out in the Council's Planning Obligations Strategy 2010, it is proposed that the council requests £15,484 (plus indexation) towards the provision and/or improvement of the children's play area at King George V Memorial Playing Field play area, Cambridge.

### **Public Art**

6.38 I would recommend that a public art condition is included on any decision notice. The developer should consider opportunities for public art to be integrated into the scheme (i.e. through detail finishes or landscaping) and how the public art can engage local communities. Definitions of public art and the types of public art that are acceptable can be found at pages 12- 14 of the Public Art Supplementary Planning Document - if a permanent feature

is not possible, there are opportunities to explore temporary installations. A critical requirement is that the commissioned work is original, of high quality, designed for the community and produced or facilitated by an artist or craftsman. The Public Art SPD also includes details of how to commission an artist.

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

6.39 The application is supported.

### **Cambridgeshire County Council (Education)**

6.40 The County Council does not require developer contributions towards the mitigation of education, libraries, lifelong learning and strategic waste.

6.41 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:

8A Anstey Way;  
1 Paget Road;  
3 Paget Road;  
5 Paget Road;  
7 Paget Road;  
9 Paget Road;  
13 Paget Road;  
15 Paget Road;  
17 Paget Road;  
19 Paget Road;  
30 Lingrey Court;  
31 Lingrey Court;  
32 Lingrey Court;  
40 Lingrey Court;  
42 Lingrey Court;  
176 Foster Road;  
Trumpington Residents' Association

7.2 The representations can be summarised as follows:

### **Design, scale layout**

Lack of positive street scene;

Lack of greenery or communal space, communal space uninspiring – lack of green space could impact site drainage;

Overdevelopment of the site – proposal is more suited to a city centre environment;

The design is varied;

Concerns with the density of development;

More breathing space should be provided for future residents;

The proposal would be closer to the road and taller than the previous and will reduce the visual appearance of the area and closes down the open spaces;

High specification pavements must be installed on both sides of the road to allow safe access for existing and future residents;

Proposed materials on Block G, H and J are out of character – black facia and black roof tiles;

### **Residential amenity**

Overlooking and loss of privacy from windows facing Paget Road;

The three storey element will cause overshadowing of rear garden;

### **Car parking/traffic/access**

Plans show pedestrian pathway along the back of Paget Road properties – this is an error/false claim;

Vehicular access to rear of Paget Road properties compromised;

Narrowness of Anstey Way – no provision made to widen Anstey Way especially to allow two cars or car and truck to pass without using the pavement – issues for emergency vehicles and refuse trucks;

Lack of car parking for the 56 properties – 48 spaces is not enough and could cause pavement parking – no provision for visitors or delivery vehicles – exacerbate current car parking problems;

Push the development back to create car parking spaces at the front; Anstey Way and Paget Road access road should be widened;

Please explain how the calculation of only 48 parking spaces has been calculated?

No.7 bus has been cancelled – this will put pressure on car ownership;

The proposal could cause displacement parking;

Increase traffic from vehicles and pedestrians – existing roads are inadequate and could cause potential safety issue;

Poor design of junction and poor visibility will lead to unsafe access onto busy roads

No real time traffic survey conducted only desktop – decision on whether to process should be based upon evidence not assumption – traffic survey should be carried out prior to decision;

Minimum number of car parking spaces is wrong and unsuitable for this location – public access is poor due to cancellation of a number of services;

Anstey Way loop is too narrow to serve this development – should be widened to 5 metres;

There must be suitable wheelchair, pushchair and scooter etc. provision;

### **Other issues**

No community benefit;

Not enough capacity within local schools to serve proposed development;

Site clearance has led to death of the entire local hedgehog population;

The proposed development goes beyond the 34 new units were originally quoted at Housing Scrutiny Committee in 2015;

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

## **Affordable Housing**

- 8.2 The proposed development is for 100% affordable housing in the form of 56 flat including 12 over 55's flats. The 56 would be made up of 17 one bedroom flats, 37 two bedroom flats, and 2 three bedroom flats. All 56 flats will be for social rent and managed by Cambridge City Council. The tenure and housing mix is acceptable to the City Council's Housing Team as the provision is based upon the latest housing need figures.
- 8.3 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008)

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

- 8.4 The site is located within an area that is characterised by residential development of various typologies, sizes and styles. There are examples of two, three and four storey flats and dwellings within close proximity to the site. Opposite the site (south) is a development of 3 ½ storey (rooms in the loft space) blocks of flats, which are set back from the road and accessed off Anstey Way. The blocks of flats have pitched roofs and extensive glazing and balconies within the elevations. The crescent building to the west of the site is three storey with a pitched roof and appears to be a similar age to the previous three storey building on the application site. There are also flat roofed three storey semi-detached dwellings directly behind the crescent building. In this context, the proposed development of three and two storey blocks of flats with flat and pitched roofs is, in my view, an acceptable form of development.
- 8.5 In terms of the design and scale of the proposed development, the Urban Design team has not raised any significant concern with the appearance or scale of the proposed development. They feel the proposal is appropriate to the surrounding context and the arrangement of development in a series of block helps to modulate the scale of development. In my view, the development would sit comfortably on the site and make a positive contribution to the street scene. The development would also be an improvement on the appearance of the previous buildings on the site. All the elevations have been designed to respond to their setting and context which is different on each elevation. I set out below my assessment on

the design and scale of the proposed blocks within the north, east, south and west elevations.

South elevation – Block B and C:

- 8.6 The south elevation has been designed to appear a no.2 three storey blocks across the frontage of the site. The elevation contains a series of gables, pitched roofs, flat roofs, balconies and full height windows. This variety in height and appearance of the blocks helps to break down the massing of the three storey form and gives a domestic articulation to the elevation. As the most visible elevation of the development from the public realm, it is important to ensure it contributes positively to the street scene which in my view it does.
- 8.7 The tallest element within the southern range would be the gable end of Block B which would be 13 metres to the ridge. The shortest element would be the flat roof element of Block C which would be 9.6 metres. The southern elevation would have a width of 44.4 metres end to end. The height of the blocks are similar to the surrounding apartment buildings and so would not appear dominant or overbearing from Anstey Way. The blocks would also be set back from the road and pavement by approximately 3 metre. This would provide the ground floor units with a south facing terrace and enable the front boundary to be landscaped which would soften the appearance of the development at street level.
- 8.8 The southern elevation is acceptable in terms of its design and scale and would make a positive contribution to the street scene.

East elevation - Blocks C, D, E, F and G

- 8.9 The east elevation has a finer grain compared to the southern elevation as it drops down from three storey to two storey. Similar to the southern elevation, there is variety in the height and roof form to which helps to break up the massing of the longer range of this elevation. The east elevation also contains undercrofts and set back which articulates a more domestic character to the development. Opposite are the rear gardens for the properties in Paget Road. The Paget Road properties have deep rear gardens and gated accesses onto the eastern arm of Anstey Way. The dropping down in scale is therefore important

to try and reflect the two storey character of the terrace properties.

- 8.10 The tallest element within the eastern elevation is Block C (nearest Anstey Way) which is a flat roof element measuring 9.6 metres in height. The height then drops down to another flat roof element which measures 6.6 metres in height and then up to 8.9 metres for the two storey ridge of the two gable elements in Block D. After Block D the height drops down to a single storey flat roof element that would serve the bin and cycle stores. This element would be 3 metres in height and connects to Block E which consists of another pair of two storey gable fronted blocks. After block E is another single storey element that is a cycle store which connects to Block F. Block F is a two storey single gable front element which is connected to Block G. Block F and G are connected by a two storey link that is set back and sits below the ridge of both blocks. Block G forms part of the over 55's block and has a ridge height of 10 metres. Block G bookends the eastern elevation with Block C at the south end. Overall the blocks within the eastern elevation are well articulated and respond well to the context. The variety in heights and roof forms help break down the massing of an elevation than spans 93 metres. In my view this element of the proposal is acceptable and would introduce a positive vista along the eastern arm of Anstey Way.

North elevation - Blocks G, H and J (Over 55's)

- 8.11 The northern elevation has been designed to read as a terrace of two storey pitched roof houses set back from the road with car parking in front. Block H is set back from block G and J to create a break in the overall length and height of the northern elevation. The setting back of Block H mirrors the layout of the houses opposite. Amendments have been made to this elevation to ensure it contained the main entrances. Previously the main entrances were from the side of Block G and J. Whilst these entrances have been maintained they now serve as secondary entrances. Three main entrances have been introduced into the north elevation which not only improves the articulation of the elevation but also makes it legible from the car parking spaces in front. The elevation would be set back from the pavement by 6.4 metres. This set back allows for the car parking at the front and landscaping to help soften the appearance of the development and how it relates to the



housing opposite. The north elevation in terms of its scale, layout and appearance is acceptable and would not appear out of character in this location. Concerns have been raised about the proposed type of materials. I have recommended a materials condition so that sample of the proposed material are provided for consideration to ensure they are appropriate to this location. However, there are examples of dark cladding on dwelling nearby.

West elevation - Blocks J, K, L, A and B

8.12 The western elevation contains most of the three storey flat roof forms within the overall development. Opposite is a mixture of residential typologies consisting of two and three storey dwellings and three storey block of flats. Blocks A, B and L are the main three storey elements within the elevation. Block A and B face the rear elevation of the three storey crescent building and Block L, which is a part two and part three storey block, reflects the three storey timber clad dwellings opposite. Blocks L (two storey element) J and K transition from three storey to two storey with varied roofscape to respond to the domestic two storey context opposite. The elevational treatment of this range of blocks is consistent in terms of articulation of windows and doors which gives interests and symmetry to each block. In this context the east elevation is acceptable and would not appear out of character.

8.13 In terms of the Conservation Area, proposed development would be viewed in context with the existing crescent building and three storey apartment blocks opposite the site. The Trumpington Conservation Area Appraisal (2010) makes reference to the crescent building as “bulky” and introduces a different character to this part of the village. The Appraisal also makes reference to the positive contribution the open space in front of the crescent building adds to the area. The Conservation Officer does not consider the proposal would have a material impact on the Conservation Area. Overall therefore the proposed development has been design to a high standard such that it responds sensitively and positively to the surrounding context.

Layout and internal/external space

- 8.14 The proposed development has been laid out so that the blocks are located on the perimeter of the site but sufficiently set back to provide future occupiers with front thresholds/terraces, and car parking spaces for the over 55s blocks. The over 55's blocks are further set back from the road providing opportunities for enhance landscaping to reflect the suburban context of the housing development opposite. I have recommended a hard and soft landscaping condition to ensure that all external areas are well landscaped. This will be important to help ground the development and soften its edges and elevations at street level. Concerns have been raised by the Landscape Officer and comments are awaited on the additional landscape information but I am satisfied the concerns can be addressed by condition. The proposed development has been designed with good levels of circulation and permeability without compromising the security of the cycle stores. The east and west elevations contains the main bin stores which provide direct access for refuse collection and several circulation cores that provide convenient access from within the site to the street.
- 8.15 Each flat (including the over 55's block) would be provided with a balcony/terrace, which would be a minimum of 4.5sqm, and have access to a communal garden. A typical one bed flat would be 50sqm; two bed flat would be 62sqm and three bed flat would be 86sqm. The future occupiers would also have access to a large public open space approx. 60 metres from the site, which contains sports facilities and a pavilion.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Public Art**

- 8.17 No information has been provided about public art provision. However, the applicant is committed to provide some on site provision. I have therefore recommended a condition to require submission of a Public Art Strategy.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

## **Renewable energy and sustainability**

- 8.19 The proposal seeks to reduce energy consumption through installation of improved thermal performance within the fabric of the buildings, efficient gas boilers, low energy light fitting and water efficient fittings and appliances. In terms of meeting the 10% renewable energy the applicant is proposing to use photovoltaic panels on the rooftops.
- 8.20 The sustainability officer welcomes the proposed strategy for reducing energy and the principle of the 10% renewable energy provision being met by PV panels. However, the officer has requested an energy statement and water efficiency condition. I have recommended both conditions.
- 8.21 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

## **Disabled access**

- 8.22 The primary and secondary entrances to each block is proposed to be provided with level access thresholds and be lit. The communal and private entrance doors are proposed to be a minimum of 850mm wide. All entrance doors are also proposed to be secure with audio intercoms. All flats are proposed to be designed to comply with Building Regulations Approved Document M - Category 2 and 3. Category 2 and 3 are dwellings that are accessible and adaptable and wheelchair user accessible. All circulation areas are wide enough to allow wheelchair access. Blocks B and C are proposed to contain lifts to the upper floors. In terms of external features, 3 designated wheelchair accessible parking spaces are proposed to be rear of block B and C. Another 3 wheelchair accessible spaces are proposed in the north but these are not dedicated. The over 55's have 1 wheelchair accessible space.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and 5/9.

## **Residential Amenity**

Impact on amenity of neighbouring occupiers

8.24 Concerns have been raised from local residents regarding the dominance and potential overlooking/loss of privacy impact from the proposed development. I set out below my assessment of the impact from the proposed development on the residential amenity of surrounding neighbours.

#### Relationship with adjacent dwellings

8.25 The site has a north-south orientation and the proposed development arranged to respond to the surrounding built context. The previous three storey block of flats was located at the southern end of the site and behind this separated by an area of green space were the single storey pitched roof bungalows. Whilst these buildings have been demolished consideration of the previous scale and location of buildings is still important.

8.26 The dwellings closest to the site are located to the north, north-west, southeast and southwest. These mainly consist of two storey dwellings and most of these face the site with their front elevations. The only dwellings that do not face the site are the dwellings in Paget Road and the flats in the crescent building. It should also be noted that no.30 Lingrey Court (north) has its side elevation facing the site.

8.27 Therefore in view of the surrounding context, it is important to understand the levels of separation to gauge the potential impact from the proposed development. The proposed development would be located approximately 34 metres from the main rear elevations of the dwellings in Paget Road which are to the east. However, no.s 1 to 7 Paget Road, due to their angled layout, are located closer to the development. No.1 is the closest dwelling in Paget Road to the site at a distance of 15 metres. The dwellings to the north consist of no.s 30, 31, 32 and 33 Lingrey Court which are all two storey. No.30 is located side onto the road with its gable end facing the site. No.30 is the closest of these dwellings at 15 metres to the side elevation. The rest are between 19 and 21 metres away from the development. To the west, the dwellings consist of no.s 41, 42, 44 and 45 Lingrey Court. No.s 41 and 42 are two storey dwellings. No.s 44 and 45 are relatively recent three storey dwellings. The closest dwelling is no.42 which is 15.5 metres away from the proposed development and rest are between

16.5 (no.43) and 21 metres away. To the south of these dwellings is the rear elevation of the three storey crescent building. The building at its closest point would be 12.5 metres away before the crescent building starts to curve away. The rear elevation contains mainly bathroom and kitchen windows. To the south, the apartment blocks are located approximately 28 metres from the proposed development.

- 8.28 There are varying degrees of separation to the surrounding dwellings. Most of the nearest dwellings face the development site, particularly the dwellings to the north and west expect for the crescent building. However, the impact on these dwellings is unlikely to be significant as the proposal drops down to two storey in those locations with sufficient separation distances. The dwellings in Paget Road to the east, except for no.s 1 to 7 Paget Road, and existing flats to the south of the site are separated a sufficient distance from the site so as not be adversely impacted by the proposal. No.s 1 to 7 Paget Road are the dwellings that are, in my view, the most sensitive to the development due to their proximity to the site and need to be carefully assessed. The impact on the residential amenity of the surrounding occupiers has been assessed in the below section.

#### Overshadowing/loss of light

- 8.29 To determine the overshadowing impact from the proposed development on the surrounding environment, the applicant has produced a shadow study. The study assesses the impact of the proposed development during the equinox (21<sup>st</sup> March) and summer (21<sup>st</sup> June) and winter (21<sup>st</sup> December) solstice at 9am, noon, 3pm and 6pm (4pm for winter solstice). The study demonstrates that the proposed development would have limited impact during these times of the year on the surrounding area. The proposed development would begin to cause some overshadowing of the rear gardens of Paget Road properties during 21<sup>st</sup> March at 3pm onwards and 6pm during 21<sup>st</sup> June. However, the shadowing would be mostly caused over parts of the rear and side garden areas during these times. The area that would be shaded most of the time would be the car parking to the rear of Block B and C. The central core would be in shade most of the time during the winter solstice (21<sup>st</sup> December). However the proposed units in the east, west and north elevations are all dual aspect and so this would compensate for any aspects that is in shade. Therefore, I am satisfied that the

proposed development would not cause significant adverse levels of overshadowing or loss of light on the surrounding area.

#### Overlooking/loss of privacy

- 8.30 In this location, where the site is surrounded on all sides by housing and located within an urban area, it is difficult to protect against overlooking or loss of privacy, particularly as there is already a mutual sense of overlooking between neighbours. However, mitigating against unreasonable levels of direct overlooking is important.
- 8.31 The private gardens of some of the surrounding dwellings (those in the north and north-west) would not be impacted by the proposed development. Whilst the proposal would introduce a closer window to window distances/relationship, I do not consider it to be reasonable to argue this would have a detrimental overlooking or loss of privacy impact such that it would warrant refusal. The impact would be similar to any residential street scene context where houses are located on either side of the road.
- 8.32 The dwellings in Paget Road which run parallel with the proposed development are located far enough away not to be impacted by overlooking from the proposed development.
- 8.33 The dwellings in no.1 to 7 Paget Road are located within close proximity to the proposed development such that the 1st and 2nd floor windows could cause unreasonable levels of overlooking. The applicant was advised to revise the window arrangement in the east elevation to mitigate the potential overlooking impact. The applicant agreed and replaced the main 1st and 2nd floor windows in Block C with angled windows to divert views away from the adjacent rear gardens without adversely affecting the outlook for future occupiers. The angled windows would have a clear panel to allow views out and an obscure glazed panel to restrict views but still allow light through. The introduction of these windows into the east elevation combined would overcome the overlooking impact on no.1 to 7 Paget Road. The angled windows would also introduce an interesting feature into the elevation from a design perspective.

## Enclosure/loss of outlook

- 8.34 I do not consider there to be any part of the proposed development that would cause significant enclosure issues on the neighbouring occupiers such that it would have a detrimental impact on residential amenity. The proposed development has been designed and arranged to respond to its particularly site constraint and context. Two blocks have been positioned adjacent to two storey dwellings and three storey adjacent to three storey. Most of the height of the development is located to the south and west. This approach would mitigate the overbearing impact of the proposed development.
- 8.35 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

- 8.36 The proposed development would provide future occupiers with good quality living accommodation and access to outdoor space. The proposal also includes secure cycle and bin storage.
- 8.37 The apartments would range from 50sqm for a 1bed to 85sqm for a 3bed. Each apartment would benefit from a balcony or terrace and most are dual aspect. All occupiers will have access to a communal outdoor space. Three apartments (1x2bed and 2x1bed) would be single aspect and located in the southern elevation. However, the applicant has proposed to introduce mechanical ventilation into these units to give future occupiers the ability to control the internal temperature.
- 8.38 The proposal would provide 389.55 sqm of communal amenity space in two main areas. The proposed development would create approximately 165 future occupiers. This means the proposed development would provide 2.3 sqm of communal space per future occupier. This does not include the private balconies and terraces. The majority of the balconies within the development are proposed to be approximately 1.6 metres in depth and 3.4 metres wide which equates to 5.44 sqm. The proposed external terraces also vary in size but are generally larger. The future occupiers would also have access to the open space 100 metres to the east of the site. I am therefore satisfied

that the proposed development would provide sufficient outdoor space to serve the future occupiers.

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

### **Refuse Arrangements**

- 8.40 The proposal includes secure bin storage provision within the footprint of the proposed development. Each block would contain a bin store, which would contain provision for three waste streams (general, recycling and compost). The bins stores would be accessible from the road and within travel distance (20 metres) for collection as set out in the RECAP Waste Design Guide.
- 8.41 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.42 To address highway concerns with the narrowness of the eastern and western arms of Anstey Way and the potential vehicle and pedestrian conflict this would create, the applicant has agreed to make alterations to both. The applicant has agreed to widen the section of road between the crescent building and the site to 5 metres. On the eastern arm, the applicant has agreed to widen the section of road between the vehicle access and bell mount onto Anstey Way. The applicant has also provided vehicular and pedestrian visibility splay details from these entrance points into the parking courts and removed any proposed trees that would conflict with the splays lines.
- 8.43 The highway engineer is now satisfied with the proposed amendments subject to conditions. I have recommended a condition that requires the highway improvement works to be carried out prior to occupation.
- 8.44 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.



## **Car and Cycle Parking**

### Car parking

- 8.45 The proposal includes 50 car parking spaces and 94 cycle parking spaces. It should be noted that the previous development on the site did not make any dedicated provision for off street parking or cycle storage.
- 8.46 Furthermore, the Local Plan (2006) does allow for a reduction in car parking in locations that have good links to public transport and close to shops and services. I understand the no.7 Citi bus has been redirected so no longer stops off adjacent to Anstey Way. However, there are alternative bus services that can be taken to get into the city centre. The Trumpington Park and Ride is a 10 minute walk or 4 minute cycle ride away, which provides regular services into the city centre via Addenbrookes, the railway station and other destination points.
- 8.47 Aside from the public transport links, the site is within walking distance of local shops and services. There are a range of shops on the ground floor of crescent building, opposite this is a petrol station with chemist adjacent to it, and south of the petrol station is a Waitrose supermarket. The site also located within a short walk to two local public houses and there is a large area of public open space with sport provision within 100 metres of the site. The site is also located close to a dedicated cycle route into the city centre.
- 8.48 Therefore, combined with the proposed car parking and cycle provision, I am satisfied that the site is located within reasonable walking and cycling distance to public transport links to the city centre and local shops and service to justify reduced car parking. I therefore do not consider the amount of car parking to be insufficient such that it would have a significant detrimental impact on the residential amenity of local residents.

### Cycling parking

- 8.49 The cycle parking arrangements have been amended following concerns raised by the Urban Design Officer. The original cycle parking provision which included 97 spaces, was not considered acceptable due to issues with circulation, access within the stores and the type of stands proposed. The original cycle

parking included space saving semi-vertical stands which were not considered to be inclusive or user friendly. However, following extensive consultation and input from with the Urban Design Officer, amended plans were submitted for the cycle parking and bin store arrangements. This included better circulation arrangements.

8.50 The Urban Design Officer considers the cycle parking/storage provision to be well integrated and located for the units they are intended to serve. 100% Sheffield stands are now proposed. Provision has also been made within the stores to accommodate some of the non-standard/off gauge bikes and some external space has still been provided within the courtyard for such bikes. The Urban Design Officer is satisfied with the proposed amended cycle storage arrangements subject to conditions.

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

### **Third Party Representations**

8.52 I set out below my response to the representation received.

#### **Design, scale layout**

Lack of positive street scene;

#### **Response**

The proposed development would introduce variety and a scale of development that would sit comfortably within the site and make positive contribution to the street scene.

Lack of greenery or communal space, communal space uninspiring – lack of green space could impact site drainage;

The site contains two external communal areas of open space and the hardstanding within the site proposed to be permeable. Each occupier would have benefit to the communal space and their own private balconies or terrace.

Overdevelopment of the site – proposal is more suited to a city centre environment;

The proposed development would make efficient use of the space and would be akin the urban extension sites nearby.

The design is varied;

Noted.

Concerns with the density of

The density is not always an

development;

indicator of overdevelopment. Officers have worked hard to ensure the site works hard to provide the necessary amenities such as open space, cycle parking, bin store within the site without compromising the quality of the development.

More breathing space should be provided for future residents;

The site contains two external communal areas. The site is also located within 100 metres of a large area of public open space.

The proposal would be closer to the road and taller than the previous and will reduce the visual appearance of the area and closes down the open spaces;

The proposed south elevation would be located 2 metres nearer to Anstey Way. However, I do not consider the proposal would appear intrusive or close down the openness of the street.

High specification pavements must be installed on both sides of the road to allow safe access for existing and future residents;

I have recommended a soft and hard landscaping condition.

Proposed materials on Block G, H and J are out of character – black facia and black roof tiles;

There are examples of dark timber cladding on existing dwellings and so the proposal in responding to these features. However, I have recommended a materials condition.

### **Residential amenity**

Overlooking and loss of privacy from windows facing Paget Road;

A selection of the 1<sup>st</sup> and 2<sup>nd</sup> floor windows in the east elevation have been replaced with angled windows to mitigate overlooking into the rear gardens/dwellings of the Paget Road properties nearest the site. The other Paget Road dwellings are located over 30 metres from the site which is considered to be acceptable distance.

The three storey element will cause overshadowing of rear garden;

The shadow study has demonstrated that the proposed development would not cause unacceptable levels of

overshadowing.

### **Car parking/traffic/access**

Plans show pedestrian pathway along the back of Paget Road properties – this is an error/false claim;

There has been a complete misunderstanding about this. The plans are correct as the line shown is not a path or new pavement. It is the existing grass verge to the rear of the Paget Road dwellings.

Vehicular access to rear of Paget Road properties compromised;

The proposal will not make any alterations to the existing rear accesses.

Narrowness of Anstey Way – no provision made to widen Anstey Way especially to allow two cars or car and truck to pass without using the pavement – issues for emergency vehicles and refuse trucks;

A section of the western arm of Anstey Way has been widened to 5 metre to overcome the highway authority's concerns with vehicular movements.

Lack of car parking for the 56 properties – 48 spaces is not enough and could cause pavement parking – no provision for visitors or delivery vehicles – exacerbate current car parking problems;

The proposed development provisions sufficient car parking within the site. See para 8.44 to 8.47.

Push the development back to create car parking spaces at the front;

It was more important to try and maintain a distinct building line without having car parking at the front that would need to reverse onto Anstey Way.

Anstey Way and Paget Road access road should be widened;

The County Highway Authority has not requested any road widening other than to the western arm of Anstey Way.

Please explain how the calculation of only 48 parking spaces has been calculated?

The council's car parking standards are maximum levels.

No.7 bus has been cancelled – this will put pressure on car ownership;

This has been noted by officer but does not materially impact my view on access to and from the site via non-car modes.

The proposal could cause

The proposal introduces car

displacement parking;

parking onto the site. The previous 28 dwellings did not benefit from any dedicated off street car parking. The proposal therefore makes suitable provision in my view.

Increase traffic from vehicles and pedestrians – existing roads are inadequate and could cause potential safety issue;

The Highway Authority have not raised any concerns in regards to highway safety.

Poor design of junction and poor visibility will lead to unsafe access onto busy roads

Amendments have been made to improve visibility and accessibility along the western arm of Anstey Way.

No real time traffic survey conducted only desktop – decision on whether to process should be based upon evidence not assumption – traffic survey should be carried out prior to decision;

The traffic survey in the Transport Assessment uses a standard approach to estimating the potential impact from traffic generation on the site and area.

Minimum number of car parking spaces is wrong and unsuitable for this location – public access is poor due to cancellation of a number of services;

The current car parking standards and policy 8/6 of the Local Plan (2006) is based upon maximum standards.

Anstey Way loop is too narrow to serve this development – should be widened to 5 metres;

The Anstey Way spur roads have been amended to enable vehicles to pass side by side to the agreement of the highway authority.

There must be suitable wheelchair, pushchair and scooter etc. provision;

See para 8.22

### **Other issues**

No community benefit;

The proposed development includes obligations towards improvement to open space.

Not enough capacity within local schools to serve proposed development;

The County Council have not requested any developer contributions towards education.

Site clearance has led to death of the entire local hedgehog

The ecology survey conducted for the demolition application did not

population;

raise any issue with the presents  
of hedgehogs

The proposed development goes  
beyond the 34 new units were  
originally quoted at Housing  
Scrutiny Committee in 2015;

The figure quoted at the  
committee was not definitive.

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

8.53 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.

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

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

#### City Council Infrastructure (Open spaces and Community facilities)

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

8.57 I agree with the reasoning set out in paragraphs 6.32 to 6.36 (DCMU comments paragraph) above that contributions towards these projects meet the requirements of the CIL regulations. However, as the proposed development is to provide 100% affordable housing which are to be managed by Cambridge City

Council as the Registered Social Landlord, the community facilities provision has been removed. This is because RSLs are exempt from making this contribution where the proposal is to 100% affordable housing. All other planning obligations as set out in paragraph 6.33 to 6.36 apply. Therefore, subject to the completion of a S106 planning obligation to secure these 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.

### Affordable Housing

8.58 The development is required to make provision for affordable housing and I have assessed the proposals for affordable housing in paragraphs 8.2 to 8.3 above. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement.

8.59 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).

### Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

9.1 The proposed development is for the redevelopment of a previously developed site to provide 56 flats including 12 over 55's flats. The proposed development will be for 100% affordable housing and managed by the City Council. The proposal also includes dedicated car parking, external communal space and cycle and bin storage.

9.2 The proposed development has had extensive pre-application discussions to address concerns with design, scale and layout. These issues were not finalised within the final submission and

so further alterations were made which have now overcome all the main concerns with the proposal that were raised at pre-application stage.

- 9.3 All 56 flats would be contained within 11 two and three storey blocks that centre around main car parking courts and external communal areas for the future occupiers. The design and scale of the proposed blocks have been assembled to respond to their context which is materially different on each side of the site. The scale of development is appropriate for this site which previously accommodated a three storey block of flats and there are other three storey buildings nearby. The two storey blocks respond to the storey domestic form of the private houses that are also nearby. The proposed development is considered to be in keeping with the character of the area and would make a positive contribution to the site and surrounding context.
- 9.4 The proposed development has been carefully arranged to mitigate the impact on the residential amenity of the surrounding residents. A development of this scale is likely to have a degree of impact on the existing surrounding occupiers, however, the impact is not considered to be significant enough to warrant refusal. The proposal would not cause any adverse levels of overshadowing or appear overbearing due to the varied scale and layout of the block and concerns with overlooking have been addressed through the introducing of angled windows in the east elevation facing the rear gardens of the Paget Road dwellings.
- 9.5 The proposed development would provide much needed affordable housing provision by make efficient and effective use of previously developed land without having a significant adverse impact on the surrounding context.

## **10.0 RECOMMENDATION**

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

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

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



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

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

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

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

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

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

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

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

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

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

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

7. Prior to the commencement of development/construction, details of an alternative ventilation scheme for the habitable rooms on the south and west façades (as highlighted on provided site plan) to negate / replace the need to open windows, in order to protect future occupiers from external traffic noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system.

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

8. If previously unidentified contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and the additional contamination has been fully assessed and an appropriate remediation and validation/reporting scheme agreed with the LPA. Remedial actions shall then be implemented in line with the agreed remediation scheme and a validation report will be provided to the LPA for consideration.

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. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

10. Prior to the first occupation of the development hereby approved, the highway works associated with the S278 highways work shall be carried out fully in accordance with the approved details.

Reason: In the interests of highway safety.

11. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

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

15. 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)

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

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

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

18. Prior to first occupation for the use hereby permitted, renewable energy technologies shall be installed in accordance with a Renewable Energy Statement which shall be submitted to and approved in writing by the local planning authority prior to installation. This shall demonstrate that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources and shall include the following details:
- a) The total predicted energy requirements of the development, set out in Kg/CO<sub>2</sub>/annum.
  - b) A schedule of proposed on-site renewable energy technologies, their respective carbon reduction contributions, location and design and a maintenance programme.

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

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16).

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

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

20. Prior to the commencement of development (or in accordance with an alternative timetable otherwise agreed in writing by the local planning authority), with the exception of any works of demolition or below ground works, 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).

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

Reason: to provide ecological enhancements for protected species on the site.

22. Prior to the commencement of development a scheme for surface water drainage works shall be submitted to and approved in writing by the local planning authority. The details shall include an 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 the National Planning Policy 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 + an allowance for climate change. The submitted details shall include the following:

1) 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;

2) 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 for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

23. No building works hereby permitted shall be commenced until infiltration testing results and calculations in accordance with BRE Digest 365 have been undertaken and submitted in writing to the local planning authority.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

24. 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)

25. Development shall not commence until a construction management strategy for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy shall be implemented for the duration of the construction period.

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

26. Prior to the first occupation of the development hereby approved, the highway works associated with the S278 highways work shall be carried out fully in accordance with the approved details.

Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

27. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed street trees within the development have been submitted to and approved in writing by the Local Planning Authority. The street trees shall thereafter be maintained in accordance with the approved management and maintenance details unless local planning authority gives written consent to any variation.



Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

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

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

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:** 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:** 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.

This page is intentionally left blank

**PLANNING COMMITTEE**

**DATE: 28<sup>th</sup> March 2018**

<b>Application Number</b>	17/1896/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	6 <sup>th</sup> November 2017	<b>Officer</b>	John Evans
<b>Target Date</b>	5th February 2018		
<b>Ward</b>	Newnham		

**Site** Land to the West of JJ Thomson Avenue and to the North of University Residences, Cambridge, CB3 0FA.

**Proposal** Mixed use building 4907 sq m in total, comprising 3411 sq m of D1 academic floor space on the first and second floors; 1421 sq m of A3 (Café and restaurant) space on the ground floor; 75 sq m of A1 (retail) on the ground floor; all associated infrastructure, including drainage, service yard area, utilities, landscape and cycle parking; modifications to JJ Thomson Avenue to provide disabled car parking and a substation building.

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

SUMMARY	<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>
---------	--

	<p>3. There will be no significant adverse visual impact on neighbouring residential properties.</p> <p>4. Potential noise and amenity impacts arising from the development can be addressed by imposition of appropriate conditions.</p>
RECOMMENDATION	APPROVAL

### 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 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 (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 reconsideration. It is anticipated that the outline application will be presented to Planning Committee later this year.
- A.6 The proposed West Cambridge outline application is anticipated to have a total floorspace of 500,280 sq m (by 2031). This is broken down into 257,900 sq m academic and 210,386 sq m commercial floorspace. Phase 1 (2021), which includes the application proposal, would provide 284,310 sq m, composed of 167,159 sq m of academic floorspace and 92,386 sq m of commercial floorspace. This includes the previously approved Civil Engineering Building (CEB) scheme (16/1811/FUL) of 4500 sq m and Cavendish III complex (17/1799/FUL) totalling 37,160 sq m.

#### Context for separate full planning application

- A.7 The 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 proposed Shared Facilities Hub (SFH) is to be delivered as part of the same contract as the recently approved new building for the Cavendish Laboratory. 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 application 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**

### Outline layout

- 1.1 The application proposal forms a part of the University's 'key phase 1' developments at West Cambridge. It adjoins 'The Green' key place and Central Green Link within the Design Guide which accompanies the current West Cambridge outline application.

### Proposed SFH Application Site

- 1.2 The proposed application site is situated on the west side of JJ Thomson Avenue on the existing paddocks which are used in connection with the School of Veterinary Medicine (Vet School). The site is 0.532 hectares and is currently used to graze animals.
- 1.3 North of the plot, approval has recently been granted for a new open space 'JJ Thomson Gardens' and the Cavendish III laboratory. This site is currently laid to pasture awaiting development. 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.
- 1.4 To the south of the site (approximately 18m) is the University nursery and 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 (Cambridge Green Belt) by the Southern Ecological Corridor, a hedgerow belt (City Wildlife Site), east-west footpath/cycleway and the Coton footpath.
- 1.5 To the west beyond is the Vet school complex, other undeveloped plots and the Schlumberger Gould Research Centre, a Grade 2\* Listed Building.



- 1.6 The site falls outside of the Controlled Parking Zone.
- 1.7 The site is outside of the Air Quality Management Area.
- 1.8 Cavendish III falls within Flood Risk zone 1.

## **2.0 THE PROPOSAL**

- 2.1 Full planning permission is sought for the erection of a new mixed use building to provide a SFH, providing communal shared amenities at West Cambridge. The building totals 4907 sq m of floor space. The ground floor contains a café bar, cafeteria and restaurant with associated kitchen areas and a shop unit. The first and second floors contain a mix of lecture theatres (100 seat lecture hall, 50 seat lecture hall and 30 seat lecture hall), study areas, seminar rooms, library space, meeting rooms and a contemplation room (University Chaplaincy space). The building includes the University's Central Production Kitchen (CPK) which is to be relocated from its current premises on Granta Place in the City centre.
- 2.2 Externally, there is a service yard area in the south west corner, with the refuse store and access to the kitchen and building services. Adjacent to this, to the north west corner of the site is the 'productive garden', a landscaped area for growing herbs and vegetables. The development area includes public realm to the north which forms part of 'JJ Thomson Gardens' recently approved through the Cavendish III application in February 2017. The eastern side of the building includes external seating areas.
- 2.3 The building has 3 levels of accommodation and stands 13m to the main third level parapet. A recessed roof level plant screen measures, from ground level, between 14m to 16.4m at its highest point at the eastern end of the building. The external elevations of the building are finished with a mix of glazing, perforate screens and metal cladding. The roof plant screen is proposed to be formed from metal mesh.
- 2.4 Permission is sought for the café/bar to be used 07:00 to 23:00 Monday to Friday and 09:00 to 20:00 Saturdays, Sundays and Bank Holidays. Permission is sought for the shop element to open 07:00 to 23:00 Monday to Friday and 07:00 to 20:00 Saturdays, Sundays and Bank Holidays.

- 2.5 The development provides 176 cycle parking spaces which are located to the south of the building adjacent to the southern plaza.
- 2.6 The development will provide 2 car parking spaces for disabled people to the east of the site on JJ Thomson Avenue.
- 2.7 A small substation (4m x 4m) is proposed in the south east corner of the site.
- 2.8 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
  7. Drainage Strategy
  8. Arboricultural Impact Assessment
  9. Statement of Community Involvement
  10. Ground investigation report
  11. Lighting report
  12. Public art delivery plan

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

- 2.9 The following supplements the original submission:
  - Amendments to the design and layout of Southern Plaza.
  - Minor alterations to the design of the service yard.
  - Provision of additional cycle parking (176 cycle parking spaces).
  - Additional signage details.
  - Additional visuals which model the parapet and roof plant.
  - Minor amendments to the noise report.
  - Response to the Commercial Waste Manager comments.
  - Response to Transport comments.
  - Response to landscape comments.
  - Large scale plan of the ground source heat pump array.
  - Response to issues raised by Quality Panel, Disability Panel and third parties.

### 3.0 SITE HISTORY

Reference	Description	Outcome
97/0961/OP	Outline application for the development of 66.45ha of land for University academic departments (73,000sq.m), research institutes (24,000sq.m), commercial research (41,000sq.m) and associated infrastructure	Approved
99/0042/FUL	Erection of three storey building to form Computer Sciences Faculty with associated parking and landscaping. (William Gates Building).	Approved
C/04/0614	Erection of part two part three storey building for academic research "purposes, pursuant to C/97/0961/OP. (CAPE building).	Approved
13/1564/FUL	Construction of an annexe to the Centre for Advances Photonics and Electronics (CAPE) Building	Approved
16/1134/OUT	Outline planning permission with all matters reserved is sought for up to 383,300m <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
17/1799/FUL	Proposed Cavendish III laboratory, 37,160 sq m in D1 academic floorspace, JJ Thomson Gardens and enhancements to JJ Thomson Avenue.	Approved.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

5.1 Relevant Development Plan policies:

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/2 3/4 3/6 3/7 3/9 3/11 3/12 3/13 3/15  4/1 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

5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations:

Central Government	National Planning Policy Framework March 2012
--------------------	---

Guidance	National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Planning Obligation Strategy (March 2010)  Public Art (January 2010)
Material Considerations	<u>City Wide Guidance</u>  Arboricultural Strategy (2004)  Cambridge Landscape and Character Assessment (2003)  Cambridge City Nature Conservation Strategy (2006)  Criteria for the Designation of Wildlife Sites (2005)  Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)  Strategic Flood Risk Assessment (2005)  Cambridgeshire Quality Charter for Growth (2008)  Cambridge Walking and Cycling Strategy (2002)  Protection and Funding of Routes for the

	<p>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>
--	---

### 5.3 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

### 5.4 Cambridge City Council and the University of Cambridge have agreed a Statement of Common Ground to inform the Local Plan

examination. There are now no areas of disagreement between the parties in relation to Policy 18 and its supporting text.

## **6.0 CONSULTATIONS**

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

#### Comments on application as amended

- 6.1 Application is supported overall subject to the mitigation measures, pedestrian/cycle crossing, bus stop improvements and travel plan.

#### *Supporting analysis*

- 6.2 The overall approach to the cycle accumulation study is supported. The likelihood of linked trips to other buildings on the campus informs the demand for 81 spaces to service the SFH.

#### *Mitigation*

- 6.3 A crossing point is proposed for pedestrians and cyclists on Madingley Road, between Lady Margaret Road and Grange Road. This is subject to detailed design and safety audits and should be provided by the developer.
- 6.4 Bus stop improvements nearest to the SFH are required for the south bound and north bound stops on JJ Thomson Avenue. The southdown side should include real time passenger information.
- 6.5 A construction management plan and travel plan are also required.

#### Comments on application as submitted

- 6.6 Clarification is required on various aspects of the TA. This includes the mode share information and survey data.
- 6.7 A commitment to providing real time timetable information on the bus shelters is required.
- 6.8 Further information on the use of the building is required. This includes evening use and the likely usage of the lecture theatres and shop unit.

- 6.9 A plan is required of the proposed cycle zebra crossing on Madingley Road.

### **Highways England**

- 6.10 No objections. Whilst the outline application is still under negotiation, this application falls within the scope of the overall long standing extant permission on the site.

### **Environmental Health**

- 6.11 No objection in principle to this full application providing the following environmental health issues and any associated impacts are controlled by the imposition of conditions to protect the health and quality of life (amenity) of existing residential units, in particular residential to the South at Franklin and Fawcett Court approx. 20m from application site boundary.
- 6.12 The team concludes that the proposals are acceptable in all respects and the recommended environmental health related conditions provide a high level of protection for the quality of life (amenity) / health of existing residential properties and other occupiers of the West Cambridge Campus.
- 6.13 In the context of the medium and longer term the same high level of protection of the quality of life (amenity) of existing residential properties can be secured by the imposition of the same or similar conditions on the Cambridge West Masterplan outline application (Planning Ref. 16/1134/OUT), currently under consideration.

### **Refuse and Recycling**

- 6.14 Whilst the refuse store opens directly onto the service yard which is ideal for the collection contractors it is quite far removed from the smaller kitchen. Furthermore, being long and narrow it is likely that the full space of the store will not be used. If it were changed to having an access door allowing the store to be 'walk through' this would be an improved design.
- 6.15 It is recommended the store have a central drainage point (or gutter running the length of the store) and a tap/hose to enable occasional wash-down. Automatic lighting is also advised as well as ventilation points to avoid odour build-up. The main double



doors should be locked/unlocked via a key-code rather than keys which can be lost/broken.

- 6.16 Outside there should be yellow no parking zone marked alongside building to allow contractor's RCVs to back up to the refuse store without hindrance, this also allows the preferred safety procedure of exiting the site forwards.

## **Urban Design and Conservation Team**

### Comments on application as amended

- 6.17 Overall the above changes are considered acceptable in urban design terms and have addressed all of the Team's concerns. Accordingly the application is now supported.
- Screens walls and planting have been added to the eastern and western boundaries of the service yard and accordingly have secured the back of house area. The amendment is acceptable in design terms.
  - The planting and cycle parking in the southern plaza have been rationalised to create a better connection/arrival space for the southern entrance of the SFH.
  - Additional views have been provided to demonstrate that the plant on the roof will not be seen from key views across the West Cambridge Campus.

### Comments on application as submitted

- 6.18 The scale and massing is consistent with the emerging Parameter Plans for the West Cambridge site. The eastern section of the building has a raised raked parapet to create a degree of prominence and to enable screening of roof top plant. This approach is considered acceptable in design terms. However the overall height of the parapet on the southern side may need to increase to effectively screen the plant equipment in longer views.
- 6.19 The layout has been configured to allow active uses to spill out onto the surrounding public realm creating active frontages.
- 6.20 There was concern that 'back of house' functions such as delivery cages etc. would be visible from the public realm. In addition, the open route from the Southern Plaza creates a route that has poor surveillance along this boundary.

6.21 The overall distribution of cycle parking spaces is acceptable in design terms ensuring that stands are placed close to the main building entrances. The team has some concerns about the strategy for future expansion of the number of stands and the impact that these will have on the surrounding public realm and width of footways.

6.22 We are also concerned that future expansion of the number of racks will require the relocation of electric vehicle charging points. It is not identified where these will relocate to:

- Amendments to the eastern and western boundaries of the service yard to provide a contained and secure 'back of house' area.
- Increase in proposed parapet to eastern end of the SFH to adequately screen proposed plant from longer views.
- Introduce a secondary plant screen to shield plant when looking east.
- Removal of ground cover planting and rationalisation of hard paving in the southern plaza to open up views of the entrance and retail space and to ensure that adequate circulation space is created.
- Adjustment to the position of the electric vehicle charging points to ensure that adequate circulation space for removal of refuse bins from the nursery is maintained.
- Demonstration that the landscape proposals do not impact on the swept path turning area in the service yard.
- Confirmation that expanded cycle parking in the currently proposed service yard will not impact on its long term functionality.
- Confirmation of the location of the relocated electric vehicle charging spaces following expansion of the cycle parking.
- Signage and lighting locations need to be identified on the elevations.

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

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. This includes achievement of BREEAM 'excellent'.

6.24 Consideration be given to whether the SAM's targets for water efficiency need to be reviewed or whether it may be possible to

group buildings together when considering ways to reduce potable water consumption.

- 6.25 With regards to the energy strategy for the site, the proposal is for the SFH to connect to the ground source heat pump array being provided as part of the Cavendish III proposal forming one of the clusters envisaged by the Energy Strategy Addendum which forms part of the outline planning strategy for the wider West Cambridge site.
- 6.26 A large scale drawing as shown on page 37 of the Energy and Sustainability Strategy is required which shows the indicative layout of the ground source heat pump array.

### **Access Officer**

- 6.27 Disability Panel's comments are supported. Double doors will need to be powered or be asymmetrical with one leaf being at least 900mm and having an opening force of less than 20N.

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

#### Comments on application as amended

- 6.28 Generally supportive of the information submitted; however there are some concerns about the existing semi mature Plane trees and hedge along the southern boundary of the application site, particularly the 4 central trees. We require a re-distribution of the cycle racks to allow the existing grass verge to be retained for an area of 1.5m around the trunk.

#### Comments on application as submitted

- 6.29 The team is generally supportive of the information submitted; however we have the following comments and requests for more information prior to determination.
- 6.30 Prior to determination, more details including a detailed plan along the entire length of the southern boundary together with dimensioned sections through the trees/hedge and proposed cycle parking and various hard paving types. A method statement should also be included explaining how the new surfacing can be installed whilst maintaining the health of the hedge and trees.

6.31 Several other points of detail are raised by the Council's Landscape Officer (slot drains, terrace planting/soil specification/tree pit details).

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

6.32 Application supported, subject to a condition requiring a revised surface water drainage scheme.

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

6.33 Application 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 plans.

6.34 A variety of sustainable drainage features such as rain gardens, permeable and paving are proposed for the site to meet the CIRIA pollution index requirements. This network outfalls to a surface water sewer to the east of the site as part of the wider West Cambridge masterplanning proposals.

6.35 Whilst overall we are supportive of the proposals there are a number of additional details which are required in order to be confirm that these SuDS features can be delivered successfully across the site.

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

6.36 The proposals do not impact on the site wide ecology designations. However, there is no reference as to how the proposals fit within the site wide ecology strategy. Biodiversity enhancements should be incorporated and a condition for an Ecological Design Strategy (EDS) is recommended to capture the exact number, specification and locations of features such as nest boxes, biodiverse roofs and log piles.

6.37 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.

## **Environment Agency**

- 6.38 No objections in principle subject to recommendations and informatives. Anglian Water should be consulted to demonstrate that adequate sewerage and disposal systems serve the development and whether existing abstraction licenses can be used.
- 6.39 A waste management and minimisation plan should be included. Waste prevention, reuse and recycling should be a site objective.

## **Anglian Water**

- 6.40 Application supported in principle subject to conditions regarding surface water drainage.

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

- 6.41 Application supported. This appears to be a very acceptable design and layout in terms of Crime Prevention and Community Safety. This office would be happy to discuss Secured by Design and measures to reduce the vulnerability to crime, disorder and the fear of crime with the applicant and consult in relation to any Security Needs Assessment required for BREEAM.

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

- 6.42 It is not considered that archaeological works are required in connection with the above development.
- 6.43 The site lies outside the known areas of significant activity identified by previous archaeological works in the vicinity. It is therefore unlikely that archaeological investigation would contribute to our understanding of the area.

## **Cambridgeshire Quality Panel (Meeting of 7 July 2017)**

- 6.44 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 felt the building showed strong character potential. The Panel were pleased to have the opportunity to comment on the

application before submission. Full comments are contained within Appendix 2 and summarised in the design sub section below.

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

6.45 The Panel's comments were as follows:

6.46 Hearing enhancement - induction loops. The designers are advised to take every precaution to minimise interference.

6.47 Public uses (seminar rooms). The Panel welcome the proposal to make these spaces available for public use.

6.48 Accessible WCs. The designers are reminded to consider wheelchair accessibility with room provided to allow either left or right transfer.

#### *Conclusion*

6.49 Although not as fully developed as the Cavendish III scheme; an impressive design nevertheless with some good access features proposed. Once again, a site visit once completed would be welcomed.

6.50 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:

19 Albemarle Way  
14 St Peters Road, Coton  
31 Brooke House, Kinsley Walk

7.2 The representations can be summarised as follows:

#### *Cycle parking*

- Cycle parking provision (44 spaces) is insufficient for the number of lecture theatre seats.

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

- WCAT is a grassroots organisation seeking to help enable walking, cycling and public transport on and around the West Cambridge site.

### *Cycle Parking*

- The proposed 44 spaces are insufficient. 18 are inferior double stacking design and 26 are uncovered.
- At least 200 cycle parking spaces are needed just for the lecture theatres.
- Although the Design and Access Statement mentions a future extension to 176 then 320 spaces, the initial provision is insufficient.

### *Detailed comments on documents*

- 5km is too short a distance to use for cycle planning.
- Additional deficiencies to existing cycle provision in the vicinity of the site are described.
- Most of the cycleways on the campus are of poor quality, either shared or poorly segregated.
- Linked trips have not been properly taken into account.
- Exam periods need to be considered in the TA.
- Trips generated by the teaching spaces have not been taken into account. At least 258 spaces would be needed.
- The 56 visitor spaces allocated for non-teaching space is an underestimate.

### *Public Realm*

- Tar and chip is a poor quality surface and should not be used.

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. Renewable energy and sustainability
5. Transport
6. Drainage
7. Ecology
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.

*Emerging 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 on the basis of the current situation.

8.6 The proposed SFH is located in a 'primary amenities zone' within the emerging outline Design Guide. The undetermined outline masterplan intends to locate amenities with a site wide reach and importance in this area to ensure that ground floors animate the adjacent public realm.

*Proposed SFH floor space in context*

8.7 The extant 1999 permission at West Cambridge allowed for development of 176,120 sq m floor space in total. To date, 103,722 sq m 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 206,617 sq m. This is over 4 fifths of the total potential 1999 masterplan (244,212 sq m). 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>Cavendish III</b>	37,160
<b>Proposed SFH, Cavendish III and existing implemented (including CEB)</b>	206,617
<b>Proposed SFH</b>	4907
<i>For information only – not part of SFH application</i>	
New outline masterplan 16/1134/OUT	383,300
Total potential under new masterplan	500,280

### *Retail and Community Facilities*

- 8.8 Development for use class A3 and A4 will only be permitted where the proposal will not give rise to unacceptable environmental problems or nuisance and that the cumulative impact of the development is considered acceptable. In addition, the development must be located in an existing centre or in a mixed use urban extension, as set out in Local Plan policy 6/10. The proposed SFH is within the West Cambridge Site, a major academic extension to the City, in an area of the site which is identified for further amenities in the emerging masterplan. Subject to environmental impacts being acceptable (discussed in

the amenity subsection below), the proposed development is not therefore in conflict with the criteria of policy 6/10.

- 8.9 Proposals for development of new community facilities, for which there is a local need, is supported by Local Plan policy 5/12. This is particularly critical in areas which currently lack facilities, as is the case on the existing West Cambridge Site. Local Plan policy 5/12 states that flexible buildings should be designed to accommodate as many different community and leisure activities as possible. This approach has been central to the SFH which contains a variety of uses to support the needs of the existing community at West Cambridge. Small scale community facilities and amenities (A1 local shop, A3 Café, A4 public house, D1 creche and student accommodation) will be supported at West Cambridge in accordance with part 5 of emerging Local Plan policy 18. The proposed SFH fully accords with Cambridge Local Plan 2006 policies 6/10, 5/12, emerging policy 18 and is therefore acceptable in principle.
- 8.10 The proposed SFH will be a unique building at West Cambridge. This is because it will provide communal teaching and catering facilities which will encourage collaboration between departments and enable more efficient use of resources. The SFH is the first of a series of planned 'hubs' whereby facilities are not provided internally within departments, but externally as a shared resource.
- 8.11 The scale of the SFH has been considered in relation to the existing population of the campus and anticipated need. Currently there are approximately 4,450 site users at West Cambridge. This is on the basis of 2,100 academic staff, 1000 commercial research workers and 2,350 students (which varies through the day). While the University consider the amount of catering floorspace sufficient to meet current demand, the location of current facilities and the nature of the offer do not support the social life of the campus.
- 8.12 The proposed SFH will provide the main catering provision for the Cavendish III laboratory. A total of 320 seats will be provided in the restaurant area which is significantly more than the existing 258 seats provided at the existing Cavendish II. There will be provision for 600-800 people over the lunchtime period. The proposed SFH will therefore provide a much needed focus for catering and general amenity, which is supported by emerging

Local Plan policy 18 and essential to the continued success of the campus.

- 8.13 To date, shared facilities have not been delivered as originally intended in the extant 1999 masterplan on the campus. The majority of this component remains undelivered, which the University seek to partly address through the SFH. It is essential that the ground floor of the building remains in A3 for perpetuity. This can be secured through the imposition of **condition 38: ground floor use**.
- 8.14 The outline masterplan will determine phasing and sequencing for other facilities on the campus to cater for the University's intended future site user population (circa 14,000 site users). This is likely to include further nursery provision which is currently identified adjacent to the existing sports centre.

#### *Archaeology*

- 8.15 The site lies outside the known areas of significant activity identified by previous archaeological works in the vicinity. The County Archaeology Team has considered the application and is satisfied that further excavation is not required on this site. The application has adequately considered the impact on archaeological areas, in accordance with Cambridge Local Plan 2006 policy 4/9.

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

- 8.16 The key design issues are the detailed design and appearance of the new building in its setting and its relationship with the wider assessment of the outline application 16/1134/OUT.
- 8.17 The location of the SFH is considered to be appropriate in the context of the emerging outline. While the emerging Design Guide directs the majority of amenities provision to the East and West forum, officers recognise the advantages of close proximity to The Green, Cavendish III and JJ Thomson Avenue. Its location is an appropriate response to the emerging site context, in accordance with Local Plan policy 3/4.

#### *Design and Layout*

- 8.18 The site location means that the building should respond positively to the existing residential apartments to the south and the potentially challenging shaded north elevation, which will address JJ Thomson Gardens in future. The design of the building is intended to be as permeable as possible. This is provided by a north and south entrance and windows surrounding the majority of the ground floor at the eastern end.
- 8.19 The eastern end is configured to provide a dual aspect, permeable facade space to maximise natural light. This also enables the (amended) South Plaza area to be better connected to the café bar, which will provide an attractive, useable space, particularly in the winter months. The design of the building maximises the opportunities of the site afforded by its orientation and is a positive response to context in accordance with Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12.
- 8.20 The staggered footprint provides articulation to the building, improving its relationship with the surrounding external spaces. It allows for more evening summer sunshine from the west on the external amenity areas to the north of the building. Through this approach, the active frontage along the north, east and west elevation is maximised to provide an attractive environment, in accordance with Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12.
- 8.21 The reconfigured shop, which also has a dual frontage to South Plaza and the cafeteria, is supported. The revised design facilitates a better internal layout in relation to South Plaza. The design and location of the shop is well connected with its immediate locality in accordance with Local Plan policy 3/4, which should enhance its future viability, an issue which has hampered earlier proposals to provide facilities on the campus.
- 8.22 Officers are satisfied that the opportunities for dual aspect design of the ground floor have been maximised. We note that the sizing of the Central Production Kitchen (CPK) largely reflects the needs of the actual building. The developer team have confirmed the estate wide distribution element does not significantly add to the floor space required, which demonstrates that the design of the building is not compromised by its wider catering function.

*Scale and massing*

- 8.23 The proposed SFH stands well below the proposed maximum height parameter plan within the outline application. The 13m height of the main third level parapet is well proportioned in context with the existing University Residences and the recently approved Cavendish III complex.
- 8.24 From longer perspective views along JJ Thomson Avenue, the overall height of the building will appear as three main levels of accommodation, with the recessed plant screen above. This will positively frame the emerging JJ Thomson Gardens and is in proportion with the width of the adjacent public realm.
- 8.25 The longer range view from east to west towards the Grade 2 \* Listed Schlumberger will be respected through the siting of the SFH. It is positioned between 7m and 11m from the pavement edge of JJ Thomson Avenue and the presence of the east elevation will contribute a denser, better defined street frontage which is envisaged for the wider site. This is part of the 'campus transformation' that is central to the wider West Cambridge development.
- 8.26 The additional visuals provided give comfort that the level of roof top plant will be enclosed within the roof top plant enclosure. The amount of plant currently proposed represents the worst case scenario and it may be reduced as the building moves to the detailed design stage of its development. For this reason officers consider the imposition of **condition 12: rooftop screening** appropriate to enable the final roof top screen enclosure to be agreed.

*Detailed design and materials*

- 8.27 The submitted elevations and Design and Access Statement provide detailed information on the proposed materials palette for the SFH. Overall the building expresses a horizontal form through the use of 'continuous banding' with various perforate and glazed panels at each floor. The base is expressed in a more solid manner with ribbed concrete block work along with the glazed and perforate metal sections.
- 8.28 Signage and lighting have the potential to impact significantly on the quality of the elevations. The amended and additional

information submitted set out a clear hierarchy and family of signage for the SFH. The elevations identify signage zones and there has been consideration of how the building will be illuminated at night. The illustrated approach is considered acceptable and will be considered in further detail through the discharge of **condition 3: materials** should the application be approved.

- 8.29 The contemporary approach to the elevations and overall palette of materials and proposed finishes are considered to be acceptable in design terms. All materials will be considered in detail through the discharge of **conditions 3: materials** should the application be approved.

#### *External Spaces and trees*

- 8.30 Sunlight and shadow diagrams are provided within the Design and Access Statement. This analysis identified external seating zones through the year. Officers are satisfied the public areas will not be unduly compromised by their northerly aspect and that a range of attractive threshold spaces will be useable through the year. This analysis informs the landscaping strategy and seating areas for both the SFH and JJ Thomson Gardens.
- 8.31 Some concerns remain regarding the siting of some of the Sheffield cycle stands in relation to four of the London Plane trees. The proposed SFH is sited 7m from the London Plane trees within the adjacent University Nursery site to the south of the site. The applicant has demonstrated how nine Sheffield stands can be reconfigured immediately adjacent to the south wall of the refuse store. Subject to this minor adjustment achieved through **condition 19: cycle parking southern boundary**, the external spaces of the scheme are considered well designed, usable, safe and enjoyable to use, compliant with Cambridge Local Plan 2006 policy 3/7 and 3/11.
- 8.32 Details of fencing prior to commencement of development can be secured through the imposition of **condition 7: tree protection**. Subject to these measures the Council's Landscape and Arboriculture Officers are satisfied that adequate provision is made for their retention.
- 8.33 Part of the design intention is to integrate planting within the building itself, in the interests of the health and wellbeing of future

users. While the Landscape Team has some reservations about the conditions for the interior planting, the principle is supported and the details of the planting regime can be agreed through the discharge of **condition 20: hard and soft landscaping**.

Cambridgeshire Quality Panel

8.34 The Cambridgeshire Quality Panel reviewed the emerging proposal on 7 July 2017. The Panel were very supportive of the proposals overall. A number of specific comments and recommendations were made to further enhance the scheme, which are set out in table 2 below. The application overall has responded positively to comments made by Quality Panel. 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>The Panel were very supportive of the shared amenity building which was considered an important part of the site infrastructure.</p> <p>The Panel thought there was an opportunity to make the shop space more open and welcoming.</p> <p>The Panel were pleased to hear there is a public art and cultural strategy.</p> <p>There is an opportunity to develop a 'productive</p>	<p>Delivery of the SFH will be an important development of the wider campus, providing important much needed amenities and facilities.</p> <p>Following the meeting, the design of the ground floor was enhanced to provide more views of the shop from central plaza. Internally, the shop was made more accessible from inside the building.</p> <p>There are opportunities to integrate public art into the proposals which will be secured through <b>condition 19: public art</b>.</p> <p>A 'productive landscape' area was</p>



<p>landscape' in the gardens and around the building.</p> <p>There is an opportunity to further develop the social activity within the building with places where interactions can happen.</p> <p>The application submission should demonstrate how the building can be flexible over time.</p>	<p>introduced in the north west corner of the site. This will allow users to grow vegetable and herbs, providing opportunities for community engagement.</p> <p>A hierarchy of spaces have been provided within the building and there will be range of informal spaces for meetings and interaction. The shop has been opened up with dual frontage.</p> <p>The upper floors of the building could be repurposed for office or general academic use in the future. It is however the intention to secure the ground floor as A1 and A3 café space in perpetuity in the interests of ensuring there are adequate social spaces on the campus.</p>
<p><i>Connectivity</i></p> <p>Panel supported the provision for cyclists and provision for storage but had some concerns with security.</p> <p>Removal of internal running stair was disappointing.</p>	<p>A secure area for 24 cycle spaces is provided for staff.</p> <p>The application proposal reintroduces a large central stair which provides opportunities for seating and gathering between floors of the building, which was part of the original design concept.</p>
<p><i>Character</i></p> <p>Proposals to bring landscape into the building were supported.</p> <p>Panel supported design of the elevations. The detailing</p>	<p>See paragraph 8.27.</p> <p>See paragraph 8.33.</p>

<p>of the upper levels of the building should be developed further.</p> <p>The proposed internal timber wall should be incorporated along the length of the building.</p> <p>The western service yard area could also be made dual aspect.</p> <p>Panel felt the raking roof enclosure was disappointing and that more could be made of the roof space as an amenity. Rooflights could also be considered.</p>	<p>The linear bookcase is designed to unify the internal space and runs the length of the building.</p> <p>Dual aspect design has been considered for the entire ground floor, but it is not practicable because of the back of house uses, including kitchens, which needs to be accommodated. The eastern end of the ground floor and all of the upper floors are dual aspect.</p> <p>It is not considered possible to use the rooftop because of the amount of plant and PV panels which need to be accommodated. Rooflights have however been incorporated where possible.</p>
<p><i>Climate</i></p> <p>Panel would have liked to have seen the sunlight and shadow study to judge the impact of the building on the open space to the north.</p> <p>Panel liked the inclusive approach to wellbeing which had been considered in the design of the building.</p>	<p>The external seating areas has been informed by the daylight and shadow analysis submitted in support of the application.</p> <p>The scheme provides internal planting and a 'productive garden' in the interests of wellbeing for future building users.</p>

### Fire Strategy

8.35 A statement on the approach to the buildings fire strategy accompanies the application. This includes recommendations for

alarm and detection systems, protected escape routes, structural fire resistance profile and smoke ventilation. 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.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.36 The nearest residential properties are located 20m south at Franklin and Fawcett Court and the University Nursery at West Cambridge at 8 Charles Babbage Road.
- 8.37 The key amenity issues are the potential disturbance from deliveries, noise and vibration operational noise, operational odour and dust, artificial lighting, contaminated land and air quality.

### *Impact on residential properties*

- 8.38 Given the 20m distance of separation from the rear of the proposed SFH and the rear of the residential apartments and nursery to the south, there is not considered to be significant harm by way of direct visual impacts, enclosure or over shadowing resulting from the development.
- 8.39 The upper two levels of accommodation in the SFH have limited window openings which reduce the likelihood overlooking. The main potential impact is likely to result from the use of the first floor rear balcony, particularly in the summer months. However, the retention of the existing London Plane trees will largely filter views of the SFH terrace, which given the 6m distance to the common boundary is in the view of officers a neighbourly relationship.
- 8.40 The use of the building, in particular the café bar element has the potential to cause noise and disturbance. It is intended that the eastern end can operate as a semi-autonomous unit, independent from the CPK. Subject to a noise insulation scheme being agreed in order to minimise the level of noise emanating from these areas on neighbouring residential premises, the proposed maximum 23:00 opening is considered acceptable. The noise insulation scheme will consider potential uses of the café/bar including the

playing of amplified music. This will be secured through the imposition of **condition 14: Café and bar areas**.

#### *Construction phase impacts*

- 8.41 The wider Cambridge West Masterplan is likely to be constructed in phases over approximately a 15 year period. Extensive demolition and construction, (some of which will be relatively close to existing residential premises) will occur and it is paramount that pollution such as noise / vibration and dust / emissions to air from the demolition and construction phases are controlled and minimised by the use of best practical mitigation means.
- 8.42 With appropriate mitigation measures in place any adverse impact resulting from the construction works including construction related vehicle movements should be minimised so that there would not be any significant effect from the nearest residential properties.

#### *Operational Noise – delivery yard and services*

- 8.43 The noise assessment considers the significance of the delivery yard noise and impact of plant services.
- 8.44 An acoustic noise survey has been undertaken in order to establish the existing acoustic environment and baseline noise levels. The levels can also be used to formulate operational noise compliance and related conditions.
- 8.45 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. The impact assessment is in accordance with the Environmental Health Team's requirements to match existing background noise levels. This is the case even when they are lower during a typical weekend.
- 8.46 However, the proposed mitigation measures rely on the implementation of precise engineering / noise insulation scheme design and operational noise measures, some of which are still subject to further detailed design and construction. **Conditions 13, 14 and 15** are therefore recommended to ensure potential impacts are mitigated.

## *Air Quality*

- 8.47 The submitted Shared Facilities Hub Transport Assessment (produced by AECOM and dated October 2017) demonstrates that due to the proposed use of the building as a 'hub' the majority of trips associated with this development will be on cycle or foot. It is stated that there is likely to be limited / minimal peak and daily vehicle trips on the road network as a direct result of the building, linked to staff numbers and delivery services associated with the relocation of the university catering service. This position is agreed. However the building will implement measures to aid the use of sustainable transport through a travel plan and modal shift away from the private car.
- 8.48 The submitted Energy and Sustainability indicates that the development will utilise a shared ground source energy loop with the proposed Cavendish III development thus minimising emissions to air. Two Low Temperature Hot Water (LTHW) boilers (sized to meet 100% of peak heating load as back up) will be installed to provide top up hot water during peak demand and as a system back up in times of servicing or failure of the Ground Source Heat Pumps (GSHP). Officers welcome the proposed use of GSHP for core heating and cooling which will minimise emissions to air. The use of Low Nitrogen Oxide (NOx) boilers can be secured by use of a **condition 16: low NOx boilers**.
- 8.49 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.

## *Kitchens - Odour and fumes*

- 8.50 It is proposed to relocate the University of Cambridge CPK from Granta Place in Cambridge city centre, to the development site, where food will be prepared and distributed to buildings on the University of Cambridge estate. Cafeteria and Café Bar Areas are also proposed on the ground floor.
- 8.51 Ventilation systems serving commercial type / size kitchens or similar will need to be designed to prevent harm to local amenity. This can be ensured through the imposition of **condition 18: ventilation and extraction**.

### *Artificial lighting*

- 8.52 The proposed new building (in terms of height and mass) will be closer to existing residential premises and has the potential to materially alter lighting levels and cause harm because the area is currently relatively dark.
- 8.53 The additional information provided to support the application details the likely scheme of illumination, which is low level lighting of the key public areas and building façade. Notwithstanding final details of the proposed external lighting can be adequately agreed through **condition 33: artificial lighting**.

### *Contaminated Land*

- 8.54 A satisfactory desk study, scope of work and intrusive investigation has been completed and submitted with the application. It is concluded 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 the Material Management Plan. We look forward to receiving the recommended Environmental Specification for unexpected contamination in due course.
- 8.55 Contaminated land has been adequately considered. However, a number of bespoke contaminated land conditions and associated informatives are recommended to ensure the development is in accordance with the contaminated land submissions and to ensure any unexpected contamination that may be encountered is remediated and rendered harmless.
- 8.56 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.

### *Amenity for future building users*

- 8.57 The proposed SFH is sited south of JJ Thomson Gardens, which is a challenging orientation to provide a mix of amenity spaces throughout the year. Daylight and sunlight impacts have been modelled which analyse the impact of different spaces within and

outside of the building. Overall, a high quality of amenity will be provided.

- 8.58 The development incorporates a 'productive garden' in response to Quality Panel recommendations that health and wellbeing are considered in the design. This provides a visual amenity and allotment area to the benefit of the wider campus.

### **Renewable energy and sustainability**

- 8.59 The proposed SFH is intended to connect with the ground source heat pump array being provided as part of the Cavendish III building (17/1799/FUL). This will form an energy cluster envisaged in the Energy Strategy Addendum provided as part of the West Cambridge outline application. The ground source heat pump would provide for both heating and cooling of the building and will be 90% of the dominant loads, which is supported.
- 8.60 There is also potential to include a photovoltaic panel array on the roof of the building although this is subject to the final design and can be secured through **condition 12: solar PV**.
- 8.61 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 9: ground source heat pump array**.
- 8.62 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 11: design stage certificate**.

### *Outline Masterplan Strategy*

- 8.63 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), Cavendish III and the SFH, would precede the construction of the

energy centre associated with this network and as such would need their own energy solution.

- 8.64 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

#### *Trip Generation*

- 8.65 The proposed development is ancillary to the existing West Cambridge Campus and therefore the majority of trips relate to staff and students already on the site. The facility is designed to take trips off the network to enable the campus to be more self-sufficient for day to day needs of users. The intention of the SFH is to provide amenities for the existing on site population, rather than attract visitors from a wider catchment.
- 8.66 The TA utilises a café Nero in Westminster to calculate the estimated trips for the café element of the SFH. This is because it provides a peak at lunchtime with constant use throughout the day. This is considered an appropriate comparison with which to assess the likely trip numbers from this element of the SFH.
- 8.67 The proposed lecture theatre component of the SFH will be used by students already at the West Cambridge Site. Historically, departments have a high proportion of under used teaching spaces. This is inefficient and is being addressed through an estate wide strategy of pooling resources. The purpose of the lecture spaces in the SFH is to provide shared spaces which can cater for peak demand across the wider campus. This will reduce the need for tertiary teaching spaces in new departments in future.



- 8.68 While the total number of daily trips from all the different components of the building are estimated to be around 7000, it is considered that 97% will come from within West Cambridge. The residual trips off site would number 238 with 184 undertaken by vehicles (cars and servicing). The peak impact is considered minimal.
- 8.69 In terms of total vehicle based trips, the traffic survey data is derived from survey work from the Travel to Cambridge survey 2015, which has been updated with new data in the amendments submission. The County Transport Team is in agreement this data is now robust. There will be 22 vehicle arrivals during the AM peak and 16 departures during the PM peak. 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. This has been considered together with the recently approved Cavendish III development.
- 8.70 In light of the above, some limited off site mitigation is considered necessary to address the additional impact of new trips which are generated from the development. A crossing enhancement for pedestrians and cyclists has been identified for Madingley Road, between Storey's Way and Lady Margaret Road to reduce the impact of the vehicle increase on vulnerable modes. An indicative scheme for a pedestrian crossing is supported in principle by the County Council, although some concerns are raised with safety of the cycle crossing point in this location. A full safety audit will inform the final design. The final detailed scheme for enhancement for pedestrian connectivity and cycle connectivity will be agreed through the accompanying S106 Agreement.
- 8.71 In addition, the County Council has identified a need for bus stop enhancements on JJ Thomson Avenue, immediately adjacent to the proposed SFH. The provision of a shelter and real time passenger information would encourage use of the southbound side and make a better environment for passengers alighting in all weather. This will be secured through **condition 34: Bus stop improvements**.
- 8.72 In the view of officers, the package of mitigation addresses the transport impact of the development over and above the current situation. Appropriate mitigation for walking and cycling is provided, in accordance with Local Plan policy 8/2 and 8/3.

### *Highway Safety*

- 8.73 The County Council is satisfied that adequate turning space is provided in the rear service yard for deliveries.
- 8.74 The proposed indicative crossing point proposed as mitigation will require a safety audit. Therefore its final design is subject to further review.
- 8.75 To the south of the SFH a small area of public realm is provided which will eventually link into an east/west pedestrian cycle route through The Green. While in future it may be preferable to segregate cycles from pedestrians, at this stage the proposed 5m shared space is appropriate. This will be reviewed when the later phases of The Green are submitted.

### *Deliveries*

- 8.76 The site is expected to generate the need for 134 two way delivery trips per day. This is mainly as a result of the catering facilities, including the relocated CPK which will prepare food for delivery across the wider estate. The service yard has been designed to receive this number of vehicle movements. The accompanying noise assessment demonstrates this will not be harmful to the amenities of residential properties to the south.

### *Construction Traffic*

- 8.77 The proposed development is likely to generate 14 daily construction related traffic movements, of which 6 will be HGV's. Construction hours are likely to mean that employees will be on the site before the AM and PM peak periods. The impact of construction traffic is considered to be relatively small overall and can be adequately managed through the discharge of the **Construction Environmental Management Plan (CEMP) condition 6**.

### *Outline Masterplan Strategy*

- 8.78 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 the SFH, 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

- 8.79 The 2006 Cambridge Local Plan car parking standards indicate a maximum of 32 spaces should be provided to serve the proposed development, although the use of the building does not fit comfortably within any of the criteria. For this reason a car parking accumulation study was carried out in the TA which sets out that 24 car parking spaces will be required to cater for the staff working at the SFH. The County Council agrees this is an appropriate level to cater for the proposed development.
- 8.80 No new car parking will be provided with the exception of two disabled spaces and three spaces for electric delivery vans in the service yard area. The anticipated demand will be provided for within the existing pooled car parks south of Charles Babbage Road where there is already existing capacity, as demonstrated within the TA. Car parking demand and provision is summarised in table 3 below:

*Table 3: Summary of Car Parking*

<b>Car Parking</b>	<b>Car parking spaces</b>
Identified demand for proposed SFH	24
Existing capacity to meet demand for SFH	Surface car parks in areas 15, 18, 20, 23 and 41
New disabled car parking	2 spaces on JJ Thomson Avenue
Electric van spaces	3 in service yard

### *Car parking for disabled people*

- 8.81 The 2006 Adopted Car Parking Standards states that at least 5% of the total number of car parking spaces should be reserved for disabled people, rounded up to the nearest whole space. The proposed development provides two spaces in very close proximity

to the main entrance on JJ Thomson Avenue. This exceeds the minimum requirement and is supported.

### *Outline Masterplan Strategy*

- 8.82 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.
- 8.83 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 SFH 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.
- 8.84 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 the SFH 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). The proposal is therefore compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### Cycle Parking

- 8.85 There are no set standards for this type of mixed use building within the Adopted 2006 Cycle Parking Standards. As such, a cycle parking accumulation study is contained in the TA to determine the requirements through the day. It is estimated that 81 spaces are required, which is agreed by the County Transport

Team. This is on the basis that there are likely to be large number of linked trips, whereby the SFH would be visited on foot from other nearby institutes.

8.86 Notwithstanding, the application as amended will provide a total of 176 cycle parking spaces from day 1. This addresses concerns raised by third parties that the originally proposed 76 would be insufficient. Because the building is the first of its kind for the University, it is agreed that regular monitoring through the travel plan (**condition 24**) and cycle parking monitoring (**condition 37**) will be required to ensure the an appropriate level of cycle parking is provided. If this monitoring shows an under provision on the site, a further expansion of 144 cycle parking spaces will be implemented.

8.87 The applicant has demonstrated that the additional future expansion of cycle parking spaces will not impact on the functionality of the service yard area. The exact arrangement would be agreed through compliance with **condition 37: cycle parking monitoring**.

8.88 Comments from third parties have queried whether the proposed amount of cycle parking will cater for peak demand during exam times. Exam periods are exceptional in terms of demand and this will be provided at Cavendish III when teaching is not taking place. The University would provide temporary cycle parking in the event that further provision is needed during exam times, which can be adequately monitored through the travel plan. The proposed cycle parking is summarised in table 4 below.

*Table 4: Schedule of cycle parking*

<b>Cycle parking location</b>	<b>Provision</b>
Covered staff cycle parking	24
Covered double stacked cycle parking	38
Uncovered cycle parking	114
<b>Total day 1 Provision</b>	<b>176</b>

Future provision (if required through the Travel Plan)	320
Exam period provision (exceptional peak usage)	To be accommodated at Cavendish III or through temporary racks.

### *Outline Masterplan Strategy*

- 8.89 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**

- 8.90 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.
- 8.91 The development proposes to discharge surface water drainage to a separate sewer outfall to JJ Thomson Avenue. There is one network and an attenuation tank to the east of the building. This is required in order to deal with the volume of storage needed for the higher return periods.
- 8.92 A variety of sustainable drainage features such as rain gardens, permeable paving and blue roofs are proposed for the site to meet the CIRIA pollution index requirements. Whilst officers are supportive of the proposals the detailed drainage calculations and design of the SuDS features will need to be agreed through the discharge of **conditions 5 and 6**.

8.93 Because of the servicing and photovoltaic panel requirements, a green roof has not been incorporated. 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**

8.94 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. Further details of ecological enhancements to the site, including nest boxes and log piles can be ensured through **condition 6: ecological design strategy**.

### **Disabled access**

8.95 The application has been presented to Disability Panel. As recommended induction loops will be fitted and a changing places toilet has been introduced to the ground floor. The Access Officer's comments on the entrance door specification will be considered by the developer team at the detailed design stage.

8.96 Two disabled car parking spaces are provided which exceeds the minimum standards and are conveniently located. Overall, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Refuse Arrangements**

8.97 Refuse storage has been integrated into the design and will be accommodated within the service yard in the north west corner. A walk through room as suggested by the Commercial Waste Manager is not considered practical, although the space provided for refuse is considered acceptable. A central drainage point, hose and key code access will be considered further at the detailed design stage. The proposed SFH integrates waste storage successfully and is compliant with Cambridge Local Plan 2006 policy 3/12.

### *Outline Masterplan Strategy*

8.98 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**

8.99 The proposed SFH can potentially accommodate public art as part of the overall strategy for West Cambridge. The walls of the SFH could incorporate art and it is recommended that an art workshop and exhibition space is considered. The applicant has submitted a commissioning strategy which sets out the overall strategy for The Green, the new area of public realm to be delivered through the outline masterplan.

8.100 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 shortly, 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 17: 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*

8.101 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.

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

### **Third Party Representations**



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

*Table 5: Summary of third party representations*

<b>Issue</b>	<b>Officer Comment/Report section</b>
<p><i>Design Issues</i></p> <p>Tar and chip is a poor quality surface and should not be used.</p> <p>Most of the cycleways on the campus are of poor quality, either shared or poorly segregated.</p>	<p>Officers agree that the areas of public realm identified as tar and chip needs to result in a bound finish. This will be secured through <b>condition 20 landscaping.</b></p> <p>Noted. This will be considered further as part of the outline application.</p>
<p><i>Cycle parking</i></p> <p>The proposed amount of cycle parking to be provided from day one is not sufficient for the likely use of the building.</p> <p>Although the Design and Access Statement mentions a future extension to 176 then 320 spaces, the initial provision is insufficient.</p> <p>Exam periods need to be considered in the TA.</p>	<p>The amended plans now provide 176 cycle parking spaces from day 1, which potential for further expansion if required. Monitoring will be undertaken.</p> <p>This will be accommodated at Cavendish III or through temporary racks.</p>
<p><i>Trips</i></p> <p>Trips generated by the teaching spaces have not</p>	<p>See from paragraph 8.68.</p>

been taken into account. At least 258 spaces would be needed.	
---	--

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

8.104 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.

8.105 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

8.106 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 the slight increase in trip numbers. Officers at the County Council have assessed the transport information submitted by the applicant 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. The mitigation measures proposed are:

- A scheme to enhance pedestrian and cycle connectivity (subject to safety audit) identified for Madingley Road, between Storey's Way and Lady Margaret Road.
- Bus stop improvements to the two stops nearest the development on JJ Thomson Avenue. This will include a shelter on the southbound side, raised kerb and real time passenger information. The northbound side will be upgraded with real time passenger information. A scheme of maintenance will also be secured.
- Travel Plan, which will be secured by condition.
- Construction management plan, which will be secured by condition.

8.107 The above measure is considered an appropriate package of mitigation based on the likely impact of the development and limited additional trips, which are likely to be along Madingley Road. The mitigation package will directly tackle this impact by improving the environment for vulnerable modes and will be delivered and monitored in future through the accompanying S106 Agreement.

8.108 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, officers are satisfied that the proposal accords with Cambridge Local Plan (2006) policy 10/1 and the Planning Obligation Strategy 2010.

#### *Greater Cambridge Partnership Schemes*

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

#### Planning Obligations Conclusion

8.110 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 shared amenities at West Cambridge. It 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 potential disbenefits of the scheme include some construction related impacts, a slight impact from the limited additional trips off site and some visual impact from the building upon the existing University residences. The benefits are significant and are overriding. These include much needed social facilities to support the existing and growing campus to serve its day to day needs. This includes public realm, publically accessible catering and café facilities, bar facility and ancillary spaces for the University Chaplaincy. Appropriate mitigation will be secured for the additional impacts over and above the current situation through the accompanying S106 Agreement and conditions. 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 (with exception) - Materials**

3. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of the materials (including glazing) to be used in the construction of the external surfaces shall be submitted to and approved in writing by the local planning authority. This shall include details of signage. 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).

## **Prior to commencement: surface water drainage**

4. No development hereby permitted shall be commenced until a surface water drainage scheme based on sustainable drainage principles (including the use of water as a resource) 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% for climate change. The submitted details shall:
  - a) Provide information about the proposed SuDS features, design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

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

The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposed surface water drainage scheme reflects the current situation and will not give rise to flooding, Cambridge Local Plan 2006 policy 8/18.

**Prior to commencement: foul drainage**

5. No development hereby permitted shall be commenced until details of foul water drainage works have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposed surface water drainage scheme reflects the current situation and will not give rise to flooding, Cambridge Local Plan 2006 policy 8/18.

**Prior to commencement - CEMP**

6. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include the consideration of the following aspects of construction:
  - a) 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 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 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), construction works or similar, emissions standards. Use of concrete crushers.
- i) Prohibition of the burning of waste on site during construction.
- j) Site artificial lighting. Site artificial lighting during construction 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 CEMP.

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).

**Tree Protection: before any equipment, machinery or materials are brought onto the site**

7. 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). Tree protection means shall include



adequate plan and section details of proposed surfacing such as no dig construction to show existing and proposed levels, specific method of construction together with details of the installation of landscape features such as cycle racks. The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the Local Planning Authority.

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

**Prior to commencement: ecological design strategy**

8. 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)**

9. 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**

10. 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: Design Stage Certificate**

11. Within 12 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 commencement of roof mounted equipment - Roof top plant and solar panels**

12. 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. along with the required screening shall be submitted to and approved in writing by the local planning authority. The plant and screening details should be accompanied by ground floor view points from at least two near views and two far views. 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).

**Before the development/use hereby approved is commenced - noise insulation scheme**

13. 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, mitigation measures and recommendations detailed in the submitted *“UNIVERSITY OF CAMBRIDGE SHARED FACILITIES HUB – PLANNING APPLICATION NOISE REPORT, January 2018 (Job no. 1620002239- Report no. R02 – Revision 04)”* and shall demonstrate compliance with the operational sound / noise rating levels detailed in condition 28 (Total Noise Levels) below.

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 any above ground works - Cafeteria and Café Bar Areas**

14. Prior to any above ground works, a noise insulation scheme for the ground floor Cafeteria and Café Bar Areas giving consideration to the potential uses of these areas and associated external areas including the playing of amplified music and airborne and flanking sound, in order to minimise the level of noise emanating from these areas on neighbouring residential premises, (having regard to internal noise generation and acoustic performance of building fabric, glazing, openings and ventilation system requirements) shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect / safeguard the health and quality of life (amenity) of existing 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**

15. Prior to occupation of development a Servicing and Operational Noise Minimisation Management Plan for the deliveries yard 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**

16. 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 manufacturers NOx emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority. The details shall demonstrate compliance with the agreed emissions limits. The scheme as approved shall be fully carried out 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**

17. 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**

18. 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 occupation - Public Art**

19. 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 occupation - Hard and soft landscaping**

20. 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, rain gardens, 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 – cycle parking adjacent southern boundary**

21. Prior to occupation of the development details of facilities for the secured parking of bicycles adjacent to the southern boundary, for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The details shall identify that there is no harmful encroachment into the root protection zones of the nearby London Plane Trees. The approved facilities shall be provided in accordance with the approved details.

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

**Prior to occupation – Landscape maintenance**

22. No occupation of the proposed development 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**

23. 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 - Travel Plan**

24. 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.

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

25. 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 (NOx) and Particulate Matter (PM). If Stage IIIA equipment is not available the requirement may be met using the following techniques:

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



All eligible NRMM shall meet the emissions requirement above unless it can be demonstrated that the machinery is not available or that a comprehensive retrofit for both NOx 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).

### **Service yard**

26. 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 / deliveries yard associated with the approved use shall only be permitted between the hours of 0700 hrs and 1900 hrs Monday to Saturday.

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.

### **Collections and deliveries**

27. All collections from and deliveries to the service / deliveries yard during the operational phase shall only be permitted between the hours of 0700 hrs and 1900 hrs Monday to Saturday. There shall be no collections or deliveries on Sundays and any Bank / Public Holiday.

No bottles or other commercial refuse / waste or recycling material shall be emptied into receptacles, taken out or moved around the external area of the site, between 2200 to 0700 hrs.

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**

28. 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 from and attributable to operation of the site and approved use when collectively measured at the development site red line boundary shall not exceed the Operational Sound / Noise Rating Levels on any day, in the table below:

Operational Sound / Noise Rating Levels

Operational Sound / Noise Rating Levels (all free field)		
Time Period	Normal Conditions	Emergency Conditions (use of backup generators / smoke extract systems)
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	46 dB LAeq, 1 hour	51 dB LAeq, 1 hour

Night (2300 – 0800hrs) during any single 15 minute reference period	39 dB LAeq, 15 mins maximum noise level of 55 dB LAmax for individual events	44 dB LAeq, 15 mins maximum noise level of 55 dB LAmax for individual 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 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.

**Unidentified/unexpected contaminated land**

29. If previously unidentified/unexpected contaminated land 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.

Prior to the first occupation of the development the contamination remediation strategy approved shall be fully implemented on site.

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.

**Prior to occupation: Bus stops**

30. Prior to occupation of the proposed building, details for the upgrading of the northbound and southbound bus stops nearest the development on JJ Thomson Avenue shall be submitted and approved by the Local Planning Authority. The details shall include a new shelter on the southbound side, raised kerbs, real time passenger information and a 5 year scheme of maintenance. The northbound bus stop on JJ Thomson Avenue details shall include real time passenger information and a 5 year scheme of maintenance. The development shall be carried out in accordance with the approved details.

Reason: In order to provide sustainable transport modes and to mitigate the impact of the additional trips generated by the

proposed development, Cambridge Local Plan 2006 policy 8/3.

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

31. 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 29 (Unidentified/unexpected contaminated land)
  - 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 32) 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 importation or reuse of material - Materials Management Plan (MMP)**

32. 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**

33. 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**

34. 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).

**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 Shared Facilities Hub Energy and Sustainability Strategy (Hoare Lee, 20 October 2017, Rev P02). The approved building shall be connected to the Ground Source Heat Pump array being provided as part of the Cavendish III proposal. 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 and to ensure that the development does not give rise to unacceptable pollution (Cambridge Local Plan 2006 policies 4/13 and 8/16, Supplementary Planning Document 'Sustainable Design and Construction' 2007).



## **Cycle Parking Monitoring**

37. For the first 3 years following occupation of the building hereby approved 2 separate monitoring days per annum shall be carried out which monitor the hourly use of the cycle parking provided. The results of the cycle parking studies shall be submitted to the local planning authority and if the results show that the cycle parking is either at, or beyond full capacity details of additional cycle parking spaces shall be agreed with the local planning authority and constructed on site with 3 months.

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

## **Ground floor use**

38. The primary use of the ground floor of the proposed building shall only be for A1 and A3 uses (retail, café and restaurant) as approved on plan EM00041-JW-ZZ-00-DR-1001 P04.

Reason: In the interests providing and maintaining adequate social facilities and amenities on the West Cambridge Campus, Cambridge Local Plan 2006 policies 5/4 and 7/6.

## **Hours of use**

39. The proposed ground floor A3 café and restaurant use hereby permitted shall not operate outside of the following hours: 07:00 to 23:00 Monday to Friday and 09:00 to 20:00 Saturdays, Sundays and Bank Holidays.

Reason: In the interests of maintaining neighbouring amenity, Cambridge Local Plan 2006 policies 3/4 and 4/13.

## **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%2008%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%2008%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>).

#### **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.

The premises may also require a Premises Licence under the Licensing Act 2003 for the sale or supply of alcohol and the provision of regulated entertainment.

Contact the Commercial Team at Cambridge City Council on telephone number (01223) 457890 for further information.

**INFORMATIVE: Trade Effluent**

An application to discharge trade effluent must be made to Anglian Water and have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol/oil receptors be fitted in all car parking areas. Failure to enforce the effective use of such facilities could result in pollution of the watercourse and may constitute an offence.

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.



## **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 349



This page is intentionally left blank

## Appendix 2

### Extant 1999 masterplan as implemented – existing condition



This page is intentionally left blank



**Appendix 3**

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



This page is intentionally left blank

# Agenda Item 9

**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2037/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th November 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	26th February 2018		
<b>Ward</b>	Petersfield		
<b>Site</b>	87 East Road Cambridge CB1 1BX		
<b>Proposal</b>	Demolition of existing workshop and erection of 34 no. student studios above an A1 (65sqm) and an A1/A2/A3 unit (110sqm) with associated cycle and bin storage.		
<b>Applicant</b>	Mr Robert Corcoran 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 principle of student studio units is considered acceptable;</li> <li><input type="checkbox"/> The proposed development would be in keeping with the character of the area. Computer generated images have been produced to demonstrate the additional height above the '4 + 1' suggested height in the Eastern Gate SPD (2011) would not appear overly dominant within the street scene;</li> <li><input type="checkbox"/> The proposed development would not harm the amenity of surrounding occupiers; and</li> <li><input type="checkbox"/> The proposal would provide an acceptable living environment for its future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

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

- 1.1 The application site is formed of a single-storey building and large area of hardstanding as a car showroom known as Motor Ace Sales. The existing building is painted brick with a flat roof. There is a vehicular access into the site from East Road.
- 1.2 Immediately to the north of the site is the recently completed student development at nos.91 – 93 East Road, known as Mallory House, which is a five storey building accommodating 33 student studios. To the east of the site is the Mackays metalwork workshop building. To the south-east there are the two-storey terraced properties of Parkers Terrace. To the south is the Mackays Power Tool Centre.
- 1.3 East Road is situated to the west of the site and beyond the road to the north-west is Compass House and further to the south-west is the Grafton Centre. The large roundabout and underpass between Newmarket Road, East Road and Elizabeth Way Bridge is positioned to the north of the site.
- 1.4 The site is not within but is close to the Central Conservation Area. The north-east corner of the application site is approximately 41m away from the edge of the Central Conservation Area where it wraps around the Elizabeth Way roundabout at its nearest point.
- 1.5 The site falls within the New Street/ Newmarket Road Site Allocation (7.01) area. The site also falls within the Air Quality Management Area. The site falls within the Eastern Gate Development Framework Supplementary Planning Document (2011) area.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the demolition of the existing workshop and erection of 34 student studios above commercial units (retail/ professional services and/or restaurant/ café) with associated cycle and bin storage.
- 2.2 The proposed building would be a total of six storeys, with the upper-storey set back from the frontage of the building. This is commonly referred to as '5 +1' in terms of defining the scale. The proposed building would occupy the full footprint of the plot

and would be constructed predominantly in brick with a zinc flat roof.

- 2.3 The ground-floor would be occupied by a retail (A1) unit measuring approximately 65m<sup>2</sup> in floor area and a retail/professional service and/or restaurant/ café (in the alternative) unit measuring approximately 110m<sup>2</sup>. There would be a secure cycle store at ground-floor level.
- 2.4 The upper-floors of the proposed development would be occupied by the 33 student studios, as well as a laundry and common room. There would be a communal roof top terrace on the fifth floor. The smallest studio units measure 22.8m<sup>2</sup> and the largest studio unit measures 33.6m<sup>2</sup>.
- 2.5 The application has been the subject of pre-application discussions. The overall height of the proposed development is approximately 0.75m lower than that of the previously permitted development (12/1321/FUL) on this site. The form, massing and design of the proposed development differ from that of the previous approval, particularly at eaves level where it is now higher.
- 2.6 The application is accompanied by the following information:
  1. Drawings
  2. Design and access statement
  3. Planning statement
  4. Acoustic assessment
  5. Ecology report
  6. Flood risk assessment and drainage strategy
  7. Ground investigation report and phase one desk study
  8. Transport statement
  9. Travel plan
  10. Sustainability Statement
  11. Energy Statement
  12. Air quality statement

### 3.0 SITE HISTORY

Reference	Description	Outcome
12/1321/FUL	The erection of 11 no. two bed flats, 206 sq m of food and drink (A3) together with associated	Approved (see paragraph

	cycle parking and bin storage following demolition of existing single storey workshop.	3.1)
12/0758/FUL	Erection of 11 no. 2 bed flats over 206sqm commercial floorspace (A3) with associated cycle parking and bin storage following demolition of existing single storey workshop	Withdrawn
09/1152/EXP	Extension of time for implementation of C/04/0440/FP (erection of 3 one bedroom flats and 7 two bedroom flats over ground floor restaurant)	Refused 10/03/10
C/04/0440/FUL	Erection of 3no. 1 bed flats and 7no. 2 bed flats over ground floor restaurant.	Approved 20/10/04
C/03/1183	Erection of 3no. 1bed flats and 7no. 2bed flats over ground floor restaurant	Withdrawn

3.1 Planning application reference 12/1321/FUL was recommended by officers for refusal to the Planning Committee meeting of 09/01/2013. The originally recommended reasons for refusals were as follows:

1. The proposed development, by virtue of the height, massing and proximity of the building to the boundary with 1 Parker Terrace and adjoining houses, would be likely to result in a significant degree of enclosure and dominance of building form to the gardens of those properties. As such, it would have a detrimental impact on the residential amenity of the occupiers of Parker Terrace and given that these properties are already hemmed-in by existing development, the proposal would exacerbate the existing poor outlook by virtue of its overbearing impact. The development will therefore not be well connected to and integrated with the immediate locality and will not have a positive effect on its setting or respond successfully to existing constraints. The development is therefore contrary to policies 3/4 and 3/12 of the Cambridge Local Plan 2006.

2. The site forms part of Cambridge Local Plan (2006) proposal site 7.01. Policy 3/6 of the Cambridge Local Plan (2006) requires that the development of a site or part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites. In the absence of either an approved comprehensive scheme for the proposal site or an approved scheme for the remainder of the proposal site, it has not been demonstrated that due consideration or safeguarding of the successful development of the remaining proposal site, which surrounds the application site, has been adequately taken into account. On this basis, and in light of the criteria for development of the proposal site as set out in the Eastern Gate SPD (2011), it is the view of the local planning authority, because of the constrained size of the site and its close proximity to Parkers Terrace, that the development of the site on a piecemeal basis without an approved comprehensive scheme could prejudice the coordinated and successful development of the proposal site 7.01 and for this reason the proposal fails to comply with policy 3/6 of the Cambridge Local Plan (2006).
3. The proposed development does not make appropriate provision for public open space, education, community development facilities, waste facilities, transport, public art and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010 and the Open Space Standards Guidance for Interpretation and Implementation 2010.

3.2 Members of the Planning Committee decided to overturn the officer recommendation and approve the application. The reasoning for this, as taken from the minutes, was as follows:

*“The Committee took the view that the development would not have an unacceptable adverse impact on the residential amenity of the occupants of Parkers Terrace and the development takes appropriate consideration of the need to ensure coordinated development, and would not sufficiently*

*prejudice the co-ordinated and successful redevelopment of the proposal site 7.01.”*

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A) The Community Infrastructure Levy Regulations 2010
Supplementary Planning	Sustainable Design and Construction (May)



Guidance	<p>2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Eastern Gate Supplementary Planning Document (October 2011)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</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>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>The Cambridge Shopfront Design Guide (1997)</p>
	<p><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal (2011)</p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (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 It is unclear whether residents of the site will be subject to Proctorial Control.
- 6.2 No additional off-street car parking provision is made for the additional residential accommodation. The streets in the vicinity provide uncontrolled parking and so any generated demand from this proposal is likely to appear on-street in competition with existing residential uses.
- 6.3 The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.
- 6.4 In the event that officers are minded to approve the application, the following conditions are recommended:

- Returning of redundant vehicle cross over to normal footway;
- Traffic management plan; and
- Traffic management plan and highways informatives

## **Environmental Health**

### Original Comments (19/12/2017)

- 6.5 There is ambiguity concerning potential noise impacts causing significant adverse harm to the quality of life / amenity of future occupants of the proposed residential development.
- 6.6 An internal layout reconfiguration is recommended due to commercial noise concerns.
- 6.7 These are fundamental material considerations that should be addressed prior to determination and should not be conditioned. There needs to be a reasonable degree of certainty that they can be mitigated to an acceptable level and to secure a high quality design and a good standard of amenity for all future occupants of the land and buildings of the application site.

### Comments on Additional Information (09/03/2018)

- 6.8 The applicant has presented upgraded glazing, mechanical ventilation and non-opening windows as mitigation measures to overcome noise impacts from Mackays Workshop.
- 6.9 If an internal layout reconfiguration cannot be achieved, it will become a planning officer decision as to whether or not the proposed mitigation and explanation of that mitigation is acceptable in terms of planning requirements to protect the amenity and quality of life for future residents.
- 6.10 If officers are minded to approve the application, the following conditions are recommended:
- Odour filtration
  - Construction hours
  - Collection during construction
  - Construction/demolition noise/vibration & piling
  - Dust condition
  - Contaminated land conditions
  - Low NOx boilers

- Noise insulation scheme
- Ventilation scheme
- Hours of use
- Delivery hours
- Plant noise condition
- Kitchen extraction discharge
- Informatives

## **Refuse and Recycling**

6.11 No comments received.

## **Urban Design and Conservation Team**

### Original Comments (22/12/2017)

- 6.12 The application is accompanied by a Design and Access Statement (DAS) that demonstrates how the design has responded to the guidance set out in the Eastern Gate Development Framework Supplementary Planning Document (SPD). Through a mixed use approach, the proposal repairs the street frontage along East Road, with other facades carefully considering and striking the right balance between responding to the existing and future context of the site.
- 6.13 The two proposed commercial units along the primary frontage of East Road meet the SPD requirement of 'active frontages' and is therefore supported. Appropriate back of house facilities for these units, such as stores have been included and the future flexibility of the larger commercial unit well considered. Should this unit require ventilation for the kitchen there is the potential for this to be integrated within the building itself, by utilising the full height service riser.

### Layout, Access and movement

- 6.14 The overall approach to the layout is supported. The ground floor frontage is activated with commercial uses and the entrance courtyard for the student use. Unit 2 wraps around the corner of the building with ground floor windows, which will provide a degree of surveillance onto Parkers Terrace. Entrances for both uses are clearly identifiable and will add to the vitality of the street. The slightly recessed student entrance with brick planter provides a good threshold between the public

realm and the private access point for the student use. The treatment of this arrival space, which accommodates bin and bike movement, needs to be robust in order to prevent damage to floor and wall finishes. This can be secured by way of condition.

- 6.15 The scheme has been designed to reduce the impact of one use on the amenity of the other, with a clear separation between the functional design requirements for the commercial and student uses. Bike and bin requirements for both uses are separate and internalised within the footprint of the building.
- 6.16 There appears to be a shortfall in the number of bike spaces for the student uses, with only 29 spaces provided instead of 34. To resolve this, some of the Sheffield stands propose within the student cycle store could be replaced with high capacity stands. Guidance regarding dimensions can be found in the Cycle Parking Guide.
- 6.17 Whilst we recognise this is an internal matter, we question the practicalities of the shared common rooms to also operate as laundry rooms. The laundry facilities could cause disturbance for adjacent rooms.

#### Scale and massing

- 6.18 The Eastern Gate Development Framework identifies that the site could allow buildings up to 4+1 storeys (the +1 either being accommodation in the roofscape or a setback upper floor) along the East Road frontage. Whilst the scheme exceeds the SPD guidance by 1 storey, this was discussed at pre-application stage with officers, in which Computer Generate Images (CGI's) were considered, as well as the scale and mass of the previously approved scheme.
- 6.19 The DAS provides a series of CGI's to show how the scheme sits within the existing and emerging context. These images demonstrate the proposal does not overly dominate views or compete with the height of the Crown Court. Whilst the scale relates to the neighbouring Mallory House scheme, the change in the height on the on the site, will in our view create a positive addition the streetscene and will help to create a more varied roofscape. Furthermore, the proposed elevation drawings which include the line of the previously approved scheme on the

site (12/1321/FUL), demonstrates that the overall increase in height along the East Road frontage is marginal. The overall scale and massing is therefore supported.

- 6.20 The sedum roof is supported, and it appears that the rooftop plant and PV's are contained behind an enclosure. The final materiality and details of the rooftop plant elements will be important and should be conditioned.

#### Elevation and materials

- 6.21 The overall approach to the elevations is supported. There is a clear order to the building and the recessed central element helps to break down the façade into two vertically proportioned volumes. The base is clearly expressed through commercial uses and decorative brickwork, which also helps to 'ground' the building. Double height fenestration at upper floors expresses the 'middle' of the building and reinforces the vertical grain. The top of the building appears recessive and proportionate to the scale of the building. Recessed brick panels and decorative brickwork add interest.
- 6.22 The proposed materials illustrated in the submitted DAS on page 23 and identified on the submitted planning elevations have the potential to work well with the immediate context.
- 6.23 With regards to the shop fronts, we suggest stall risers should be introduced and a signage zone identified on the elevation drawings.

#### Conclusion

- 6.24 In conclusion, subject to the above amendments relating to cycle parking and shop fronts, the application is supported in urban design terms.

#### Comments on Amendments (12/02/2018)

- 6.25 We are satisfied that the cycle parking for the scheme meets Policy 8/6 of the Local Plan (2006). Stall risers and a signage zone for the shop fronts have been identified on the elevations drawings. These are supported in design terms. The following conditions are recommended:

- Materials;
- Secure entrance courtyard;
- Details of all roof top plant and solar panels; and
- Shopfront signage

## **Planning Policy Team**

### Retail Use

6.26 The provision of a retail unit is not considered in-line with the uses specified for the allocation. B1 employment is an acceptable use as an alternative to retail. However, the surrounding area has been significantly redeveloped in recent years and consideration should be given to the proposal including, the advantages and disadvantages of retail in the area e.g. increased footfall, need and amenity. It is also noted that a previous application on this site which included a commercial element (12/1321/FUL) has been historically approved.

### Student Accommodation

6.27 The principle of student accommodation on the site is acceptable. Since the submission of this application Counsel advice was received (on 18 May 2017) regarding the Romsey Labour Club, its relationship to Policy 7/10 of the Cambridge Local Plan 2006 and the status of Policy 46: Development of Student Housing (from the emerging Local Plan). It is suggested that this advice is used as a basis for consideration in the determination of this application also.

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

6.28 No objection subject to renewable energy condition.

### **Access Officer**

6.29 As there are 34 units, 15% need to be built to code 2 or 3.

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

### Original Comments (06/12/2017)

6.30 We do not have enough information on the proposals for the roof gardens and are therefore not confident that they can be correctly delivered. Technical details of the various planters and roof gardens are needed prior to decision. We note the commentary about provision of a Maintenance and Management plan for these areas which we accept and support; however, the type of roof systems, planters, soils, irrigation systems and drainage methods are required prior to accepting the concept of roof gardens and planters. This is due to the misunderstood nature of the complexities of establishing and maintaining planting above ground level in green roofs or planters. Indications of species types to be used should also be included.

### Comments on Additional Information (09/02/2018)

6.31 No objection subject to the following conditions:

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

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

### Original Comments (18/12/2017)

6.32 Please note that for a full application the following information is required:

1. Existing & proposed impermeable area (ha)
2. Existing & proposed site drainage arrangements
3. Existing & proposed site runoff rates
4. Total required volume of attenuation
5. SuDS proposals
6. Drainage layout drawing

6.33 If the applicant provides the above details we will look to review our objection.



Comments on Additional Information (13/02/2018)

6.34 No objection subject to surface water drainage condition.

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

6.35 No comment received.

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

6.36 No objection subject to protected species informative.

**Environment Agency**

6.37 No objection subject to the following conditions:

- Contaminated land remediation strategy;
- Unexpected contamination;
- Surface water disposal;
- Piling and boreholes; and
- Informatives

**Designing Out Crime Officer**

6.38 No objection.

**Developer Contributions Monitoring Unit**

6.39 Indoor sports, outdoor sports and informal open space contributions recommended.

**Cambridge Airport**

6.40 No objection.

6.41 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:

- 39B Abbey Walk

7.2 The representation can be summarised as follows:

- Opposed to the further erosion of the commercial/business spaces in Cambridge;
- Increase in traffic;
- Commercial/ industrial spaces needed in City Centre;
- Question whether these student studios will be changed to private dwellings.
- Where is the additional infrastructure to support the increasing density in the area?
- Greater demand on local services.
- There is already a high amount of student apartments in the area who are not engaged or invested in the neighbourhood.

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

## Principle of Development

### Student Use

- 8.2 The application proposes the creation of 34 one-bed self-contained student studio flats. The site is allocated as part of Proposal Site 7.01 in the Cambridge Local Plan (2006) for 'Employment, B1, Housing and Student hostels'. The proposal has come forward at a period in time when existing and emerging student accommodation policies are in a state of flux. The Council has procured a Student Housing Demand and Supply Study (the Study) (January 2017) to form an evidence base for the emerging local plan. Emerging policy 46 has recently been amended to take account of the Study. The Study is a material consideration but has little weight in decision-making because it has not been subject to public consultation. Emerging policy 46 has little weight in decision making because it is subject to significant objection.
- 8.3 The key principle issues that arise from the application are that the applicants do not specify an end user for the student accommodation, such as Anglian Ruskin University (ARU) or the University of Cambridge; that they question whether it is necessary to enter into a S106 agreement to restrict occupation to either ARU or the University; and that they are seeking studio accommodation as opposed to hostel accommodation. The applicants state that no end user is in place and as a result the application is speculative. It is also evident that the proposal is in direct conflict with emerging policy 46 (as modified) which seeks that:

*'Proposals for new student accommodation will be permitted if they meet identified needs of an existing educational institution within the city of Cambridge in providing housing for students attending full-time courses of one academic year or more. Schemes should demonstrate that they have entered into a formal agreement with the University of Cambridge or Anglia Ruskin University or other existing educational establishments within Cambridge providing full-time courses of one academic year or more. This formal agreement will confirm that the proposed accommodation is suitable in type, layout, affordability and maintenance regime for the relevant institution. The council will seek appropriate controls to ensure that approved schemes*

*are occupied solely as student accommodation for an identified institution and managed effectively....'*

8.4 It is pertinent to note that the Council has taken Counsel advice on these matters under an application for 40 speculative student studios at the Romsey Labour Club site (16/0821/FUL). In summary, the outcome of Counsel advice on this other application was such that:

- Criteria a) of policy 7/10 in seeking to restrict speculative student hostel accommodation to full time students attending Anglia Ruskin University or the University of Cambridge is out of date and cannot be relied upon as a reason for refusal. 7/10 is discriminatory and is inconsistent with the NPPF and emerging policy in this respect.
- Policy 7/10 should not be applied to studio units, only hostel accommodation i.e. those with shared communal facilities. The policy does not reflect more recent trends in student accommodation provision for studios and is out of date in this respect. The proposed scheme cannot be reasonably considered to be hostel accommodation as no communal facility to any material extent within the building is provided.
- The Study as an evidence base suggests that there is a need for studio accommodation. Weight can be given to the objective assessment of student studio need but no weight can be attributed to the policy proposal contained therein as they have not been subject to public consultation. Studio accommodation for students cannot be resisted on the basis of the Study.
- Criteria b), c) and d) in relation to management arrangements regarding the keeping of cars, the proximity of the accommodation to the educational institution and appropriate provision for students who are disabled remain relevant for decision making when 7/10 is engaged.
- For decision making purposes, emerging policy 46 can only be given limited weight.

- In respect of the proposal, there is no conflict with the development plan and no objection to the principle or type of student accommodation (studios) can be sustained.

8.5 Whilst this similar application at the Romsey Labour Club (16/0821/FUL) was refused by the Planning Committee on 5 July 2017, it was only refused on matters of loss of daylight to neighbours and poor external amenity spaces for existing and future occupiers. The principle of development was not cited as a reason for refusal. In addition, a revised application (18/0002/FUL) at the Romsey Labour Club, again, for speculative student studio accommodation, is likely to be presented at this Planning Committee meeting (28 March 2018).

8.6 The question therefore arises as to whether it is reasonable to seek to control issues of car parking management, proximity to the education institution and provision for disabled students in so far as other policies of the local plan may be relevant. I deal with each of these matters in turn below.

#### *Car Parking, Management and Proximity*

8.7 In relation to car parking management, there are no car parking spaces provided on site for students. The proposal is located outside the controlled parking zone although the majority of streets to the south and west of the site fall within the controlled parking zone. The site is located in a sustainable location and I do not think students would be dependent on private car travel as their primary means of travel to local shops, amenities and services. The City Centre boundary falls on the opposite side of East Road approximately 30m to the west. The Grafton Centre and surrounding shopping streets are just over a 5 minute walk from the site. The Anglia Ruskin University main campus is also approximately a 5 minute walk from the site. There are also good cycle, pedestrian and bus links into the City Centre where other College and University institutions are located.

8.8 It is acknowledged however that without any form of control over student ownership of cars at this site that students may own and park cars within the surrounding residential streets. From my site visit, the nearest street that would be likely to be affected would be Occupation Road to the east of the site which experiences high levels of on-street car parking at present.

Whilst parking on Occupation Road is high at present, I do not consider it likely that the impact of the proposed development on on-street parking would be significant enough to have an adverse impact on residential amenity. This is because of the highly sustainable location of the site and the lack of need for students to own and use cars to access student facilities and general shops and services. In addition, the development of the 33 student studios at Mallory House (14/0764/FUL) next to the site did not include any restrictions on car parking through the S106 agreement. As such, I do not consider a S106 agreement to prevent students from keeping a car in Cambridge necessary.

- 8.9 With regard to the overall management of the student accommodation, the planning statement submitted by the applicant states that the site is likely to be managed by a management company. The key management principles outlined in the planning statement are the promotion of sustainable travel, traffic management at the beginning and end of both term-time and academic year, and, bin collection. In my opinion, the key management principles outlined are acceptable but I have recommended a condition for a more detailed student management plan to be agreed by way of condition.
- 8.10 As explained in paragraph 8.6 of this report, the site is well located to be served by educational institutions within Cambridge. On this basis, I do not consider it necessary for any permission to restrict, by name, the educational institution to which students could attend.
- 8.11 It is reasonable, however, to ensure that any students residing at the building are attending an educational institution on a full time course of at least an academic year within the City of Cambridge. Occupation by students attending educational institutions outside of Cambridge would not be meeting the needs identified in the existing local plan and as evidenced in the Student Study to support the emerging local plan of Cambridge's education sector. It is reasonable to conclude also that such occupation would not necessarily be a sustainable use of the building. Likewise, it is still necessary to ensure that occupation is by students who are enrolled on full time courses of at least an academic year. The reason for this is two-fold. Firstly, any shorter term occupation – say for example by language school students or crammer students– over the

course of the year would be likely to attract a higher turn-over of use of the property and could cause considerably more noise and disturbance to the local neighbourhood than full time students. These students are typically younger, gather in larger groups and due to their shorter time in Cambridge, can be less respectful of the established amenity of an area if not properly managed.

- 8.12 The S106 will have to ensure that a clause is required to ensure the City Council is able to request the names of any occupiers, the length of associated tenancy periods, the educational institution to which they attend and the title of the occupier's course and its length. This is to ensure that the Council can be satisfied that the building accommodates students and student only on full time courses for the minimum tenancy period as set out by the applicant.
- 8.13 It would, however, be reasonable to allow a more flexible use of the building during the summer recess when it is no longer required for its primary purpose and may be vacant. Any such temporary use would have to be agreed first with the Council to ensure that adequate management arrangements are in place to protect residential amenity. This use would be consistent with planning policy.
- 8.14 On this basis and with these controls in place, I consider the occupation of the building by full time students of a Cambridge educational institution would be sustainable and that the impact on residential amenity would be mitigated in accordance with adopted policies 3/1 and 3/7.

#### *Provision for Disabled Students*

- 8.15 Policies 3/11 and 3/12 seek for new buildings to be convenient, safe and accessible to all users and visitors. It is acknowledged that the access officer has requested that 15% of the units need to be built to code 2 or 3. However, there is no policy basis on which to require units to be built to a specific code standard. The applicant's Design and Access Statement states that all rooms are designed to be DDA compliant. The applicants confirm that:
- External surfaces and parking areas will be paved in a smooth hard material suitable for use by wheelchairs.

- All doors are to have level thresholds.
- An internal lift is to be provided of sufficient size for use by a wheelchair user and attendant. Control buttons are to be at a height suitable for wheelchair users and will include tactile indications and visual and audible indication of the floor reached.
- WC accommodation within each unit has been designed for use by the visiting disabled.
- Light switches, electrical socket outlets and intercom door entry systems are to be located at a height suitable for disabled use.
- A total of three units throughout the scheme are to be made fully accessible for disabled use.
- Fire alarm systems are to be suitable for the hearing impaired.

8.16 Notwithstanding that policy 7/10 is not engaged with regard to criterion d), policies 3/11 and 3/12 are still applicable. My view is that the applicants have suitably addressed this issue.

#### *Affordable Housing*

8.17 The Council's adopted and emerging policies regarding student accommodation together with the Council's draft Affordable Housing SPD (2014) do not require student schemes to contribute towards the supply of affordable housing. As the proposal is for studio units which are a C3 use, without a S106 to ensure the units would remain in student use, adopted policy 5/5 would be engaged and the scheme would be required to provide 40% or more of the units or an equivalent site area as affordable housing.

#### *Studio Units*

8.18 The Study evidence base suggests that the Colleges of the University predict an increasing demand for self-contained studio flats, that expansion of the post-graduate population is predicted and there is a lack of studio style accommodation for



this sector (see paras 4.25, 4.27, 4.32, 4.42 and 4.57 of the Study). Provision for this sector could release existing housing stock (a position taken by the Inspector in the Mill Road appeal 14/1496/FUL and put forward by the applicants) albeit the Council policy position is that there is no evidence to support this. The Council's QC under the Romsey Labour Club application (16/0821/FUL) considered it 'doubtful that the 2017 Assessment [the Student Study], when assessed as a whole, can properly be relied upon by the Council to oppose that element of the applicant's proposed development which seeks to provide self-contained student accommodation'.

8.19 As such, my conclusion is that the Study demonstrates an objectively assessed need for studio accommodation for students and there are no grounds to resist the application on this basis.

#### *Summary of Principle of Student Use*

8.20 Policy 7/10 is not engaged by the proposal and no conflict therefore arises. The site is allocated for a mix of uses which includes student hostel use. Although the proposed development is not strictly a student hostel, it is nonetheless a student use and the Planning Policy Team has not objected to the principle of development. This is a mixed use area where there are other student studios in close proximity and student accommodation is capable of being provided in principle on this site. As such, the principle of student accommodation on this site raises no conflict with the development plan and the proposal would help to meet the identified student accommodation need within Cambridge. Whilst the proposed development is in conflict with emerging policy 46, only limited weight can be attached to this because substantial objection has been raised to it. There is no sustained basis for objection arising from the Student Study in relation to the studios. The site is located in a sustainable location. Measures can be put in place and secured through a S106 for the management of the accommodation in terms of full-time student occupation.

A S106 could secure the following:

- Occupation only by full time students attending an educational institution within Cambridge.

- Requirement for minimum tenancy period of 48 weeks for all student occupants
- Allowance for out of term time use subject to submission of management information to the satisfaction of the LPA regarding the protection of residential amenity.

### Principle of Commercial Uses (A1, A2 and A3 uses)

- 8.21 The site is not allocated specifically for retail, financial and professional services or restaurant/ café uses. Policy 6/8 of the Cambridge Local Plan (2006) states that convenience shopping will be permitted in mixed use areas and policy 6/10 states that restaurant/ café uses are acceptable in mixed use areas, provided they do not give rise to unacceptable environmental problems or nuisance. An assessment of the environmental problems and nuisance of the proposed restaurant/ café use has been assessed in the residential amenity section of this report. The Eastern Gate Development Framework (SPD) (2011) identifies the site as a primary frontage where active uses at ground-floor should be targeted.
- 8.22 The previous permission (12/1321/FUL) on this site included a restaurant/ café use. This use was considered acceptable on the grounds that paragraph 24 of the National Planning Policy Framework (2012) states *“When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre”*. As the site is less than 30m away from the City Centre boundary the restaurant/ café use was deemed acceptable.
- 8.23 Since the granting of the previous permission, I do not consider there has been a material change in policy to justify coming to an alternative assessment of the ground-floor commercial units proposed. The site lends itself well for commercial uses given the proximity of the site to the City Centre.

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

#### Context of Site and Surroundings

- 8.24 The application site occupies a prominent site situated along the busy arterial route of East Road which connects the

Elizabeth Way Roundabout to the cross-road junction adjacent to Parkers Piece. The existing single-storey flat roof building and associated hardstanding does not have any architectural merit and does not contribute as a positive aspect of the character and appearance in my view. I therefore have no objection to the demolition of the car showroom.

8.25 The application site forms part of the wide site allocation (7.01) in the current Local Plan (2006) and the Eastern Gate Development Framework SPD (2011) identifies the site as a potential development site and encourages primary frontages onto East Road in this location. The Eastern Gate SPD indicates that the storey height on this site should be '4 + 1'. The two figures which are referred to within the SPD in respect to heights are shoulder height and overall height. The building shoulder height is the height of a building at the back of the footway up to the eaves or parapet height. It is recognised that many buildings have additional storeys as a set back or within the roof space. Overall height refers to the height of the building measured from the level of the pavement to the ridge of the roof or the top of any flat roof, including set back floors (indicated as +1).

8.26 There are examples of modern developments in the Eastern Gate area, such as the Travel Lodge and Beacon Rise developments on Newmarket Road and Mallory House on East Road. Mallory House is a five storey building with the fifth storey recessed.

#### Layout, Access and Movement

8.27 The proposed development occupies the entire footprint of the building. However, the context of the site and surroundings is one where buildings typically take up the majority of their respective plots and external spaces are limited, particularly on the East Road frontage. In my opinion, given the dense urban context that the site falls within, I do not consider the building footprint would appear out of character with the area in terms of the urban grain and layout of the surrounding area.

8.28 The provision of ground-floor commercial frontages facing out onto East Road would have a positive impact on the character and appearance of the area as active frontages are supported within the design principles set out in the Eastern Gate SPD

(2011). The Eastern Gate SPD (2011) encourages incorporating residential use above retail enables activity to be extended beyond daytime office and shopping hours. The inclusion of student rooms above the commercial units would benefit this active frontage also.

- 8.29 Entrances for both uses are clearly identifiable and will add to the vitality of the street. The slightly recessed student entrance with brick planter provides a good threshold between the public realm and the private access point for the student use. The treatment of this arrival space, which accommodates bin and bike movement, needs to be robust in order to prevent damage to floor and wall finishes. This can be secured by way of condition.
- 8.30 The scheme has been designed to reduce the impact of one use on the amenity of the other, with a clear separation between the functional design requirements for the commercial and student uses. Bike and bin requirements for both uses are separate and internalised within the footprint of the building.

#### Scale and Massing

- 8.31 The Eastern Gate Development Framework SPD (2011) identifies that the site could allow buildings up to 4+1 storeys (the +1 either being accommodation in the roofscape or a setback upper floor) along the East Road frontage. Whilst the scheme exceeds the SPD (2011) guidance by one storey, this was discussed at pre-application stage with officers, in which Computer Generated Images (CGI's) were considered, as well as the scale and mass of the previously approved scheme.
- 8.32 The design and access statement provides a series of CGI's to show how the scheme sits within the existing and emerging context of the site and surroundings. In my opinion, these images demonstrate that the proposal does not overly dominate views or compete with the height of the Crown Court. The scale is similar to that of the adjacent Mallory House and the change in the height on the site would provide a degree of diversity and interest in the roof scape of the area. Furthermore, the proposed elevation drawings which include the line of the previously approved scheme on the site (12/1321/FUL), demonstrates that the overall increase in height along the East Road frontage is marginal.

8.33 In my opinion, the accompanying CGI's provide sufficient justification for the increase in scale above the suggested 4 + 1 building height in the Eastern Gate SPD (2011). I do not consider the additional storey would appear unduly prominent in the street scene or appear out of character with the area. The additional storey would preserve the character and appearance of views from the nearby Central Conservation Area.

#### Elevations and Materials

8.34 The appearance of the frontage would be one with commercial frontages at ground-floor level and then a series of vertically emphasised, although varied in size, windows above. The massing of the front elevation is effectively broken into three distinct elements; a centrally recessed element with front facing balconies with two larger blocks flanking this.

8.35 There is a clear order to the building and the recessed central element helps to break down the façade into two vertically proportioned volumes. The base is clearly expressed through commercial uses and decorative brickwork, which also helps to 'ground' the building. Double height fenestration at upper floors expresses the 'middle' of the building and reinforces the vertical grain. The top of the building appears recessive and proportionate to the scale of the building. Recessed brick panels and decorative brickwork also add interest to the appearance of the building. The use of predominantly buff brickwork with elements of timber and zinc would complement the vernacular of the surrounding area in my view. The shopfront has been amended to provide stallrisers and a signage zone. The advertisement of the commercial units would be controlled through advertisement consent if necessary.

8.36 Overall, I consider that the elevation and treatment of the building would make a positive contribution to the character and appearance of the area. The proposed building would have an interesting and unique fenestration that allows the building to be read as a unique stand-alone building without appearing alien within the context of its surroundings. Conditions relating to rooftop plant, solar panels, courtyard details and materials have been recommended to ensure the finishing of the proposed scheme is of a high quality.

8.37 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 3/13 and 4/11.

### **Renewable energy and sustainability**

8.38 Policy 8/16 of the Local Plan (2006) requires major developments to meet at least 10% of their predicated energy requirements through the use of on-site renewable energy, with the policy measured in terms of carbon reduction. A renewable energy statement supports this application. It identifies that the installation of photovoltaic panels on the top of the building, will provide the 10% reduction in carbon dioxide. The Sustainability Officer has assessed the proposals and considers the proposed approach to sustainability and renewable energy acceptable subject to condition.

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

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

8.40 The main consideration is the impact of the proposed development on Mallory House to the north-east and nos. 1 – 5 Parkers Terrace to the south-east.

#### Impact on Mallory House

8.41 There are no windows on the south-west (side) elevation of Mallory House. The nearest windows on Mallory House to the proposed development are situated on the south-east (rear) elevation. However, these are obscure glazed and serve the communal staircase.

8.42 There is an external terrace and window on the south-east corner of Mallory House at ground-floor level which serves one of the accessible rooms. The footprint of the proposed development has been designed in such a way that the upper-floor levels of the building are set back away from the corner of

the adjacent accessible unit. Whilst the ground-floor extends opposite the window and terrace of this adjacent unit, I do not consider the single-storey element would be perceived as visually overbearing or lead to a significant loss of light due to its limited height. The proposed development does not include any direct windows over Mallory House and I am confident no harmful loss of privacy would be experienced at neighbouring units.

#### Impact on nos.1 – 5 Parkers Terrace

8.43 Nos.1 – 5 Parkers Terrace are a row of terraced properties that are orientated perpendicularly to the application site. The side (north-west) facing gable end of No.1 does not have any windows.

8.44 It should be acknowledged that officers had recommended that the former application (12/1321/FUL) on this site be refused for the following reason:

*“The proposed development, by virtue of the height, massing and proximity of the building to the boundary with 1 Parker Terrace and adjoining houses, would be likely to result in a significant degree of enclosure and dominance of building form to the gardens of those properties. As such, it would have a detrimental impact on the residential amenity of the occupiers of Parker Terrace and given that these properties are already hemmed-in by existing development, the proposal would exacerbate the existing poor outlook by virtue of its overbearing impact. The development will therefore not be well connected to and integrated with the immediate locality and will not have a positive effect on its setting or respond successfully to existing constraints. The development is therefore contrary to policies 3/4 and 3/12 of the Cambridge Local Plan 2006.”*

8.45 However, at the planning committee meeting of 9 January 2013 members of the committee overturned this recommendation and elected to grant planning permission for the development. The minutes of the planning committee meeting states the reasoning for this was on the basis that; *“the development would not have an unacceptable adverse impact on the residential amenity of the occupants of Parkers Terrace, thereby complying with planning policies 3/4 and 3/12 of the Cambridge Local Plan 2006.”*

- 8.46 Therefore, in my opinion, the key consideration is whether the proposed development has been amended significantly in any way to introduce any additional residential amenity concerns compared to the previous permission.
- 8.47 Under the current application, the rear elevation of the proposed building, at upper-floor level, has been pushed further away from the boundary of the nearest property at no.1 Parkers Terrace. The previous permission (12/1321/FUL) was sited approximately 3.5m away from the boundary of no.1 whereas the proposed development under this application is positioned approximately 4.6m at the upper-floor level. This change in distance is predominantly due to the change from a staggered rear elevation to a flush rear elevation.
- 8.48 There has also been a material change to the surroundings since the previous permission. When the previous application was assessed, the Parkers Terrace properties all had rear gardens. However, at some point since this previous permission, the gardens of all these properties have been removed and replaced with further car parking. It is understood that these properties are all owned by Mackays and used by their staff which most likely explains the rationale for why these gardens have been removed. Nevertheless, this is a material change in the layout of the Parkers Terrace properties that needs to be accounted for when assessing the impact on neighbouring amenity.
- 8.49 The previous permission included windows at upper-floor levels that overlooked the rear garden area of these properties. Given that this relationship was previously deemed acceptable, I do not consider the proposed upper-floor windows under the current application to compromise the privacy of neighbours. The proposed external communal roof terrace and upper-floor corner balconies would be situated on the southern and south-eastern elevation of the building respectively and the views from these external amenity spaces would not overlook the private windows or amenity spaces of any surrounding residential properties.
- 8.50 In my opinion, in light of the fact that the gardens of Parkers Terrace have been removed and that the proposed development is situated further away from these properties at the upper-floor levels than previously approved, I consider the



proposed development would not have an adverse impact on the amenity of these neighbours.

#### Impact from commercial uses

- 8.51 The proposed larger commercial unit has been proposed as a flexible A1, A2 or A3 use which has the potential to be used as a restaurant/ café. If used in this way, it needs to be confirmed that any kitchen extraction equipment, odour filtration and plant noise would not give rise to unacceptable impacts on surrounding occupiers, as well as future occupiers of the student studios. The Environmental Health Team is satisfied that given the levels of background noise levels already experienced on the site from traffic noise along East Road and nearby commercial units, there is scope to accommodate the relevant ancillary equipment for the proposed commercial uses. However, to ensure that the amenity of all proposed and surrounding occupiers are protected, conditions have been recommended to control these matters.
- 8.52 The Environmental Health Team has recommended that the proposed retail and restaurant/ café functions have restricted hours of opening of 07:00 – 23:00. In addition, all of the proposed commercial uses would have delivery hours restricted to 07:00 – 23:00 Monday to Friday, 08:00 – 13:00hrs on Saturdays and no deliveries shall take place on Sundays or public holidays. In my opinion, given the levels of background noise from East Road and the adjoining commercial uses, I consider the suggested hours of use and delivery hours to be reasonable.
- 8.53 The main entrances of the proposed commercial units face out onto East Road and I do not anticipate the comings and goings of customers to raise any residential amenity issues. The proposed commercial bin store is situated within the envelope of the building on the southern gable end and the moving of these large bins out onto East Road on collection days would take place a considerable distance from any neighbouring residential properties. There would be entrances to the plant room, cycle store, kitchen and office of the commercial store on the rear elevation of the building. However, the entrances to these rooms would be positioned opposite the blank gable end of no.1 Parkers Terrace and I therefore do not consider the

comings and goings would significantly disturb this neighbour's amenity.

#### Impact from student use

- 8.54 All of the movements between the student studios, bin storage and cycle parking would take place either internally or through the front of the site from East Road. As such, I do not consider comings and goings from these activities would give rise to neighbour disturbance. As explained in paragraph 8.9 of this report, a student management plan condition has been recommended to ensure that pick up and drop off times at the beginning and end of academic terms are organised and managed appropriately.
- 8.55 The proposed communal roof terrace would be situated on the fifth floor of the building. At this height and in the context of the surrounding traffic and commercial noises already present in the area, I do not consider the proposed use of this roof terrace would adversely impact on the amenity of neighbours.
- 8.56 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 6/10.

#### Amenity for future occupiers of the site

- 8.57 The proposed student studio units would range in internal floor area from 22.8m<sup>2</sup> to 33.6m<sup>2</sup>. It is acknowledged that a recent appeal decision at 34 Mill Road (16/0163/FUL) had referenced the technical housing standards as a relevant material consideration in determining applications for new dwellings. However, as this proposal seeks permission for student studio units, I do not consider it reasonable to give these standards any weight as they are only applicable to new residential units. Emerging Local Plan (2014) policy 50 (residential space standards) does not reference these standards as applicable to student units. In any case, the smallest units on the adjacent development at Mallory House (14/0764/FUL) were approximately 22m<sup>2</sup> in size and thus the proposed development is comparable to other schemes in the area.

- 8.58 It would be preferable to have no habitable windows on the rear elevation of the proposed building due to the proximity of the rear windows to the commercial workshop of Mackays and noise that is emitted from this nearby workshop. This was raised initially by the Environmental Health Team. The applicant has explored the option of redesigning the internal layout to remove windows on the rear elevation but this is not practical due to the number of student rooms proposed. An acoustic assessment has been undertaken which demonstrates that it would be possible to mitigate noise from Mackays by way of upgraded glazing and a mechanical ventilation heat recovery system which would remove the need to open windows in summer months for ventilation purposes. In my opinion, the provision of non-opening windows would provide an acceptable living environment for future occupiers of the rear-facing student studio units. This is an arrangement that was considered acceptable on other developments in noise sensitive areas such as the CB1 student accommodation. The future occupants would have access to the large communal roof terrace and the rooms would have appropriate ventilation. Conditions regarding the noise insulation and ventilation of the building have been recommended in accordance with Environmental Health advice.
- 8.59 In addition to the above, the external terraces have been positioned as far away from Mackays as possible. The option of adding winter balconies to these terraces was discussed at pre-application stage but because of the sensitive nature of the scale and massing of the building this was not seen as a viable solution from a design perspective. As winter balconies are not an option, the Environmental Health Team is satisfied that the amenity areas have been designed to minimize noise as far as practicable.
- 8.60 The proposed accessible rooms would all have corner (south-east) facing balconies and there would be a large communal terrace at the fifth floor for use by all future occupants of the development. Midsummer Common and St Matthew's Piece are both within walking distance of the site and it is likely that future student occupants would have access to the facilities attached to their educational institution. In terms of the quantity of the external spaces available, I am of the opinion that the proposed development is acceptable.

8.61 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**

8.62 The proposal includes dedicated commercial and student refuse storage with straightforward means of access out onto East Road for collection. The management of the student refuse arrangements would be controlled through the student management plan condition.

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

### **Highway Safety**

8.64 The Highway Authority has raised no objection to the proposed development on the grounds of highway safety, subject to conditions.

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

### **Car and Cycle Parking**

8.66 Car parking for the proposed student studio units has been addressed in paragraphs 8.7 – 8.8 of this report.

8.67 The proposed commercial units would have a combined internal floor area of approximately 175m<sup>2</sup> and I do not consider the parking demands for units of this size would be significant. The proposed commercial uses would be situated in a sustainable location and within walking distance of the City Centre. The City Council has maximum car parking standards and I am of the opinion that the proposal would not give rise to harmful levels of on-street parking in the surrounding streets.

8.68 The proposal includes an internal cycle store for the commercial units which provide secure cycle parking for eight members of staff which accords with the minimum cycle parking standards.

8.69 The proposed development includes an internal cycle store which provides 29 cycle parking spaces in a secure environment. The minimum cycle parking standards require 30 spaces for student use. However, a further 10 spaces are proposed on the pavement outside the building although this must be agreed with the Highway Authority separately. The cycle parking standards set out that 23 of the 30 spaces for this level of student accommodation should be for students of the site whilst the remaining seven are for visitors. In my opinion, as 29 spaces would be provided in the internal secure cycle store, I consider the proposal to be acceptable. I have recommended a condition for details of the cycle parking to be provided prior to occupation to determine whether the 10 cycle parking spaces on the highway will be provided or not.

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

### **Drainage**

8.71 The Lead Local Flood Authority is satisfied that the proposed development is acceptable subject to condition.

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

### **Third Party Representations**

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

<b>Comment</b>	<b>Response</b>
<ul style="list-style-type: none"> <li>• Opposed to the further erosion of the commercial/business spaces in Cambridge;</li> <li>• Commercial/ industrial spaces needed in City Centre;</li> </ul>	<p>There is no in principle objection to the loss of the car showroom workshop. The application site forms part of a site allocation (7.01) in the Local Plan (2006) for student use and is identified as a potential development site in the Eastern Gate SPD (2011). The loss of the commercial/ industrial use was approved under the previous permission</p>

	(12/1321/FUL)
Increase in traffic	This has been addressed in the main body of this report.
Question whether these student studios will be changed to private dwellings.	This has been addressed in paragraph 8.17 of this report and the S106 agreement would prevent non-student use.
Where is the additional infrastructure to support the increasing density in the area? • Greater demand on local services.	Contributions towards indoor sports, outdoor sports and informal open space have been sought through the S106 agreement. These contributions are set out in the Planning Obligations section of this report.
There is already a high amount of student apartments in the area who are not engaged or invested in the neighbourhood.	Student accommodation is defined as an acceptable use under the Site Allocation (7.01) and the impact of the student use has been assessed in the Principle of Development section of this report.

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

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

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

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

8.75 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.

### Indoor Sports

- 8.76 The Developer Contribution Monitoring Team (DCMU) has recommended that contributions be made to the following project:
- 8.77 The proposed development is within 800m of the Parkside Pool sporting 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. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016.
- 8.78 Given the scale of the proposed development on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution of £9,146 (plus indexation) is requested towards the provision of additional gym and exercise facilities at Parkside Pool in Cambridge.
- 8.79 Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council agreed two other specific contributions for this project (Cheddars Lane (15/0398/FUL), and 213 Mill Road (17/1527/FUL)).
- 8.80 I agree with the reasoning set out by the DCMU above that contributions towards this project meet the requirements of the CIL regulations. Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010.

### Outdoor Sports

- 8.81 The Developer Contribution Monitoring Team (DCMU) has recommended that contributions be made to the following project:

- 8.82 This proposed development is within 200m of St Matthews Piece.
- 8.83 Given the scale of the proposed development on this site, and in line with the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £8,092 (plus indexation) for the provision of and / or improvements to outdoor fitness kit (e.g. dip stations, pull up bars and surfacing) at St Matthews Piece, Cambridge.
- 8.84 Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far the council has not entered into any further contributions for this project so there is scope for this and four further contributions to be agreed.
- 8.85 I agree with the reasoning set out by the DCMU above that contributions towards this project meet the requirements of the CIL regulations. Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010.

#### Informal Open Space

- 8.86 The Developer Contribution Monitoring Team (DCMU) has recommended that contributions be made to the following project:
- 8.87 This proposed development is within 200m of St Matthews Piece.
- 8.88 Based on the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £8,228 (plus indexation) for the provision of and/or improvement of access to the Informal Open Space (for example landscaping improvements) at St Matthews Piece.
- 8.89 Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far the council has not entered into any further contributions for this project so there is scope for this and four further contributions to be agreed.



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

### Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

- 9.1 The principle of student studio units is acceptable and would not compromise the wider site allocation. Appropriate controls relating to the student use of the accommodation would be imposed through conditions and the S106 agreement. The proposed commercial units would be situated in a central location within close proximity to the City Centre and the principle of this use would be acceptable.
- 9.2 The proposed development would assimilate successfully into its context and surroundings. Sufficient computer generated images and accompanying information has been submitted to demonstrate that the additional storey above the suggested height in the Eastern Gate SPD (2011) would not appear out of character with the area. The appearance of the proposed building would be of a high quality and enhance the street scene of the area.
- 9.3 The proposed development would not give rise to harmful impacts on adjoining occupiers and would not adversely increase on-street parking in the surrounding area by virtue of its sustainable location. The scheme has been designed to mitigate noise levels experienced in the student accommodation as far as practicable and would provide an acceptable living environment for future occupiers. Approval is recommended.

## 10.0 RECOMMENDATION

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

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

(b) A report setting 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 the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5.

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

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

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

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

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

11. Prior to the 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)

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

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

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

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

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

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

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

15. Prior to the commencement of development/construction, a noise insulation / attenuation scheme as appropriate, shall be submitted to and approved in writing by the local planning authority. The scheme shall detail the acoustic / noise insulation performance specification of the external building envelope of the student studio units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced externally and internally at the student studio units as a result of high ambient noise levels in the area. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of future occupants (Cambridge Local Plan 2006 policies 3/12 and 4/13)

16. Prior to the commencement of development/construction, details of an alternative ventilation scheme for habitable rooms within the development to negate / replace the need to open windows, in order to protect future occupiers from external noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from East road. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system. The scheme shall be installed before the use hereby permitted is commenced and shall be fully retained thereafter.

Reason: To protect the amenity of future occupants (Cambridge Local Plan 2006 policies 3/12 and 4/13)

17. The permitted A1 & A3 uses hereby approved shall not operate / open outside the hours of 07:00 and 23:00 hrs.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

18. Deliveries to or dispatches from the site to the A1, A2 and A3 uses shall not be made outside the hours of 07:00 - 23:00hrs on Monday to Friday, 08:00 - 13:00hrs on Saturday or at any time on Sundays or public holidays.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

19. The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the A1, A2 and A3 use hereby approved shall not exceed the plant rating level emission limits as detailed at the application site boundary within the Cass Allen Addendum to Cass Allen report RP01-17575 relating to 87 East road, Cambridge (planning reference 17/2037/FUL) - planning consultation response dated 23rd January 2018 (LR01-17535 Rev 1).

Prior to use, an acoustic insulation scheme commissioning / completion report shall be submitted in writing for approval by the local planning authority to verify that the installed fixed plant and/or machinery complies with the plant rating level emission limits specified within the Cass Allen Addendum to Cass Allen report RP01-17575 relating to 87 East road, Cambridge (planning reference 17/2037/FUL) - planning consultation response dated 23rd January 2018 (LR01-17535 Rev 1). The approved equipment and acoustic insulation scheme shall be fully retained thereafter.

Reason: To protect the amenity of nearby properties and the amenity of the student studio units. (Cambridge Local Plan 2006 policies 3/12 , 4/13 and 6/10)

20. Before the development hereby permitted is commenced, details of the location of associated duct work, for the purpose of extraction and/or filtration of fumes and odours shall be submitted to and approved in writing by the local planning authority. The approved ductwork shall be installed before the use hereby permitted is commenced.



Reason: To protect the amenity of nearby properties and the amenity of the student studio units. (Cambridge Local Plan 2006 policies 3/12, 4/13 and 6/10)

21. The student studio units hereby approved shall not be occupied until an operational management plan for the site, which provides details of site management, security, delivery handling, promotion of sustainable travel modes, waste collection management and term end pick-up and drop-off arrangements has been submitted to and approved in writing by the local planning authority. Occupation of the student studio units shall take place only in accordance with the approved management plan.

Reason: to ensure the buildings are appropriately serviced, managed and controlled (Cambridge Local Plan 2006 policies 3/7 and 8/9)

22. Prior to occupation of the student studio units hereby permitted, details of the cycle parking of the student studio units shall be submitted to and agreed in writing by the local planning authority. The cycle parking for the student studio units shall be provided in accordance with the approved details and retained thereafter.

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

23. The redundant vehicle crossover of the footway must be returned to normal footway and kerb.

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

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

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

25. Before starting the construction of external surfaces, full details and samples of the materials to be used in the construction of the external surfaces, which includes external features such as roofing, windows and reveals, dormers, doors, balconies, rain water goods and coping and 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, 3/12, 3/13 and 4/11)

26. 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 and fixing 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 appearance of the roof top plant and solar/ photovoltaic panels is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12, 3/13 and 4/11)

27. 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.

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

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16 and the Cambridge Sustainable Design and Construction Supplementary Planning Document).

28. 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; vehicle and pedestrian access and circulation areas (including the secure entrance courtyard); hard surfacing materials; minor artefacts and structures (eg furniture, 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). 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, an implementation programme, construction of roof planters, make up of soils and/or planting mediums, irrigation details and drainage details wherever applicable

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

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

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

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

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

31. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the 1% Annual Exceedance Probability (AEP) rainfall event will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site (National Planning Policy Framework (2012) paragraph 103).

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

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

**INFORMATIVE:** There potential for protected species (including breeding birds) to be present and the approval of this planning permission does not confer any defence, should an offence under the Wildlife & Countryside Act be committed during the development.

**INFORMATIVE:** Surface Water Drainage:

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. Surface Water Drainage and Infiltration Sustainable Drainage Systems (SuDS). Drainage systems must not be constructed in ground affected by contamination and if the use of deep bore soakaways is proposed, we would wish to be re-consulted. The proposals will need to comply with our Groundwater protection position statements G1 and G9 to G13. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

**INFORMATIVE:** Foul Water Drainage:

An acceptable method of foul drainage disposal would be connection to the public foul sewer. Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be re-consulted with alternative methods of disposal. The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.

**INFORMATIVE:** Pollution Prevention:

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor. Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001 and Control of Pollution (Oil Storage) Regulations 2001. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

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

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

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

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:** Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

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

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

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

**INFORMATIVE:** The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Council's website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request.



**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2230/S73	<b>Agenda Item</b>	
<b>Date Received</b>	21st December 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	15th February 2018		
<b>Ward</b>	West Chesterton		
<b>Site</b>	Former Milton Road County Primary School Milton Road Cambridge CB4 1UZ CB4 1UZ		
<b>Proposal</b>	Section 73 application to vary condition 2 (approved plans) of planning permission ref: 16/2098/S73 to allow changes from a two storey side extension to dwelling on Plot A to a three storey side extension. Reduction in height of the walls separating each of the terrace spaces on the second floor of all 5 houses.		
<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><input type="checkbox"/> The proposed three-storey side extension would not have a harmful impact on the character and appearance of the area;</li> <li><input type="checkbox"/> The proposed works would not have a significant impact on the amenity of the neighbouring property at no.11 Gilbert Road.</li> <li><input type="checkbox"/> The proposed changes to the approved scheme would retain a high quality living environment for future occupants.</li> </ul>
RECOMMENDATION	APPROVAL

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

- 1.1 The application site is an irregular polygon on the western corner of the junction of Milton Road and Gilbert Road. Its south-eastern boundary runs for 30m along the back of the footway on Milton Road from Gilbert Road towards Mitcham's Corner. Its north-eastern boundary runs for 115m along the back of the footway on Gilbert Road. The north-western (42m long) boundary adjoins the curtilage of the dwelling at 11 Gilbert Road. The western boundary, 90m long, adjoins access roads and car parks associated with the Westbrook Centre. To the south, the site abuts that of the Manor Care Home. The surrounding areas to the north-west, north and east of the site are predominantly residential. The areas to the west and south are in more mixed uses, which include retail, offices, public houses, and new re-developed student accommodation.
- 1.2 The site was formerly occupied by Milton Road County Primary School. Following the granting of permission for redevelopment of the site (07/0328/FUL), the school buildings were demolished. Following the granting of permission to phase the development permitted under 07/0328/FUL (08/0428/S73), the Manor Care Home was erected on the area to the south of the present application site, and a vehicular access route created from an entrance on Gilbert Road, through the application site, to reach the rear and north-eastern side of the care home. The site is allocated as a site for housing and community facilities in the Cambridge Local Plan (2006). It falls within the area of the Mitcham's Corner Strategic Planning and Development Brief 2003. The site is not allocated for any specific use in the Cambridge Local Plan 2014 Proposed Submission, but it forms part of the designated Mitcham's Corner Opportunity Area to which Policy 21 of that Submission applies. The site is not within a conservation area.
- 1.3 The site falls within the controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks to vary condition 2 (approved drawings) of planning permission reference 16/2098/S73 to allow changes from a two-storey side extension to the proposed dwelling on Plot A to a three-storey side extension. The variation to the approved drawings also seeks to lower the height of the walls

separating each of the rear terrace spaces on the second floor of all five of the proposed houses.

- 2.2 The application site has a complex history and consequently I have set out a chronology of the site's history and how the proposed development has been amended since it was originally permitted.

Planning Permission Reference: 07/0328/FUL

- 2.3 Planning permission was granted on 5 February 2008 for the following works:

*“Redevelopment for 88bed care home and 4no studios for employees, and 67 flats with community facility. Childrens play area and associated parking and landscaping.”*

Planning Permission Reference: 08/0428/S73

- 2.4 Permission was sought to vary several of the 25 conditions attached to planning permission 07/0328/FUL to allow for the conditions to be discharged in phases. This was to allow the development to be constructed in two phases. The first phase covered the care home, access road and car park ramp. The second phase covered the residential element, community facility and shared garden space. This variation to the conditions was approved under delegated powers on 9 May 2008.

Planning Permission Reference: 11/0091/FUL

- 2.5 Planning permission was sought for the following development:

*“Proposed erection of extra care accommodation (55 flats) (Use Class C2) including ancillary facilities, a community room (Use Class D1), 9no residential apartments (Use Class C3), new pedestrian accesses, car and cycle parking and hard and soft landscaping.”*

- 2.6 This application was refused on 19 January 2012 by the Planning Committee for the following reasons:

1. Because of its substantial overall length, height, and mass (within which the recessed sections and glazed

component provide insufficient relief), the design of the corner roof and limited articulation of the remainder of the roof, the modelling of bays and balconies, the proportions and detailing of the private residential block, the selection of materials, and their distribution on the elevations, and the landscaping, the proposal responds poorly to existing features of local character, and would have a negative impact on its setting, contrary to policy ENV7 of the East of England Plan (2008), and policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006). For this reason, it would be poor design, missing an opportunity to improve the character and quality of the area and the way it functions, contrary to government guidance in Planning Policy Statement 1 (2005).

2. The proposed development does not make appropriate provision for public open space, community development facilities, life-long learning, public art, waste storage or monitoring, in accordance with policies 3/7, 3/8, 3/12, or 5/14 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010, Public Art 2010, and Guidance for Interpretation and Implementation of Open Space Standards 2010.

Planning Permission Reference: 14/0052/FUL

- 2.7 Planning permission was sought for the following works:

*“Proposed mix use development consisting of a sui generis aparthotel (133 Units), 5no. class C3 residential townhouse units, class D2 Community space, underground car parking (80 spaces), and cycle parking (150 spaces)”*

- 2.8 This application was refused by the Planning Committee for the following reasons:

1. The application proposes a use which is predominantly neither housing nor a community facility on a site allocated for these two uses in the local plan, contrary to policy 5.1 of the Cambridge Local Plan 2006, site allocation 5.13 in the Proposals Schedule of the

Cambridge Local Plan 2006, and government guidance in Section 6 of the National Planning Policy Framework 2012

2. The proposed development would result in an unacceptable deterioration in air quality, and offers no mitigating measures to deal with this impact, contrary to policy 4/13 of the Cambridge Local Plan 2006 and Section 11 of the National Planning Policy Framework 2012
3. The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, public art, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14, and 10/1 and the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16 and as detailed in the Planning Obligation Strategy 2010, the Public Art Supplementary Planning Document 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, and the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

2.9 This decision was then appealed by the applicant and subsequently allowed on 23 June 2015 subject to conditions.

Planning Permission Reference: 16/1966/S73

2.10 Planning permission was granted by the Planning Committee on 5 April 2017 for a variety of amendments to the approved development 14/0052/FUL. A full list of the amendments approved under 16/1966/S73 is set out in Appendix A of this report.

Planning Permission Reference: 16/2098/S73

2.11 Planning permission was granted under the delegated powers on 14 August 2017 for a further amendment to the approved development 14/0052/FUL. This amendment sought to allow changes to dwelling on Plot A to include a two storey side extension.

Planning Permission Reference: 17/2230/S73 – The Pending Application

- 2.12 Planning permission is now sought to change the two-storey side extension, as approved under permission 16/2098/S73, to a three-storey side extension.
- 2.13 The proposed three-storey side extension would adjoin onto the south-west elevation of Plot A, which is at the end of the terrace row of the proposed dwellings. This terrace row is situated close to the northern and eastern boundaries of the site close to Gilbert Road. The proposed three-storey side extension would be constructed with an eaves and ridge to match the existing terrace and designed in matching materials. The additional floorspace would allow for the insertion of a second-floor orangery and Bapu room. A Bapu room is a prayer room used in Hindi religion. The agent has explained that it may double up as a bedroom and I have therefore assessed the application on the basis that the dwelling would be converted from a four-bedroom dwelling to a five-bedroom dwelling.
- 2.14 In addition, the walls which divide the rear private terraces of the five houses are proposed to be lowered from approximately 2.9m to 1.75m.

### **3.0 SITE HISTORY**

- 3.1 The recent site history is set out in the preceding section of this report.

### **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 3/9 3/11 3/12 3/13 3/14 3/15  4/4 4/13 4/14 4/15  5/1 5/4 5/5 5/10 5/12  6/3 6/8  8/2 8/6 8/9 8/10 8/16 8/18  10/1

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Affordable Housing (January 2008)  Planning Obligation Strategy (March 2010)

	Public Art (January 2010)
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>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>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>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>
	<u>Area Guidelines</u>



	Mitcham's Corner Development Framework (2017)
--	---

#### 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.

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

6.3 No objection.

#### **Landscape Team**

6.4 No objection.

## **Public Art**

6.5 No objection.

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

6.6 No objection.

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

## **7.0 REPRESENTATIONS**

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

- 11 Gilbert Road

7.2 The representation can be summarised as follows:

- The design of the dwellings have no likeness to other buildings on Gilbert Road
- The side extension should remain two-storey like to the rest of Gilbert Road
- Overlooking of front garden

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

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representation 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, public art, renewable energy, disabled access, cycle parking, car parking, refuse arrangements, highway safety and planning obligations were assessed as part of the original application. I do not consider the minor material amendments compared to the original application (14/0052/FUL) or subsequent S73 applications (16/1966/S73 & 16/2098/S73) 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 assessments of the previous applications are pertinent to this current application on these points.

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

- 8.3 The proposed three-storey side extension would be situated on the south-west elevation of the row of proposed dwellings. In this position it would not be highly visible from any public viewpoints along Gilbert Road to the east.
- 8.4 The fenestration of the originally approved front elevation is rhythmic with each of the five plots being defined at first-floor by intermittent zinc cladding around windows and at second-floor by a pattern of rectangular and then square windows with consistently spaced solar panels above.
- 8.5 The proposed front elevation of the extension would have a simple façade that would not appear visually dominant in my view. The windows of the extension would be uniform in their appearance which does make the proposed extension read more abruptly with the originally approved fronts of the dwellings. Notwithstanding this, the proposed extension would be relatively unassuming in its appearance. In respect of the secluded location of the extensions position in relation to the public street frontages, I am not convinced that this lack of conformity to the approved fenestration pattern would be harmful towards the character and appearance of the area.
- 8.6 The proposed changes to the side and rear of Plot A caused by the extension would be the addition of a fully glazed orangery at the second-floor level. Given the position of this element on the

rear elevation, I do not consider this would have any significant bearing on the character and appearance of the area.

- 8.7 The proposed lowering of the dividing walls would not have any noticeable impact on the appearance of the rear elevation of the buildings in my opinion and is acceptable from a design perspective.

## **Residential Amenity**

### Impact on amenity of no.11 Gilbert Road

- 8.8 At its closest point, the proposed three-storey extension would be situated approximately 10.5m to the south-east from the corner of the building line at no.11 Gilbert Road.
- 8.9 In my opinion, I do not consider the proposed three-storey side extension would adversely overshadow or visually enclose the habitable outlooks of no.11. The windows of no.11 on the front elevation face out to the east and the proposed extension would only be visible in peripheral views from these outlooks in my opinion. The boundary of the site with this neighbour is also densely planted which would partially shield views of the physical mass proposed. At 10.5m away at its closest point, I do not consider the levels of overshadowing cast over the front windows of this neighbour would be significant enough as to harm this neighbour's amenity.
- 8.10 It is acknowledged that a concern regarding overlooking of the front garden of no.11 has been raised. However, the additional first-floor and second-floor outlooks of the proposed dwelling created by this extension would be similar in nature to that of the originally approved scheme which allowed for second-floor terrace views over this neighbour's front garden. As such, I do not consider the proposed additional first-floor and second-floor outlooks would introduce any significant loss of privacy beyond that of what was originally approved.
- 8.11 The lowering of the dividing second-floor terrace walls would have no bearing on the amenity of neighbours.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

#### Amenity for future occupiers of the site

- 8.13 The layout of the proposed dwelling at Plot A would retain a high quality living environment for its future occupiers. It would change the number of bedrooms within this dwelling from four to five bedrooms. It would create an additional 122m<sup>2</sup> of floor space for the future occupants compared to the originally approved scheme (and 86m<sup>2</sup> more than the subsequently approved enlarged dwelling) and therefore I do not consider the increase in bedrooms would result in the dwelling having a cramped living environment.
- 8.14 The proposed lowering of the dividing second-floor terrace walls would be over 2.1m above the finished floor level of the terraces. At this height, I am confident that no opportunities for harmful inter-overlooking between terraces would occur as a result of this change.
- 8.15 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3//14.

## **9.0 CONCLUSION**

- 9.1 The proposed three-storey side extension would not harmfully impact on the character and appearance of the area and would respect the amenities of neighbours. The proposed lowering of the dividing walls of the terraces would not compromise the privacy of the occupiers of the dwellings.

## 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 planning permission was granted for 14/0052/FUL.

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

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

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

3. Conditions 4 to 28 of planning permissions 16/2098/S73, 16/1966/S73 and 14/0052/FUL (as set out below) shall continue to apply to this permission. Where such conditions pertaining to these consents have been discharged, the development of 17/2230/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.

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

5. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.
6. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
7. Before the development hereby permitted is commenced details of the contractors' compound, the site storage areas and the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site shall be submitted to and approved by the local planning authority in writing. Thereafter the development shall be undertaken in accordance with the approved details.
8. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.
9. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are:
  - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
  - ii. Contractor parking, for both phases (all such parking should be within the curtilage of the site and not on street).
  - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
  - iv. Control of dust, mud and debris.

10. Prior to the commencement of the development hereby approved (including any pre-construction, demolition or enabling works), 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 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. (COP) for basic information and procedures for noise and vibration control', BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites (if the construction process is to involve piling operations). Development shall be carried out in accordance with the approved details.
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 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 5228-2:2009+A1:2014: Part 4: 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. Consent for piling will only be granted where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
12. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the 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.
13. No development shall take place until details of site lighting during the construction period have been submitted to and approved in writing by the local planning authority. Lighting shall be installed only according to the agreed details.



14. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.
- a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.
- d) 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.
- e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

- f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.
15. No development shall take place until a scheme for the provision and implementation of surface water drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be constructed and completed according to the approved plans.
  16. Before the development hereby permitted is commenced, details of equipment for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced.
  17. Prior to the first occupation of the development hereby permitted is commenced, a scheme for the insulation of the buildings and/or plant in order to minimise the level of noise emanating from the said buildings and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.
  18. Prior to the commencement of development hereby permitted, with the exception of below ground works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope to reduce the level of traffic and other noise experienced by occupiers shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233: 2014 Guidance on sound insulation and noise reduction for buildings. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

19. No part of the development shall be occupied 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.
20. No part of the development shall be occupied until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.
21. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

22. 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.
23. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.
24. No occupation of the aparthotel shall take place until full details of the arrangements for the storage and collection of waste and recycling from that use have been submitted to, and approved in writing by the local planning authority. The arrangements shall be implemented prior to occupation, and shall not be changed except with the written approval of the local planning authority.
25. No development shall take place until a comprehensive scheme for ensuring the security of the aparthotel's basement car park and its entrances and access points has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be implemented prior to the occupation of the aparthotel and shall not be altered except with the written agreement of the Local Planning Authority.

26. Prior to commencement of occupation of the aparthotel, a register shall be established and maintained at all times when the building is occupied. The register shall contain information regarding the names of occupiers of the units within the aparthotel and the duration of their stay. The register shall be made available to the Council in response to all reasonable requests for information about occupancy of the aparthotel.
27. Prior to commencement of occupation of the aparthotel the following shall be provided and maintained at all times when the aparthotel is occupied:
  - (a) a Combined Heat and Power system to serve the aparthotel;
  - (b) a car club parking space within the car park to facilitate access to a car club vehicle for residents of the development;
  - (c) a cycle hire facility to provide access to a minimum of 20 hire cycles for residents of the aparthotel;
  - (d) an electric car charging point within the car park serving the development.
28. Prior to commencement on site, details of the materials proposed for the lift over run and additional plant areas shall be submitted to and agreed in writing by the Local Planning Authority and shall be constructed in accordance with the approved details.

Reason: To accord with Local Plan 2006 policies 3/4, 3/7, 3/12 and 3/14.

**INFORMATIVE:** Clause 8 of the Section 106 of planning permission 14/0052/FUL, links this Section 73 permission to the approved Section 106.

This page is intentionally left blank

**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2225/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd January 2018	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	27th February 2018		
<b>Ward</b>	Abbey		
<b>Site</b>	572 Newmarket Road Cambridge		
<b>Proposal</b>	Construction of part one storey part two storey rear extension, construction of bike and bin store and new surfacing of front garden. Subdivision of property into 3 x 1-bed apartments.		
<b>Applicant</b>	Mr Alex Kidd Redlands Redlans Road Lolworth Cambridge		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed extensions would be subservient to the host dwelling and acceptable in terms of design</li> <li>- The proposed extensions would not significantly harm the amenity of adjoining occupiers</li> <li>- The proposal would provide 3 new residential units which would provide a high level of amenity for future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a two storey mid-terrace property on the southern side of Newmarket Road; located near the junction with Whitehill Road. This part of Newmarket Road is a predominantly residential area.

1.2 The immediate area is characterised by two storey dwellings which are set back from the road. There is a mix of brick and rendered dwellings. The application site forms part of a terrace of properties which is rendered and has gable end details on the front façade.

1.3 There are no site constraints.

## **2.0 THE PROPOSAL**

2.1 The application seeks full planning permission for the construction of a part single storey, part two storey rear extension and construction of bike and bin stores with new surfacing to the front of the property. The application also seeks permission to convert the dwelling into 3 x 1 bedroom flats. Two of the flats would be on the ground floor, each with their own substantial private garden. The third flat would be over the first and second floors.

2.2 The application has been amended to reduce the height of the single storey extension adjacent to the boundary with 574 Newmarket Road. The original site location plan showed the plot to be divided with a portion of the garden including the garage to the rear edged blue and excluded from the application site. The subdivision of the plot was queried with the applicant and a revised site location plan has been submitted showing the whole of the site encompassed within the red edge.

2.3 An application for a larger extension and to convert the property into 4 apartments was also submitted at the same time as the current application (17/2226/FUL). This application was refused under delegated powers as the larger first floor extension proposed was considered to have an overbearing impact on both adjoining properties.

2.4 There is an existing small ground floor extension off the rear of the property. The proposal would remove this, extending a total of 6m at ground floor from the original rear wall - 4.1m beyond the existing extension - at full width. A lean-to element has been incorporated adjacent to the boundary with 574 to reduce the height. The first and second floor extension would protrude 1.8m beyond the rear wall in the centre of the property at 2.3m in width to provide a stairwell. Bike and bin storage is shown to



the front of the property. One off-street car parking space is also proposed.

### 3.0 SITE HISTORY

Reference	Description	Outcome
17/2226/FUL	Construction of part one storey part two storey rear extension, construction of bike and bin store and new surfacing of front garden. Subdivision of property into 4 x 1-bed apartments.	Refused

### 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 4/13 5/1 5/2 8/2 8/6 8/10 10/1

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

Central Government	National Planning Policy Framework March
--------------------	--

Guidance	<p>2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</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 Objection: There is no dropped kerb to allow access to the car parking space and the Highway Authority objects to the continued use of the footway by crossing cars. If the applicant is able to overcome this element, conditions are recommended.

### **Environmental Health**

- 6.2 No objection Construction hour condition is recommended. An informative regarding housing health and safety rating is requested.

### **Refuse and Recycling**

- 6.3 No comments received.

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

- 6.4 No objection: Two conditions regarding hard and soft landscaping and boundary treatment are recommended.

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

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

## **7.0 REPRESENTATIONS**

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

- 568 Newmarket Road

- 574 Newmarket Road
- 576 Newmarket Road

7.2 The representations can be summarised as follows:

- Will overshadow conservatory and patio of 574
- Will result in loss of light to 568 Newmarket Road
- Lack of car parking will cause parking on verges and impact highway safety due to impact on visibility
- There is currently no dropped kerb and this results in cars driving down the path to access the car parking space
- Grass verges are being damaged by car parking
- Access to the rear is narrow and parking by builders will restrict access for others.
- Concerned about disruptions during building process.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/1 states that applications for housing on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is currently in residential use and this part of Newmarket Road is a predominantly residential area. As a result I consider the proposal to comply with policy 5/1.

- 8.3 Policy 5/2 relates to the conversion of larger properties. This states that the conversion of single residential properties into self-contained dwellings will be permitted except where: a) the property has a floorspace of less than 110m<sup>2</sup>; b) there would be an unacceptable impact on parking c) the living accommodation provided would be unsatisfactory; d) the proposal would fail to provide for satisfactory refuse bin/bike storage e) the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.
- 8.4 The extended property would have a floorspace greater than 110sqm. I will address the remaining criteria of the policy under the relevant headings below.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 5/1 and criterion a) of policy 5/2.

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

- 8.6 The alterations are to the rear of the property and would not be visible in the streetscene. Many of the properties in the vicinity have quite large extensions. The proposed extensions are of a scale which would read as subservient and would clearly appear as later additions to the property. A matching materials condition is recommended to ensure the alterations are in keeping with the host dwelling.
- 8.7 Bikes and bins are to be stored to the front of the property. Whilst this arrangement is not ideal, it is common in the area. I note that it was considered acceptable on the adjacent site at 570 Newmarket Road as part of the 2012 approval to convert the property to a HMO. As a result, I do not consider this arrangement to be significantly harmful to the streetscene.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.9 There were concerns that the ground floor element of the extension would have a harmful impact on the amenity of 574

Newmarket Road. This property has a small conservatory to the rear. The proposal would extend an additional 4m into the garden when compared with the existing extension and would run at full width. The original proposal was to be 3.25m in height and was considered to have an overbearing impact on the conservatory and immediate garden area of no.574. The height of the extension adjacent to this boundary has been dropped to 2.4m. I consider that the revised height would reduce the enclosing impact on the immediate garden area and conservatory of no. 574 and whilst the extension would still result in some enclosure to this space, I consider this to no longer be sufficiently harmful to warrant refusal.

- 8.10 The neighbour at 570 Newmarket Road has already been extended to the rear. The proposed ground floor extension is only marginally longer than the existing extension at no.570 and as a result would not have any significant impact in terms of enclosure or overshadowing.
- 8.11 The proposed first floor extension incorporates a stairwell and would protrude 1.8m beyond the existing end wall and be set away from both adjoining occupiers. The extension continues up to second floor and accommodates a stair providing access to the attic space. The proposal would be set off both boundaries and as a result would not have any significant adverse impact on terms of enclosure or overshadowing to either of the adjoining neighbours.
- 8.12 The proposal sub-divides the building into 3 one bedroom flats. I am satisfied that the change in use would not result in any significant increase in noise and disturbance to surrounding occupiers. The only additional first floor windows serve the stair well and I am satisfied that these would not result in any significant increase to overlooking given the presence of existing first floor windows on the rear elevation.
- 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 and 3/7.

*Amenity for future occupiers of the site*

- 8.14 All of the flats are accessed from the front door on Newmarket Road. Two flats are wholly contained on the ground floor. These are one bedroom flats. I have assumed from the layout of the kitchen and the fact that a double bed is provided in the bedroom that they are designed as two person flats. Each flat would have its own large rear garden. Both ground floor flats would provide 35sqm of internal space. The Technical Housing Standard (THS) indicates that a 1 bed 2 person flat over a single storey should be 50sqm. The two ground floor units are therefore significantly below the THS (-15sqm: about the size of a disabled car parking space 3m x 5m).
- 8.15 As officers, our advice to Members is that the Council does not have required space standards within our development plan and Government guidance states that we should only require standards through the Local Plan. In this regard the national standards should not be applied literally as if they were adopted policy. The national standards are a material consideration and Members can therefore give weight to them. The amount of weight is a matter for Members in the circumstances of each case. This is a scenario where the provision is significantly short of the standard but where officers advise members to take into account the large rear south facing gardens that would be provided. In this particular circumstance, I am satisfied that on balance, the garden provision adequately compensates for what is provided internally and thus the quality of residential accommodation (apartment and garden) as a whole is acceptable. I propose condition # to ensure the gardens are provided in their entirety and retained for the future occupants of the ground floor flats. In this regard, my recommendation is on-balance.
- 8.16 The upper floor flat provides one bedroom and has an office/study in the roof space. Given the small size of the office space I am satisfied that in this instance it can be seen as an ancillary space rather than a second bedroom. This unit does not have access to private external space but given the nature of the unit I am satisfied that it would not be occupied by a family and that the lack of private outdoor amenity space would be acceptable. This unit is larger than the ground floor units being approx. 59sqm and contained over two floors. I am satisfied that this unit would also provide a high standard of amenity for future occupiers.

8.17 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

### **Refuse Arrangements**

8.18 Bin storage is to the front of the property. This has been considered acceptable elsewhere on the street. As a result I am satisfied that in this instance it would also be acceptable. Details of the bin store are required by a condition. This should be a low rise structure to ensure that clutter to the front of the property is kept to a minimum.

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

### **Highway Safety**

8.20 The Highway Authority objected to the original proposal. A dropped kerb has been provided to overcome this objection. I am satisfied that subject to the incorporation of the dropped kerb, the proposal would not have any adverse highway safety implications. A number of conditions have also been requested by the highway authority. These have all been recommended.

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

### **Car and Cycle Parking**

8.22 One off street car parking space is to be provided. I note the concerns regarding parking issues which are expressed by a number of neighbouring occupiers. However, given the sustainable location of the site I am satisfied that one car parking space would be adequate.

8.23 Cycle parking is also shown to the front of the property. I am satisfied with this in principle. Details of secure and covered cycle storage are required by condition. As with bin storage, the cycle store should be low rise.



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

### **Third Party Representations**

8.25 I have addressed the majority of the third party representations within the body of my report but will address any outstanding matters in the below table:

<b>Representation</b>	<b>Response</b>
Will overshadow conservatory and patio of 574	See paragraphs 8.9 and 8.11
Will result in loss of light to 568 Newmarket Road	No. 568 is separated from the application site with the garden of no.570 providing a substantial buffer. As a result there would be no significant impact to no.568.
Lack of car parking will cause parking on verges and impact highway safety due to impact on visibility	This has not been raised by the highway authority. Given the nature of the flats and the sustainable location of the site I am satisfied with the proposed car parking arrangement. See paragraph 8.21
There is currently no dropped kerb and this results in cars driving down the path to access the car parking space	A dropped kerb has been included in the proposal. See paragraph 8.19
Grass verges are being damaged by car parking	Damage to the verges is a civil matter
Access to the rear is narrow and parking by builders will restrict access for others.	Noted. A construction traffic management condition has been recommended.
Concerned about disruptions during building process.	See above. A construction hours condition has also been recommended.

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

8.26 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.

- 8.27 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 revised proposed extension would not harm the amenity of the adjoining occupiers. The proposed extensions are of an appropriate scale and in keeping with the character of the area subject to materials matching the host dwelling. The proposal would provide a satisfactory standard of amenity for future occupiers taking into account the large rear gardens for each ground floor flat.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

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

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

6. 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. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

8. The flats shall not be occupied until full details of secure cycle storage and bin storage, including elevations and materials, for the three flats hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/7)

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

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

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

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

11. The hard paving of the front garden and dropped kerb shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: To prevent surface water discharging to the highway in accordance with policy 8/2 of the Cambridge Local Plan (2006)

12. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

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

**INFORMATIVE:** The principle areas of concern that should be addressed by the Traffic Management Plan are:

- Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).

- Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- 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>

**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2198/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd December 2017	<b>Officer</b>	Mary Collins
<b>Target Date</b>	16th February 2018		
<b>Ward</b>	West Chesterton		
<b>Site</b>	Annexe 29 Garden Walk Cambridge CB4 3EW		
<b>Proposal</b>	Single storey extension and alterations to existing annexe to allow change of use to separate dwelling, with provision of bin and cycle store for both properties.		
<b>Applicant</b>	Ms G St.John-Ives Annexe , 29, Garden Walk CAMBRIDGE CB4 3EW		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> It would not have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;</li> <li><input type="checkbox"/> it would provide adequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;</li> <li><input type="checkbox"/> it would enhance the prevailing character and appearance of the area.</li> <li><input type="checkbox"/> it would not adversely affect trees, wildlife features or architectural features of local importance.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

- 1.1 The application site is situated on the western side of Garden Walk and is to the side and rear of 29 Garden Walk.
- 1.2 29 Garden Walk is a detached, three storey property with the first and second floor to the side over an open carriage entrance providing access to the rear of the property.
- 1.3 A detached two storey building is situated at the bottom of the garden of 29 Garden Walk. It is constructed on the boundary with 27 Garden Walk which lies to the south and is set in from the rear boundary with residential properties in Stretten Avenue.
- 1.4 It has been used as an annexe to the existing dwelling with ancillary living accommodation for sleeping purposes. The building is believed to have been on the site since the late 19<sup>th</sup> century and has undergone alterations and extension over time.
- 1.5 The existing building has a footprint of 10.7 metres by 4.1 metres and is 4.7 metres to eaves level with a shallow pitched roof and ridge height of 6.4 metres. It is brick built with a pitched roof covered in corrugated metal sheeting.
- 1.6 The site falls within the Castle and Victoria Road Conservation Area. The site falls outside the controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the extension, alteration and change of use of the existing two-storey annexe to form a separate independent dwelling.
- 2.2 The proposed separate dwelling would have a bedroom at either end with a central bathroom at first floor and with a living room and kitchen at ground floor level.
- 2.3 To the North elevation, a single storey extension is proposed to provide an entrance porch with WC and utility room. This would be sited at the eastern end of the existing building and would be 3.7 metres wide by 2.5 metres deep. It would have a flat Green roof and would be 2.5 metres high.



## 2.4 The proposal includes:

- Elevational changes including addition of larger windows in the north elevation and addition of new bathroom window.
- Infilling of windows and rendering of entire south elevation
- The South wall would be rendered (self-coloured to reduce the need for maintenance).
- The West and East gable walls will be partly rendered and partly vertical timber boarded.
- The North wall will be rendered at ground floor level, with vertical timber boarding above.
- The existing corrugated sheet metal roof covering will be retained.
- The existing garden would be subdivided and a 1.8 metre high fence erected.

2.5 Access to the separate dwelling would be through the archway to the side of 29 Garden Walk.

2.6 During the course of the planning application, revised plans were received showing the high level window in the western end of the building obscurely glazed, fixed and non-openable and the doors to the kitchen changed to a window instead.

2.7 A concurrent application was submitted for works to the frontage dwelling (No.29), including partial demolition of a single-storey rear extension, raising the ridge height, and alterations to the materials and fenestration. This has recently been determined (approved) under delegated powers.

2.8 The application is accompanied by the following supporting information:

1. Design Statement
2. Drawings

## 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
18/0036/FUL	Alterations to existing dwelling house [No.29] including partial demolition of single storey rear extension, raising of ridge height	Permitted

and installation of new zinc-effect roof, installation of new rooflight to rear roof pitch, new cladding to parts of front and rear elevations and alterations to fenestration

C/89/0417	Alterations to outbuilding to form studio accommodation.	Refused 02.05.1989
C/81/0865	Alterations to existing building to form No. 2 residential flats with parking facilities	Refused: 02.02.1982

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework –
-----------------------------------	---

	<p>Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p><u>Area Guidelines</u></p> <p>Castle and Victoria Road Conservation Area Appraisal (2012)</p>

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

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

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

## **6.0 CONSULTATIONS**

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

6.1 No off-street parking provision is made for the new separate household. The development is therefore likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

### **Environmental Health**

6.2 The development proposed is acceptable subject to the imposition of the condition outlined below.

In the interests of amenity, I recommend the standard construction hours condition CC63 – construction hours.

### Contaminated Land

I have checked our database and would confirm that I have no concerns with regards to potential contamination of the land proposed for the single storey extension.

### Waste strategy

Environmental health does not comment on waste/recycling matters. Please contact the waste strategy team.

### **Urban Design and Conservation team**

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

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

## 7.0 REPRESENTATIONS

7.1 Councillor O'Reilly has requested that the application be referred to Committee if Officers are minded to support the proposal. Her representation can be summarised as follows:

- The existing 'annexe', as described in the application, was originally a storage facility, and was never intended to be used as a permanent dwelling. A previous application to convert the building was refused, and it is understood there is no historic consent to use the building as a residential annexe. This has a material effect on any decision and the lawfulness of the building needs to be established.
- A separate house would require at least 1 parking space. Garden Walk is a very narrow road with limited parking provision, and it would not be possible to park on the site itself. The proposal would therefore impose additional parking demands in an area where parking is already in very short supply, which would harm the amenities of other residents in the street.
- The proposal would harm the character of the area.
- The house would overlook several neighbours' properties.
- The development would be contrary to Local Plan policies 3/10, 3/14 and 4/11.

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

- Camcycle
- 12 Stretten Avenue (including Cheffins on behalf of the owner of this property)
- 50 Metcalfe Road

7.3 The representations can be summarised as follows:

- The application does not specify the layout of the cycle parking, in contravention to 2006 Local Plan policy 8/6. If the application is to go forward, please attach a condition that prior to construction the layout of the cycle parking with sufficient number of spaces is submitted and checked against the 2006

Local Plan Appendix D or the Cycle Parking Guide for new residential developments.

- Two applications were previously refused on this site, in 1982 and 1989, for separate residential use of the outbuilding on the grounds of overlooking, loss of privacy and increased noise and disturbance to neighbouring properties.
- Over development of the site - The proposed development would have an overbearing impact on neighbouring properties and would not be in keeping with the surrounding area. The proposal would represent over development on a small site which impacts upon the amenity of neighbours and adversely affects the character and appearance of the Conservation Area and the wider area and would also not constitute sustainable development.
- Design and loss of privacy - The use of the building as a residential property and the subsequent extension would visually dominate neighbouring properties, in particular no.12 Stretten Avenue. Use of this building would unreasonably overlook, overshadow and would have a significant and unacceptable impact on privacy for both the residents and the occupants of the annexe. Whereas the annexe would have had limited occupation, i.e. the residents would have utilised the main dwelling, this proposal would result in an independent residential dwelling. As such, the proposals are contrary to NPPF para. 58 and policies 3/10 and 3/14 of the Local Plan.
- Access and parking - The proposed access and parking arrangements are wholly unsafe, dangerous and unacceptable. One parking space is proposed for the two dwellings, i.e. none is being proposed for the two-bedroom annexe.
- Noise and disturbance - The application would not comply with Policy 3/10 as the use of the building as a residential dwelling would give rise to significant and unacceptable noise and disturbance to 12 Stretten Avenue, the application property and the main property at no. 29 Garden Walk.
- Visual and residential amenity - Due to the proximity and proposed use of the building, the proposed development would lead to an unacceptable impact on residential and visual amenity for 12 Stretten Avenue, the application property and the main property at no. 29 Garden Walk.
- There will be a loss of privacy and light for 6a and 6b Stretten Avenue.
- There will be an increase in the noise and disturbance caused to the occupants of 6a and 6b Stretten Avenue.

- There is an inadequate number of parking spaces for the development.
- It is noted that the existing annexe is not permanently occupied as claimed by the applicant.

### Revised plans

- 12 Stretten Avenue (& Cheffins)
  - Do not consider the conversion of this building in a conservation area into a separate family dwelling is acceptable.
  - The approval at 71a Garden Walk should not be viewed as a precedent as that consent was for a single-storey dwelling and followed a previously refused scheme in 1994 for a two-storey property.
  - In light of the recent appeal decision at 34 Mill Road, the Council should ensure internal space standards of the proposed dwelling are satisfactory.
- 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**

### **Principle of Development**

- 8.1 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d) and would not prejudice the comprehensive development of the wider area (f).

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

- a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
- b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;

- c) detract from the prevailing character and appearance of the area.
- e) would not adversely affect trees, wildlife features or architectural features of local importance.

### **Context of site, design and external spaces and impact on conservation area**

- 8.2 The two storey detached building already exists and has been subject to planning applications in the past to use the building as an independent dwelling. These previous applications were refused on the grounds that the proposal would be detrimental to the amenities of surrounding residential properties by reason of overlooking and loss of privacy. The 2<sup>nd</sup> application was also refused due to the absence of parking within the curtilage of the property. Neither of these proposals were refused for character reasons.
- 8.3 There are views of the existing building from the private rear gardens of properties in Garden Walk and Stretten Avenue. There are limited views of the building from the public realm and wider Conservation Area with a glimpsed view obtained from outside the Conservation Area through the gap in the frontage between numbers 6 and 12 Stretten Avenue.
- 8.4 The existing visual impact of the current building on the Conservation Area is acceptable, however the appearance of the building would be enhanced through improvements to its external finish such as timber cladding, render and brickwork to match and this would preserve the character and appearance of the Castle and Victoria Road Conservation Area and is compliant with Cambridge Local Plan (2006) policies 3/4, 3/14 and 4/13.
- 8.5 The proposed use of an existing building is considered to be a sustainable form of development and is not considered to detract from the prevailing form of development.

#### Residential amenity of new separate dwelling

- 8.6 The back to back distance between 29 Garden Walk and the proposed separate dwelling would be 15 metres. The existing window currently in the end elevation facing the host dwelling is a high level obscurely glazed window which would not cause a



detrimental loss of privacy. This will be changed for a high level clearly glazed window (1.7 metres to cill level). As this would still be a high level window, this will ensure that there is no loss of privacy through inter-visibility between windows.

- 8.7 There is the potential for overlooking into the private amenity space allocated for the separate dwelling from the first floor windows of the host dwelling. However, the proposed property has been designed to be laid out such that the outdoor amenity spaces are located on the north and east sides, with a new single-storey extension on the north side providing privacy to the main patio area. I am therefore of the opinion that this would not result in a detrimental loss of privacy.
- 8.8 The future occupiers of the independent dwelling would need to have a proper outlook and an acceptable quality of accommodation. Partial frosting of the windows would provide an adequate outlook from the bedroom windows whilst ensuring the protection of neighbours' privacy.
- 8.9 New larger bedroom windows are proposed to increase the amount of light reaching these north facing windows. The bedroom windows would be obscurely glazed to a height of 1.5 metres above finished floor level with clear glass above this. At each gable end a high level slit window, 1.7 metres above finished floor level is proposed.
- 8.10 The proposed dwelling has an internal floorspace of 74m<sup>2</sup>. For a 2-storey, 2-bedroom property, as proposed here, the Technical Housing Standard ranges from 70m<sup>2</sup> if occupied by 3 people to 79m<sup>2</sup> with 4 occupants. I consider that, even in the worst-case scenario, the amount of internal space is broadly consistent with the levels quoted in the standards and emerging Local Plan Policy, and that the scheme would provide an acceptable quality of internal living space for further occupiers.
- 8.11 The level of outdoor amenity space allocated for this separate dwelling is in excess of 80m<sup>2</sup> and is considered to be acceptable.

#### Impact on host dwelling - 29 Garden Walk

- 8.12 The proposed boundary fencing to segregate the two plots would provide privacy to the main dwelling and proposed

independent dwelling. The host dwelling has three existing windows in the side elevation at ground floor level which serve the kitchen and dining area. These windows would face the pedestrian access serving the new independent dwelling to the rear and the proposed 1.8 metre high close boarded fence would be approximately one metre from these side facing kitchen windows. Although in close proximity, the windows would still receive adequate light and outlook and I am of the opinion that this would not result in an oppressive outlook from these windows.

- 8.13 The shared use of the passageway by both properties is not considered to be detrimental to the host dwelling which has its main entrance door and study window which face into the passage way. There would be a degree of coming and going from the occupier of the independent dwelling passing back and forth to access their property. This is not considered to result in a detrimental loss of privacy to the occupier of the dwelling at 29 Garden Walk. It is considered this would result in a similar situation to a property constructed on the back edge of the pavement with passers-by in close proximity to windows. In this instance, the future occupier would be aware of this and the pedestrian movements would be limited to the occupiers of the independent dwelling to the rear.
- 8.14 The bin store to serve the independent property is situated to the rear and bins would need to be wheeled to the front of the property on bin collection days past the front entrance to 29 Garden Walk. This has the potential to cause nuisance to the occupier of 29 Garden Walk. Bin collections comprise green and blue bins fortnightly alternating with a black bin fortnightly. So, there would be no more than two instances at a time per week of bins being wheeled through this shared space and this level is not considered to be detrimental to amenities of the occupier of 29 Garden Walk.
- 8.15 In my opinion the proposal would leave adequate private amenity space for the occupier of 29 Garden Walk, which would be similar in size to that proposed for the rear dwelling. I have recommended a condition to ensure that the subdivision of the site is carried out and retained in accordance with the plans to ensure that both properties have the benefit of sufficient outdoor amenity space.

8.16 I have also considered the proposal against the recently approved plans for No.29, and am satisfied that, if that scheme is implemented, it would not have a material impact upon the relationship between the existing and proposed dwellings.

#### Amenity of adjoining properties

8.17 The building is existing and currently there are first floor windows to all elevations of the existing building with most of these already obscurely glazed.

8.18 The adjoining gardens are situated at 6a, 6b and 12 Stretten Avenue to the rear and 27 and 31 Garden Walk to either side.

8.19 The proposed first floor bedroom windows would be obscurely glazed to a height of 1.5 metres above finished floor level with clear glass above this. At each gable end a high level slit window, 1.7 metres above finished floor level is proposed.

8.20 The windows to the side elevation on the boundary with 27 Garden Walk are to be infilled and given there would only be a high level window facing the rear elevation of this property, I am of the opinion that this property would not be detrimentally affected by the proposal.

8.21 The main outlook from the new separate dwelling would be facing the amenity space to the side with views across the adjoining garden at 31 Garden Walk. There is already potential for the garden of this property to be directly overlooked by an existing first floor window to a bedroom in the existing annexe.

8.22 Three windows are proposed at first floor level in the northern elevation which are proposed to be partially obscurely glazed. A condition would be imposed to ensure that the north facing windows are also restricted in their opening to 45 degrees to allow for ventilation but to prevent a loss of privacy through an open window. This would ensure that there is no detrimental loss of privacy through overlooking into the bottom section of the rear garden of 31 Garden Walk and towards the rear elevation and private amenity space to the rear of this property. The obscurely glazed restricted opening windows would also deflect views away from the rear gardens of the adjoining property at 12 Stretten Avenue.

- 8.23 The first floor window in the northern end facing the properties in Stretten Avenue would be fitted with obscure glass and non-openable and would be a high level slit window providing light only to the bedroom. There would be no views out of this window towards the adjoining properties in Stretten Avenue and as such a detrimental loss of privacy through overlooking should not arise.
- 8.24 The use of the building as a residential dwelling would introduce more activity at the bottom of the existing garden in close proximity to adjoining residential properties. The plans have been amended to alter previously proposed rear patio doors to windows and the main outdoor space for the property is to the north side rather than rear. However, there is nothing to stop the current occupier of 29 Garden Walk from constructing a terraced area to the far end of the garden in close proximity with neighbouring properties and using this area more intensively for outside recreation. As such I am satisfied that the residential use as garden in close proximity to neighbouring properties would not cause any undue disturbance.
- 8.25 The dwelling is situated within the conservation area and therefore permitted development rights would be restricted and there will be no permitted rights for extensions to the roof or to the side and front of the property. With respect to outbuildings, there would be restrictions on the construction of outbuildings to the front and side of the dwelling. To ensure that the amenities of neighbouring properties are protected in the future, I recommend that conditions are attached restricting the insertion of additional openings at first floor level and in the southern elevation of the dwelling.
- 8.26 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/14 and 4/13

### **Refuse arrangements**

- 8.27 Adequate arrangements for the storage of three bins for household waste for the existing dwelling and the new separate dwelling have been made and these comply with the RECAP Waste Management and Design Guide 2012.

## **Car and cycle parking**

- 8.28 The Council has standards for car parking and cycle parking provision set out within appendices C and D to the Cambridge Local Plan (2006). Also relevant is the Cycle Parking Guide for New Residential Developments (2010), which gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.
- 8.29 Covered cycle parking is proposed although the number of stands required has not been shown on the submitted plan. Two cycle spaces are required for the independent dwelling.
- 8.30 In my opinion, subject to the imposition of a condition requiring cycle spaces to be provided, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.
- 8.31 With regard to car parking the existing dwelling has four bedrooms and in this location, outside the controlled parking area the parking standards require a maximum of two spaces. The existing parking to the front of the application site is limited in depth and does not appear to be suitable to meet this standard and the proposal does not include any car parking provision for the independent dwelling. However, the car parking standards are a maximum and the application site does not fall within a controlled parking area and is within a sustainable location in close proximity to the city centre and bus routes. As such I am of the opinion that there is no requirement to provide parking and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.
- 8.32 I am of the opinion that the proposal is compliant with Cambridge Local Plan (2006) policy 3/10 as it would not have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance, and that it would provide adequate space for the existing dwelling and the proposed dwelling. The proposal would not detract from the prevailing character and appearance of the area.

## **Third Party Representations**

- 8.33 Objections have been raised that the proposed development would have an overbearing impact on neighbouring properties and would visually dominate neighbouring properties and overshadow them. It is considered that in this instance as the building already exists, that the visual impact of the building would not be materially different from the existing situation on site and that there would be no additional harm through the use of the building as a separate dwelling rather than an annexe.
- 8.34 The two storey detached building has been subject to planning applications in the past to use the building as an independent dwelling. These were refused on the grounds that the proposal would be detrimental to the amenities of surrounding residential properties by reason of overlooking and loss of privacy. This planning application has addressed the impact on neighbouring properties through overlooking and loss of privacy.
- 8.35 Neighbours have raised concern that there is the potential for future use such as AirBnB, student accommodation or a house of multiple occupancy. Planning permission would not be required for the use as a house of multiple occupancy for up to six occupants and given that there are only two bedrooms in the dwelling, it is considered that this should not result in harm to amenities of adjoining neighbours. Any future disturbance caused by the occupiers of the property would be dealt with by Environmental Health if a statutory nuisance.
- 8.36 With regard to the potential future use for AirBnB, there is no statutory guidance however it is considered by Officers that depending on the degree and frequency of usage, that planning permission may be required to use the dwelling for this purpose and that this would be assessed on its own merits.

## **9.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

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

5. Before first occupation of the dwelling, hereby permitted, the first floor windows in the existing building shall be modified/removed to accord with the details shown on drawing number 17/994/08C. Where obscure glazing is specified, windows shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and, in the case of the first floor north elevation windows, shall have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The windows shall be retained in accordance with these details thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/14).

6. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and C 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 further windows or openings shall be inserted at or above first floor level in any elevation of the dwelling 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 3/14).

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

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)



**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2078/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	7th December 2017	<b>Officer</b>	Mary Collins
<b>Target Date</b>	1st February 2018		
<b>Ward</b>	Petersfield		
<b>Site</b>	67 Norfolk Street Cambridge CB1 2LD		
<b>Proposal</b>	Change of use from retail to residential flat including external alterations		
<b>Applicant</b>	Mr & Mrs M. Langford 67, Norfolk Street Cambridge CB1 2LD		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">Officers consider the proposed loss of this Class A1 retail unit would harm the vitality and viability of the Local Centre. The applicants have failed to demonstrate exceptional circumstances to justify the loss of the unit contrary to Policy 6/7 of the Cambridge Local Plan (2006).</p> <p style="padding-left: 40px;">The conversion of 67 Norfolk Street from retail to residential would further fragment the unique character and identity of this Local Centre and therefore would not be in compliance with the Grafton Area of Major Change - Masterplan and Guidance SPD (2018) or National Planning Policy Guidance (2012).</p>
RECOMMENDATION	REFUSAL

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

- 1.1 The application site, No.67 Norfolk Street, is comprised of a vacant retail unit situated on the corner of Blossom Street and Norfolk Street. The remainder of the ground-floor and first-floor is used as a flat which has been sub-divided from the shop. There is a small courtyard to the rear of the site which is used as a garden area and has a car parking space. The surrounding area is comprised of a mixture of residential terraced properties and commercial uses, such as a public house, restaurants and shops.
- 1.2 The site falls within the Mill Road area of the Central Conservation Area, the Controlled Parking Zone and the Air Quality Management Area. The application site is located within the Norfolk Street Local Centre and is in close proximity to the Grafton Shopping Centre and to the Burleigh Street Primary Shopping Frontage.

## **2.0 THE PROPOSAL**

- 2.1 The proposal seeks planning permission for the change of use of the retail unit to a residential flat, including external alterations.
- 2.2 The proposed residential unit would occupy the same footprint as the existing shop and would be one-bedroom in size. It would have an approximate floor area of 60m<sup>2</sup>. Alterations to the fenestration of windows and doors are proposed on all elevations.
- 2.3 A previous planning application reference 17/1141/FUL was refused at planning committee on 11<sup>th</sup> August 2017 for the following reason:

*The application site is located within a Local Centre and the proposal involves the loss of an A1 unit. The A1 unit makes a contribution to the vitality and viability of the Local Centre to help meet the day-to-day needs of local residents. The applicant has failed to demonstrate exceptional circumstances to justify the loss of the A1 unit. In the absence of any information to demonstrate exceptional circumstances for the loss of the A1 unit the proposal is contrary to policy 6/7 of the Cambridge Local Plan (2006).*

- 2.4 This application differs from the previously refused submission by being accompanied by a Viability Appraisal.
- 2.5 The application is accompanied by the following supporting information:
1. Design and Access Statement
  2. Letter of support
  3. Drawings
  4. Viability Appraisal

## **Summary of the applicant's Viability Appraisal**

### Physical appearance

Although located on a corner plot, the property suffers from a lack of retail presence due to its "residential" style frontage/appearance with a corner timber front door and small traditional timber windows on both aspects. Neither provide good visibility through to the interior which is an essential ingredient of a retail operation to entice potential customers.

In order to provide a better retail offer the property needs external redesign to provide large retail picture windows on both frontages and a new glazed entrance door. The unit is also on the small side for modern retail purposes, particularly to allow sufficient stock to be displayed/stored and internal works would be required to address particular issues.

The estimated costs for bringing the property up to the required standard is £31,570 + VAT. These costs do not make economic sense in the light of likely rental returns.

In addition, planning permission would be required for these works which is a fundamental issue along with the economic one.

### Location/ Retail Offer

This Local Centre is one of 28 District & Local Centres within Cambridge City. The majority of these Centres are located on main arterial roads in and out of the City Centre, whereas the likes of Norfolk St, Napier St/Cobblers Yard, Grantchester St, Newnham and to a lesser extent Chesterton and Wulfstan Way,

are more destination locations. However, only Norfolk St and Napier St suffer from poor access and visibility the others having ready prominence to the main city road network. Norfolk St relies solely on the local population as does Napier St, although the latter does benefit from a Post Office and its location is immediately adjacent to the Grafton Centre. However, Napier St has suffered from a lack of trade with prolonged vacant periods and numerous changes of occupiers and consequently over half the shops/business units have been converted to residential.

If this Local Centre is compared with similar Centres such as Grantchester St, Newnham then the contrast is stark, as the latter provides a significantly more diverse range of retail shops. The Co-op supermarket, butcher, chemist, Post Office and Red Bull Pub cater for the local population as well as, in the case of the butcher, a wider customer population. In addition, the Newnham centre does not suffer from the same parking issues with fewer restrictions.

Historically Norfolk St had a Post Office, butcher, green grocer and a number of pubs including the Swan at No 77, Prince of Wales at No 105 (corner of Gwydir St) and Norfolk Arms at no 56 (now demolished). However, the redevelopment of the St Matthews St/Norfolk St/East Rd block for residential use has limited the scope to expand the retail base and Tesco on East Rd, Sainsbury's on Mill Rd and the Asda/M&S in the nearby Beehive Centre now cater for the more modern retailing trends of larger weekly shops carried out by car.

The Post Office at the junction of Norfolk St and Gwydir St closed over 10 years ago and the Norfolk St Local Centre does not have a significant trade generator, the closest Post Offices being Napier St, Mill Rd or Newmarket Rd. Whilst there is metered public parking it is limited to 2 hours.

Norfolk St is evidently not considered to be a viable location for those outlets who are highly specialised/high worth/well known retailers nor can it rely on passing trade, either pedestrian or vehicular. It has to rely solely on the local resident population or lunch time trade from local offices/businesses/students, but unfortunately this location suffers due to a number of factors: -

- Competition from Tesco/Sainsburys on East Rd/Mill Rd and others in the Beehive Centre
- Modern retail habits towards large weekly shops with the daily back up need catered for by Tesco and Sainsburys
- Online promotion by larger retailers
- Poor mix and lack of depth of retail offer
- Poor traffic access/visibility and congestion at school times
- Lack of long term car parking
- The Blue Moon pub which is not seen as a benefit to the local community, frequently attracting rowdy behaviour. It is also not open at lunchtimes.

The subject unit has experienced a considerable turnover of occupants over the last 20 years and this is mirrored in Norfolk St, with No. 61 Norfolk St, last occupied by B Kitchen but in the recent past has been home to the likes of Tony's Golden Palace, New Times and Cook For You. The units within the newer Parade at 4-24 Norfolk St have also seen a number of changes with retailers such as Drum & Guitar and Curtain Exchange having proved financially unviable.

#### Traffic Flow/poor visibility

Norfolk St suffers from poor access from East Rd and limited visibility to passing traffic. Norfolk St is effectively a one-way street exacerbated by the provision of both residents and on-street metered car parking along both sides. The Street becomes very congested at school drop off and pick up times with double parking on yellow lines and thereby severely limiting customer access, retail servicing, loading and unloading.

Poor parking and access in general restrict the time available for service delivery and customer visits which in turn means that all retailers rely heavily on pedestrian custom from the immediate local population. This is a major issue given the competition for trade in the Petersfield Area, and in addition, the barriers on Gwydir St and Sturton St prohibit both customer and servicing access from the larger Mill Rd population. Norfolk St suffers from a lot of dead retail frontages with all of the northern side from East Rd to the Blue Moon being totally residential. Historically this corner of East Rd had retail shops which, along with the southern corner, helped provide a retail mass and entice shoppers to visit Norfolk St.

## Cambridge Market

The Cambridge market remains reasonably buoyant, particularly for the good secondary locations within the tourist areas of the City Centre. However, shops in the more tertiary/main road locations have not been easy to let, as shown by the long vacancy period of the former Estate Agency premises at 28 Hills Rd which after a lengthy marketing campaign of 18 months eventually found a new tenant, an Artisan bakery. Availability in the main Local/District centres remains low with a double unit on Cherry Hinton Rd, several shops on Mill Rd and Mitcham's Corner amongst the small number of units being available. This contrasts with Norfolk St which has a larger than average percentage of closed/dead retail frontages. Mill Rd is a prime example of a successful Local Centre with a wide variety of retail trades and a good take up of units albeit this has been limited to A3/A5, bakeries and tattoo shops.

The report notes properties in locations such as King St, Magdalene St, Mill Rd, Chesterton Rd, Hills Rd and Newmarket Rd all of which have struggled to secure long term established tenants and have a high turnover of retailers. Demand for shops in Cambridge and the surrounding areas remains reasonably good although reduction has been experienced over the last 6-9 months with 15% less new registrations for retail premises. The principal areas of interest for this type of location come from the following uses but each of these would struggle in Norfolk St for the reasons shown: -

Hairdressers: Significant representation in Norfolk St and Burleigh St

Betting shops: No demand due to lack of visibility/passing trade  
A3/A5 Not suitable given residence above and behind

Bakery: Already represented in Norfolk St

Delicatessen/Artisan: Evidently not viable

This unit could be marketed but history and experience shows that whilst this may generate interest it is likely only to come from start-ups/small independent retailers with little proven track record. They will require significant support in terms of incentives, initial rent free and discounted rents and even then, their occupation is likely only be short term. When set against

the considerable up-front capital building costs this level of uncertainty makes little financial sense.

### Rent/leases

The property is of a size and location that it is best let on a flexible annual licence with rent paid monthly in advance. Experience shows that retailers need a minimum 6 month lead-in period preferably rent free to understand the viability of the retail operation. This means that there is a very real possibility of abortive lease/licence set up costs. Short term leases are not popular with landlords as they provide uncertain income streams and frequent and expensive administration but as has been shown by the occupancy list, short term occupation is very much the norm here.

### Summary of Viability factors

The authors of the report are of the opinion that the following matters should be taken into account when assessing the viability of the property for retail purposes:-

1) The cost and likelihood of planning consent for the required improvements.

Total costs estimated at £31,570 + VAT. In addition, the property is located in a Conservation Area and external alterations are unlikely to be approved.

2) Rental value is low in comparison to the above costs. Best rental value is £5,500 per annum/£500 per month.

3) Only short-term leases and/or licences. 10 occupiers over last 17 years

4) Costs and administrative difficulties in constant re-letting

5) Retail demand for shops in this location is low

6) Generating sufficient retail trade from this unit has proven to be impossible. Two of the previous retailers have provided written evidence of trading from this unit.

7) This is not a typical Local Centre as it is without a significant generator and has little passing traffic. Local Centres tend to be

anchored by a generator such as a local convenience store and sub-Post Office. The majority of Cambridge Local Centres are located on busy main roads. The local pub doesn't attract community trade and is not open at lunch time.

8) The Post Office is not looking for a unit in this location. The Post Office published requirements for Cambridge are limited solely to the CB2 area. Post Offices now tend to be set up within an established business, such as a convenience store.

9) Excessive competition close-by in East Rd, Burleigh St and Mill Rd. Sainsburys on Mill Rd, Tesco on East Rd and the competing uses such as hairdressers on Burleigh St mean little appetite for Norfolk St.

10) Traffic congestion and poor car parking. The location is served by one main access and egress and is effectively a one-way system. This causes congestion at the start and end of each day and provides no attraction for local passing trade off East Rd. Public car parking is poor and short term.

11) Local residents' concern about viability of property for retail purposes and chronic need for more housing. The report does not suggest that the unit would not find a tenant but experience shows that the works required to bring this property up to an acceptable standard are expensive and such expenditure cannot be justified in the light of uncertain tenant demand. Retail set-up costs are significant and lack of significant retail trade/custom means that retailing from this unit is not commercially viable in the medium/long term. A marketing campaign may produce a potential tenant but this will not be for the long term with experience showing that the retail business will fail as every other one has in the past.

The Viability report considers that, in this instance, the emerging policy approach requiring that viability should be tested through active marketing for a period of at least 12 months would be disproportionate as the report has demonstrated that a retail use at the site is not viable, with little prospect of it becoming so in the near future.

The report concludes that exceptional circumstances have been demonstrated.



### 3.0 SITE HISTORY

Reference	Description	Outcome
17/1141/FUL	Change of use from retail to residential flat including external alterations	Refused 11.08.2017
17/0470/FUL	Change of use from retail to residential flat including external alterations	Withdrawn.
08/1174/FUL	Ground and first floor extension.	Withdrawn.
C/01/0046	Variation of condition no. 4 of C/00/0648: Change of opening hours from 08:00 - 19:00 to 08:00 - 22:30.	Refused.
C/00/0648	Change of use from shop (Class A1) to shop (Class A1) and cafe (Class A3).	Approved.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

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

	6/7 8/2 8/6 8/10
--	---------------------

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

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

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

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

For the application considered in this report, the following policy in the emerging Local Plan should be taken into account:

Policy 72: Development and change of use in district, local and neighbourhood centres

The key local plan policies and planning guidance are:

Cambridge Local Plan 2006	6/7
Key SPD and guidance	Appendix K of the Cambridge Local Plan 2014: Proposed Submission: Marketing, local needs assessment and viability appraisal
	Grafton Area of Major Change - Masterplan and Guidance SPD (2018)  Consultation on the redevelopment of the Grafton Area of Major Change - Masterplan and Guidance SPD took place for six weeks between 9 am on 25 September to 5pm on 6 November 2017. The SPD was approved at Development Plan Scrutiny Sub Committee 13 February 2018

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Control)

6.1 No objection, subject to residents parking informative.

### Urban Design and Conservation team

6.2

- This site is within the Mill Road area of the Central Conservation Area
- A previous application for this site, 17/0470/FUL, was not supported by the Conservation Team due to the external changes to the building. That application was withdrawn.

A subsequent application, 17/1141/FUL, was supported by the Conservation Team

The plans submitted for this application are the same as those for the 17/1141/FUL application which was supported. Therefore the Conservation comments are the same as for that application and are replicated below:

*'The new proposals for this site have taken into consideration comments made on the previous scheme. As such the external appearance of the building on both Blossom Street and Norfolk Street will only be changed by the use of obscured glass in the existing windows and doors. The small extension to the rear will not be clearly visible and uses the same materials as existing. The proposals are acceptable as they will preserve the character and appearance of the conservation area.'*

### **Planning Policy Team**

- 6.3 The development proposed is unacceptable and should be refused for the reasons set out below:

#### National Planning Practice Guidance

Paragraph: 001 Ensuring the vitality of town centres (Reference ID: 2b-001-20140306) of the National Planning Policy Guidance Notes that:

“Local planning authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.”

#### Grafton Area of Major Change - Masterplan and Guidance SPD

The application site is located within a Local Centre and is in close proximity of the Grafton Shopping Centre.

Consultation on the redevelopment of the Grafton Area of Major Change - Masterplan and Guidance SPD took place for six weeks between 9 am on 25 September to 5pm on 6 November 2017. The SPD was approved at Development Plan Scrutiny Sub Committee 13 February 2018 and will be a material consideration in the determination of planning applications.

Paragraph 2.4.10 of the SPD states that:

“One of the key recommendations of particular relevance to this SPD will include preserving and enhancing the unique character of Norfolk Street which continues across East Road from Burleigh Street.”

The interaction of Norfolk Street Local Centre and the Grafton area is vital to the vitality and vibrancy of the area, paragraph 4.4.26 of the SPD requires that as part of any potential redevelopment of the Grafton Area, key development principles along East road should include improved pedestrian crossing and connection to Norfolk Street. This will assist with the revitalisation of the Eastern edge of the Grafton area and allow for a more comprehensive redevelopment and revitalisation of the area.

It also should be noted that Policy 11: Fitzroy/Burleigh Street/ Grafton Area of Major Change of the emerging Local Plan has been identified as the first priority for comparison retail in sequential terms and the Council’s City Centre Capacity Study 2013 identified it as an area of potential change. The area is distinct from the historic core and has an important role to play as an everyday, family destination. Substantial long-term investment in this area will complement the retail offer on Norfolk Street and East Road which will in turn benefit from the increased investment in the surrounding area that will provide opportunities for public realm and streetscape improvements as well as enhanced footfall improved vitality and viability of the area.

#### Policy 6/7 Shopping Development and Change of Use in District and Local Centres

The application site is located within a Local Centre and the proposal involves the loss of an A1 unit. The A1 unit makes a contribution to the vitality and viability of the Local Centre to help meet the day-to-day needs of local residents. The applicant has failed to demonstrate exceptional circumstances to justify the loss of the A1 unit. In the absence of any information to demonstrate exceptional circumstances for the loss of the A1 unit the proposal is contrary to policy 6/7 of the Cambridge Local Plan (2006).

Policy 6/7 states that the change of use to other uses such as residential or other commercial uses such as offices will not be permitted unless there are exceptional circumstances.

It is recommended that a survey of the units in the Local Centre showing the percentage of A1 units (as measured against all units in the A use class including the last known use of any vacant properties), both before the development takes place and after should be undertaken to determine if the proposal is compliant Policy 6/7 Shopping Development and Change of Use in District and Local Centres. However, it should be noted that the removal of an A1 retail unit would not be in compliance with Policy 6/7.

This revised application is accompanied by a Viability Appraisal but no marketing information has been provided. The viability Appraisal does not prove that a retail unit is not needed or that investors are not prepared to take on the property for retail purposes. Evidence to justify exceptional circumstances would include proof that the site has been realistically marketed for a period of 12 months for retail uses (within the A use class), including the option for potential modernisation for retail uses and that no future occupiers have been found.

### Conclusion

The conversion of 67 Norfolk Street from retail to residential would further fragment the unique character and identity of this Local Centre and therefore would not be in compliance with the Grafton Area of Major Change - Masterplan and Guidance SPD or National Planning Policy Guidance, which requires that Local planning authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.

The application does not demonstrate compliance with Policy 6/7 of the Cambridge Local Plan and is therefore not considered acceptable.

### **Environmental Health Team**

6.4 No objection, subject to construction hours condition.

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

## 7.0 REPRESENTATIONS

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

- 30 Mortlock Avenue
- Allia Future Business Centre - Central, 47-51 Norfolk Street, Cambridge CB1 2LD

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

- 18 Norfolk Terrace, Cambridge, Cambridgeshire CB1 2NG
- Camcycle- The Bike Depot, 140 Cowley Road, Cambridge CB4 0DL

7.2 The representations can be summarised as follows:

### Support

Has known applicant for past twenty years and in that time shop in retail use, tenant after tenant but on each occasion there were no profits to be had. This was stressful for applicants and tenants who came and went with rents unpaid, early tenancy endings and renewal of new ones. Conversion to residential premises would benefit the area and the applicant, so much better than a non-profit making establishment.

Support the use as residential; it seems to me that more residential use meets a known demand whereas retail use seems surplus to requirements. Our understanding is that on termination of our own tenancy at 47-51 Norfolk Street the desire may be for a change of use here to residential too - a gradual shift in emphasis from retail to residential at this part of the district therefore seems a consistent reflection of local trends.

### Objection

This is one of the last remaining attractive shops in the neighbourhood. It has always been well supported by the neighbourhood and will be a loss of another facility

This area is already one of the most highly populated in Cambridge. It is conceivable that we have reached saturation point for family homes being turned into flats. Flats of course attract student who are a shifting population not often interested in the community or its upkeep or development.

Parking is a huge issue in the area and although there are only plans to issue visitors parking this does add to the congested streets. Residents are also aware that flats often attract landlords who are indulging in air B&B, issuing their tenants with visitors parking permits which is illegal but un-policeable also.

The plan lacks cycle parking. Local policy requires the provision of secure and covered cycle parking for residential use. We ask that the applicants submit a design that at least meets city cycle parking standards.

- 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:

- Principle of loss of retail unit and use as a dwelling
- Context of site, design and external spaces
- Residential amenity
- Highway safety
- Car and cycle parking

### **Principle of loss of retail unit and use as a dwelling**

- 8.2 The last use of the building was as a retail unit (A1) and the site is situated in the Norfolk Road Local Centre and is in close proximity to the Grafton Shopping Centre.



- 8.3 Paragraph 2.4.10 of The Grafton Area of Major Change - Masterplan and Guidance SPD states that:

“One of the key recommendations of particular relevance to this SPD will include preserving and enhancing the unique character of Norfolk Street which continues across East Road from Burleigh Street.”

- 8.4 The interaction of Norfolk Street Local Centre and the Grafton area is vital to the vitality and vibrancy of the area, paragraph 4.4.26 of the SPD requires that as part of any potential redevelopment of the Grafton Area, key development principles along East road should include improved pedestrian crossing and connection to Norfolk Street. This will assist with the revitalisation of the Eastern edge of the Grafton area and allow for a more comprehensive redevelopment and revitalisation of the area.

- 8.5 It also should be noted that Policy 11: Fitzroy/Burleigh Street/ Grafton Area of Major Change of the emerging Local Plan has been identified as the first priority for comparison retail in sequential terms and the Council’s City Centre Capacity Study 2013 identified it as an area of potential change. The area is distinct from the historic core and has an important role to play as an everyday, family destination. Substantial long-term investment in this area will complement the retail offer on Norfolk Street and East Road which will in turn benefit from the increased investment in the surrounding area that will provide opportunities for public realm and streetscape improvements as well as enhanced footfall improved vitality and viability of the area.

Policy 6/7 Shopping Development and Change of Use in District and Local Centres

- 8.6 Policy 6/7 states:

*Additional development within classes A1, A2, A3, A4 and A5 will be permitted in District and Local Centres if it will serve the local community and is of an appropriate nature and scale to the centre. Change of use from A1 to A2, A3, A4 or A5 in District and Local Centres will only be permitted provided the percentage of A1 uses does not fall below 60% (measured by*

*number of units). Change of use from A1 to other uses will not be permitted.*

The A1 unit is currently vacant but this should not have a bearing on any consideration of the contribution the unit makes to the Local Centre. The unit when occupied makes a contribution to the vitality and viability of the Local Centre to help meet the day-to-day needs of local residents.

- 8.7 Policy 72 in the Emerging Local Plan (2014) states that the loss of centre uses at ground floor level to non-centre uses will not be permitted, unless it is demonstrated that the use is no longer viable. This evidence should take the form of active marketing for at least 12 months, showing that the premises are not reasonably capable of being used or redeveloped for a centre use. The draft policy indicates a direction of travel that is in line with the policies in the NPPF, in that it seeks to maintain a range of centres throughout Cambridge that can meet the day-to-day needs close to where people live and work. Some weight can be attached to the draft policy; however the policy in the existing plan takes precedence.
- 8.8 Policy 6/7 in the existing Local Plan does not allow the loss of A1 uses to non-A class uses. The text to the policy states that changes of use will not be permitted unless there are exceptional circumstances. Policy 72 in the draft Local Plan allows the loss of centre uses at ground floor level if the unit is no longer viable, as demonstrated by a marketing campaign of at least 12 months.
- 8.9 There is no evidence of attempts having been made to find an occupier for the unit however the applicants have set out their exceptional circumstances to justify the change of use in the accompanying Viability Appraisal and covering letter.

Assessment of the supporting documents (Viability Appraisal and covering letter)

- 8.10 The applicant has provided information appraising the viability of the existing shop unit but this has not been backed up with any evidence of marketing of the property which would give an evidenced indication of how the market and prospective users view the viability of the location and/or the size and appearance of the unit. Marketing for even a relative short period of six

months would provide information on the interest and potential demand for the unit through the number of enquiries and viewings. This interest could be collated through feedback from viewers to the estate agents and possible barriers to viability identified.

- 8.11 It is acknowledged that landlords may experience a constant battle to maintain a reasonable level of occupancy and reduction of rental voids/non-payment however this should not be a reason to lose this shop unit. Whether the premises are viable or not is not determined by the personal circumstances of the applicants but is the response and measured opinion of the market. If the property does not secure adequate income through rents, this does not necessarily indicate the property is unviable. Viability is not a personal factor.
- 8.12 It is considered by Officers that the shop unit is situated in a viable location and although it may not be easily accessible by car through parking restrictions and limited access from East Road, it is accessible by foot and is to the east and in close proximity to the Grafton shopping centre and other city centre pedestrian shopping precincts. Although being in close proximity to these existing high footfall shopping precincts may provide competition equally this proximity could help stimulate competition and provide a reason to visit retail premises in this adjoining local centre.
- 8.13 Substantial long-term investment in the Fitzroy/Burleigh Street/ Grafton Area of Major change will complement the retail offer on Norfolk Street and East Road which will in turn benefit from the increased investment in the surrounding area that will provide opportunities for public realm and streetscape improvements as well as enhanced footfall improved vitality and viability of the area.
- 8.14 The shop unit is sited on the back edge of the pavement and has a visible presence on the street frontage and corner plot. The residential appearance of the shop is not considered to be a negative factor as this adds to local distinctiveness and appropriate shop signage would direct customers towards the shop unit.
- 8.15 The applicant considers the Viability Appraisal has demonstrated that a retail use at the site is not viable, with little

prospect of it becoming so in the near future and that exceptional circumstances have been demonstrated and that in this instance the requirement to test the viability through active marketing is considered to be disproportionate.

- 8.16 It is considered by Officers that the Viability Appraisal goes some way to understanding the current viability and attractiveness of the shop unit in terms of location, appearance and size and problems associated in trying to find potential lessees. However, it is considered by Officers that without the supporting evidence including proof that the property has been realistically marketed for a period of at least 6 months, that there is no indication that the size, location and appearance etc. of the shop unit are barriers to prospective occupiers and as such it cannot be discounted that future occupiers would not be found. Indeed the appraisal states that future occupiers may be found.
- 8.17 Officers do not consider the applicants have provided sufficient evidence to demonstrate that exceptional circumstances would justify the loss of the A1 unit contrary to Policy 6/7 of the Cambridge Local Plan (2006).

#### Other considerations

- 8.18 No.65 Norfolk Street, in the same Local Centre, was granted planning permission to change from a retail unit to a flat in 2010 (10/0068/FUL). The reasons committee gave for granting this permission, contrary to officer advice, were because the unit was considered not to relate well to the Local Centre. It was considered to be too limited a size for a viable A1 use, because the moving of the use to another vacant unit within the Centre meant that there was no diminution of the range of provision within the centre, and because of these reasons the proposal was considered not to be harmful to the central ambition of the policy or the particular Local Centre in this particular case.
- 8.19 No.65 Norfolk Street is opposite the application site and in the same Centre. This case differs from no. 65 and it does not necessarily follow that a precedent has been set. The unit at no. 67 is larger (50sq m net tradeable area compared to 32 sqm) at no. 65. No.67 Norfolk Street being the other side of the road is closer to the central part of the Centre and is opposite the main parade of shops. The use is not moving to another

part of the same Centre, therefore there will be a diminution of the range of provision within the centre.

- 8.20 Furthermore, since 2010, the Council has submitted a new Local Plan to the Secretary of State. This emerging Local Plan proposes an amendment to the Norfolk Street Local Centre; these changes were to include Nos.47 - 51 and Nos.5 - 17 Norfolk Street within the Local Centre. There were no objections to these proposed changes. These units are all to the west of the proposal site, and mean that the focus of the Centre, as proposed, swings somewhat towards the west. This would mean that No 67 Norfolk Street would be less peripheral to the Centre.
- 8.21 The conversion of 67 Norfolk Street from retail to residential would further fragment the unique character and identity of this Local Centre and therefore would not be in compliance with the Grafton Area of Major Change - Masterplan and Guidance SPD or National Planning Policy Guidance, which requires that Local planning authorities should plan positively to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.
- 8.22 Overall, I am of the opinion that there is a lack of substantive evidence and exceptional circumstances have not been demonstrated to justify the loss of this A1 unit to a non-A class use, and as such the proposal is contrary to policy 6/7 of the Local Plan 2006.

#### Residential Use

- 8.23 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006) 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. In this case the existing land use – being retail and the fact that it is continued within the local centre means that policy 6/7 is engaged.
- 8.24 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of non-residential buildings 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

8.25 The floorspace of the proposed residential unit would be approximately 60m<sup>2</sup>. Although policy 50 of the Emerging Local Plan (2014) has not been formally adopted the proposed unit would exceed the minimum space standards set out in this emerging policy for a one-bedroom dwelling as well as the minimum space standard set out in the Technical Housing Standards – Nationally Described Space Standard. The proposal is considered to provide sufficient internal space and a high quality living environment.

B) The likely impact upon on-street parking would be unacceptable

8.26 The site is situated in the controlled parking zone and no off-street parking is proposed. The site is in a sustainable location and local shops and facilities are within walking distance, including the City Centre and the Grafton Centre to the west. I therefore do not consider that the proposed residential use would be dependent on private car use as the main means of travel. Cycle parking has not been demonstrated on the plans but I consider this could be accommodated in the rear courtyard. In my opinion, the impact upon on-street parking would be negligible.

C) The living accommodation provided would be unsatisfactory

8.27 The habitable rooms of the proposed dwelling would have acceptable outlooks. The lounge would have a private outlook in the form of rear French doors. The windows serving the kitchen and bedroom on the street elevation would have obscured glass to provide privacy to these rooms. The majority of terraced properties in the area have habitable windows close

to the pavement and I do not consider this relationship to be unacceptable. There would be a rear courtyard area to provide a private outdoor amenity space for the future occupant. The existing side (east) kitchen window of the existing ground-floor flat on the site will need to be obscure glazed to prevent overlooking of this outdoor amenity space and overlooking from this space into the flat. The Petersfield and Parkers Piece open space areas are within walking distance of the site. The site is also within the Norfolk Street Local Centre and within walking distance of the City Centre.

D) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking

8.28 A bin storage area is shown on the plans with a straightforward access onto Blossom Street on collection days. Whilst this is acceptable in principle, further details of where the bins for the existing flat are situated and whether the proposed bin store area has adequate capacity are required. If Members are minded to approve the application a condition could be recommended to require details of the refuse layout. The application form states that a total of six cycle parking spaces would be provided but it has not been shown where this would be situated or the type of storage. Similar to the refuse arrangements, I am of the opinion that this could be dealt with through a planning condition.

e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.29 The site is situated in a largely residential area and so I do not consider the nearby land uses or site itself would result in an unsatisfactory level of residential amenity for future occupiers of the proposed dwelling.

8.30 In my opinion, the principle of residential development in this location is acceptable and in accordance with policies 5/1 and 5/2 of the Local Plan (2006).

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

8.31 The proposed alterations to the shop frontage are considered to be acceptable by the Urban Design and Conservation Team. I agree with this advice and consider the proposed works would

preserve the character and appearance of the Conservation Area.

- 8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/15 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.33 The proposed alterations to the fenestration of the building would not introduce any harmful overlooking towards neighbours. The use of the building as a residential flat would not introduce any adverse noise or disturbance to neighbours as the site is situated in a residential area and there is already a residential flat on-site. Privacy in the existing flat could be maintained by the insertion of an obscure glazed window to the kitchen as referred to above.

- 8.34 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, 4/13 and 5/2.

### **Highway Safety**

- 8.35 No works to the public highway are proposed and the Highway Authority has raised no objection to the application.

### **Car and Cycle Parking**

- 8.36 Cycle parking has not been demonstrated on the plans but I consider this could be accommodated in the rear courtyard and should Members be minded to approve the application a planning condition to control the details of this could be recommended.



## 9.0 RECOMMENDATION

**REFUSE**, for the following reasons:

1. The application site is located within a Local Centre and the proposal involves the loss of an A1 unit. The A1 unit makes a contribution to the vitality and viability of the Local Centre to help meet the day-to-day needs of local residents. The applicant has failed to demonstrate exceptional circumstances to justify the loss of the A1 unit. In the absence of sufficient information to demonstrate exceptional circumstances for the loss of the A1 unit the proposal is contrary to policy 6/7 of the Cambridge Local Plan (2006).
2. The application site is within close proximity to the Grafton Centre and the conversion of 67 Norfolk Street from retail to residential would further fragment the unique character and identity of this Local Centre and therefore would not be in compliance with the Grafton Area of Major Change - Masterplan and Guidance SPD (2018) or National Planning Policy Guidance 2012, which requires that Local planning authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.

This page is intentionally left blank

**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2015/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	23rd November 2017	<b>Officer</b>	Sophia Dudding
<b>Target Date</b>	18th January 2018		
<b>Ward</b>	Romsey		
<b>Site</b>	1 Vinery Way Cambridge CB1 3DR		
<b>Proposal</b>	Change of use and ground and first floor side and rear extension, replacement of existing conservatory and sheds with a Nail Bar (Use Class Sui Generis).		
<b>Applicant</b>	Mr D Tran 1, Vinery Way		

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 extensions to the house and nail bar building would adequately respect the appearance of the existing building and the character of the area;</li> <li><input type="checkbox"/> The nail bar use would not give rise to significant harm to the character of the area;</li> <li><input type="checkbox"/> The proposed development would adequately respect the residential amenity of neighbouring properties and provide acceptable amenity for future occupiers of the host dwelling.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 1 Vinery Way is a semi-detached residential property, which encompasses mixed white-rendered two storey and single storey building elements under a tiled gable-ended roof with a

small conservatory to the north side. 1A Vinery Way is the attached neighbour with a similar building style. The pair of semi-detached buildings are located at the corner plot fronting Vinery Way and Vinery Road and fall just outside the Mill Road Conservation Area.

- 1.2 Vinery Way is a relatively short and busy road connecting to Coldham's Lane. The surrounding area consists of properties with very different design details. Properties to the south, which fall within the Historic Core Conservation Area, mainly comprise Victoria terraced houses and have a uniform appearance. Properties to the north comprise mixed detached, semi-detached and terrace units with diverse designs. Opposite the site are a convenience store/post office and a hairdresser's, however, neither of these businesses nor the application site fall within a local centre in either the existing or emerging local plans.

## **2.0 THE PROPOSAL**

- 2.1 Full planning consent is sought for ground and first floor extensions to the dwelling and a new detached building to host the proposed nail bar use. A conservatory and some sheds would be removed from the site to facilitate the works.
- 2.2 The proposed first floor extension would project over the existing single storey building element under a hipped roof to provide a new master bedroom, creating a 3-bed property. The proposed ground floor extension would provide additional/reconfigured living and dining room space. Similar proportioned first floor extensions have been approved under the application 16/0670/FUL. A private garden space for the host dwelling would be retained measuring 6.7m x 4.2m (28sqm).
- 2.3 At the end of the garden, replacing some garden sheds, would be a new detached building housing the nail bar. This building would have an internal commercial space of approximately 27sqm. It would be of a low scale, 3m high with a flat roof and constructed from brick. It would be located on the northern end of the site directly onto the corner boundaries of the plot. The front of the nail bar would be aligned with the front of the host dwelling and no. 3 Vinery Way to the north. The revised layout plan shows secure cycle parking to the front of the property,

some limited bin storage and a 1m high timber fence onto the pavement – restricting car parking - and to the side separating the commercial use from the shrunken residential curtilage of the host dwelling.

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
17/1102/FUL	Change of use and extension to ground floor, first floor side and rear extension, replacement of existing conservatory and sheds with a Nail Bar (Use Class A1).	Withdrawn
17/0478/FUL	Amendments to planning approval 16/0670/FUL granted 07/09/2016 to raise roof ridge approximately 150mm.	Permitted
16/0670/NMA1	Non-material amendment on application 16/0670/FUL for roof ridge to be raised approximately 150mm to permit insulation and ventilation gap	Withdrawn.
16/0670/FUL	Extension to ground floor, first floor extension, replacement of existing conservatory and sheds with workshop and store. Relocation of off-street car hardstanding. Removal of bins and cycles to off-street edge.	Permitted.
C/96/0219	Change of use and alterations to a mixed retail/residential property to form 2 self-contained residential units (C3).	Permitted
C/99/0551	Single storey side extension to existing dwellinghouse.	Permitted
05/0630/FUL	Erection of a conservatory.	Permitted

### 4.0 PUBLICITY

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

**5.0 POLICY**

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

## **6.0 CONSULTATIONS**

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

#### **6.1 Original Comment**

Objection: The car parking spaces are significantly short of the 5 metres length required to accommodate most models of car currently in production. This would lead to vehicles overhanging the footway and the risk of pedestrians being obliged to enter the adjacent live carriageway to pass the site.

*(Officer note: the revised layout plan has removed car parking from the frontage of the site and has addressed this objection. I have recommended condition 8 to restrict parking on the frontage. I will report any further comments on the amendment sheet.)*

### **Environmental Health**

- 6.2 No Objection: Recent experiences with these uses have given cause for concern, particularly with respect to odour and noise from any extract system installed. Given this is in a residential area, whilst the principle of a nail bar use at the location remains acceptable, the following conditions are recommended:

- CC63 Construction hours
- CC60 (odour/fume control)
- CC62 (plant noise insulation)

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:

- 168 Vinery Road
- 174 Vinery Road
- 1A Vinery Way

7.2 The representations can be summarised as follows:

### 1A Vinery Way

- Inappropriate location for a nail bar in a predominantly residential area
- Increased local disturbance
- Increasing the current busy traffic flow, given the close proximity of the property to St Philips School
- Insufficient vehicle on-street parking

### 168 Vinery Road

- Worsen the car parking pressure

### 174 Vinery Road

- Overdevelopment
- Increased local disturbance, increased traffic flow and insufficient vehicle parking
- The proposed extensions will cause overbearing and light loss to No.174.

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



## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 The proposal seeks permission for a new commercial building to house a nail bar use on part of the residential curtilage of the host dwelling. Policy 5/4 seeks to protect the loss of residential accommodation to other uses. In this case, part of the residential garden of the host dwelling is being lost and as such, in my view, the policy is not engaged. There are no policies within the adopted local plan which seek to resist this type of proposal in principle.

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

#### Extensions to the dwelling

8.3 Extensions of a similar massing and design have been approved under application 16/0670/FUL. The design of the proposed extensions is in keeping with proposed house and the proposed works are relatively modest. The visual impact on the appearance of the building and the character of the area, including the nearby Conservation Area, would be acceptable.

#### The proposed nail bar building and change of use

- 8.4 Given the modest footprint and single storey height of the building, I consider the physical impact on the character and appearance of the area would be acceptable.
- 8.5 The nail bar use would lie in-between two residential properties: the host dwelling and 3 Vinery Way. I have had some concern regarding the compatibility of the use given the neighbouring residences. The planning history (C/96/0219) indicates that the application site and 1A Vinery Way may have incorporated some form of retail use in the mid 1990's, but that has long since ceased. The character of this part of the road, which is a thoroughfare connecting Coldham's Lane to Mill Road, is mixed in that opposite the site are two commercial units, with a nearby access to St Phillip's School. This part of Vinery Way is relatively busy and in my view, because the nail bar building is relatively small and is opposite the commercial uses, I do not foresee that the use would be harmfully out of character with the surrounding area.

#### Layout

- 8.6 Following the erection of the nail bar building, the host dwelling would retain a private patio area of 27 sqm. Its front garden would keep the existing well-planted landscaping and a car parking space. Between the nail bar and the host dwelling would be a boundary fence. To the front of the nail bar there would be a small area to be allocated for cycle and bin storage for the commercial use. I consider the layout of the development would be of an acceptable arrangement which would, on-balance, retain sufficient private space for the occupants of the host dwelling and provide a functional space for the nail bar. This is not an overdevelopment of the application site albeit I recognise that what is proposed is at the maximum of what could be considered a reasonable subdivision. Because there are extant permissions which allow for a greater extent of ground floor extensions to the host property, I recommend condition 10 which seeks to ensure that the private patio area is delivered and retained for the occupants of the host dwelling.
- 8.7 In summary, the proposed extensions and nail bar building/use would adequately respect the appearance of the existing building and the character of the area. The proposal is

compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 3/14.

## **Residential Amenity**

Impact on amenity of neighbouring occupiers

### The proposed first floor side and rear extensions

- 8.8 Due to the location of the proposed extensions, they would mainly impact on the immediate neighbours, 174 Vinery Road and 3 Vinery Way.
- 8.9 174 Vinery Road is a semi-detached property, which is located on the west side of the application site with its garden area adjoining with the application site. The owner of this property objects to the application on the basis that the proposed extensions would give rise to significant overbearing to its property.
- 8.10 3 Vinery Way is a semi-detached residential property, which is the unattached neighbour located on the north side of the application site.

### *Overshadowing and overbearing*

- 8.11 The proposed first floor extension would be of modest scale. It would extend the ridge line by 2.6m and incorporate a hipped roof form providing an additional 4.6m of first floor brick wall facing no. 174. In my opinion, the proposed first floor rear extension would not give rise to significant adverse overbearing impacts to No.174. Due to the substantial distance between the first floor extension and 3 Vinery Way, I consider this impact also to be acceptable.
- 8.12 In the previous approved application (16/0670/FUL), a Sunlight and Daylight Study was submitted to demonstrate that it would not give rise to a significant loss of light to neighbouring properties, particularly no.174. In my view, the impact of overshadowing of the scheme currently proposed would not be materially different to that already approved given the very similar design and scale of the two schemes at first floor level.

### *Overlooking*

- 8.13 With respect to overlooking, there would be no primary habitable windows to be installed in the west elevation of the proposed extensions facing no. 174 at first floor level. Two new rooflights would be inserted at ground floor, but these would be for natural lighting purposes rather than outlook and would be above head height.
- 8.14 New bedroom windows would be installed on the north elevation where there are currently no windows facing no. 3. However, the views from these windows would be limited to the side elevation of this neighbouring property where there are no primary habitable outlooks. In addition, these two windows would be 11.8m away from the side wall of no.3. Therefore, I do not consider the introduction of first-floor windows on the north elevation would harmfully overlook this neighbour.

The proposed nail bar building

- 8.15 Due to the modest scale of this building, I do not consider it would give rise to any adverse overbearing or overshadowing impacts to neighbouring properties.

*Noise disturbance and odour control*

- 8.16 In the Business Statement accompanying the application, it clarifies the premises would employ 1 full time and 1 part time employee (including the owner). The number of regular customers visiting the premises daily is estimated to be 7-9 people. Whilst the Council has no control over the intensity of use, due to its size, my view is that the comings and goings generated from the business would be relatively low and confined to the busier street frontage side. The statement also claims that most of the customers would visit the business by walking and cycling. Given this is an already busy area with a high volume of comings and goings visiting the nearby Post Office, Newsagents and St Philips Primary School, I do not consider the new business would give rise to a significant adverse increase of noise disturbance to the area or to the immediate neighbours.
- 8.17 The Environmental Health Officer raises concerns with respect to potential odour and noise from any extract system to be installed for the premises. To ensure that plant odour/noise of

the premises would not give rise to significant amenity harm to the area, conditions (odour control & plant noise insulation) are recommended.

8.18 In summary, the proposal would adequately respect the residential amenity of neighbouring properties and provide acceptable amenity for future occupiers. I consider that in this respect the proposal is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12, 3/14 and 4/13.

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

8.19 The Highway Safety Officer originally raised an objection to the parking provision for the nail bar and the likely obstruction of the pavement. This car parking space has been removed from the plans and I consider the Highway Authority's concern is sufficiently addressed with condition 8 in place.

8.20 As such, there is no off-street car parking provided for the business. Objectors to the application state the new business would give rise to an unacceptable increase in on-street parking and traffic flow in the area. I acknowledge that the current on-street car parking right outside the application site is in high demand. Mostly this is due to the demand from the commercial units opposite which is intensified by parents of St Philips Primary School parking during drop-off and pick-up times.

8.21 However, this is a small commercial unit and my view is that its use would generate limited additional car parking demand of a volume which would not noticeably alter the existing use of the highway. This is not a quiet residential street. Customers could also visit the nail bar on foot or by cycle, with provision made for the latter provided on the frontage and secured by condition 10.

8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2 and 8/10

### **Refuse Arrangements**

8.23 A small bin storage area would be provided in the front area of the nail bar. I consider the arrangement is acceptable. Condition 9 is recommended to ensure the details of the arrangement are acceptable.

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

### **Third Party Representations**

- 8.25 The third party representations have been addressed in the main body of the report.

## **9.0 CONCLUSION**

- 9.1 The proposed extensions and use would adequately respect the appearance of the existing building and the character of the area. The proposed development adequately respects the residential amenity of neighbouring properties and provides an acceptable level of amenity for future occupiers.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall accord with the details specified in the approved drawings and application form unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

5. The Nail Bar premises of the development hereby approved shall only open between the following hours: 0830 hours and 1830 hours on Monday to Friday, 0930 hours and 1730 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

6. Prior to the 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)

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

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

8. The boundary treatment to the front and side of the nail bar shall be completed in accordance with the approved plans prior to the use of the nail bar and shall remain in place. The frontage of the nail bar shall be paved and shall not at any time be used for the parking of vehicles.

Reason: To ensure an appropriate boundary treatment is implemented and in the interests of highway safety given the limited frontage depth and lack of turning space (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12).

9. No development shall take place until the details of bin storage and covered cycle parking for 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 appropriate arrangement for bin and cycle storage is implemented. (Cambridge Local Plan 2006 policy 3/12)

10. The curtilage (garden) of the host property as approved shall be fully laid out and finished in accordance with the approved plans prior to the development of the nail bar building 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 extended/developed and have little private garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)



<b>Application Number</b>	17/1533/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	13th September 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	8th November 2017		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	4 Green End Road Cambridge CB4 1RX		
<b>Proposal</b>	Sub-division of existing detached 5 Bedroom house to form 1 No. 3 Bedroom House and 1 No. 2 Bedroom House both with associated amenity space and parking and canopy to the front and side elevation.		
<b>Applicant</b>	Mr B Giove 4, Green End Road Cambridge CB4 1RX		

<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 development would provide an acceptable living environment for future occupiers.</li> <li><input type="checkbox"/> The proposed sub-division of the existing house would not have a detrimental impact on neighbour amenity.</li> <li><input type="checkbox"/> The proposed works would not pose a threat to highway safety.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site comprises a large detached property situated close to the corner of Green End Road and Milton Road. The property has a large forecourt car parking area to the front, as well as a rear and side garden. There is a single-storey outbuilding to the side of the main dwelling which is currently used as ancillary accommodation to the main property although

permission (17/1514/FUL) was recently granted for the change of use of this to a separate dwelling.

1.2 To the north of the site is the Golden Hind public house which is identified as a Building of Local Interest (BLI). The surrounding area is predominantly residential in character and is formed of a range of housing typologies, typically no higher than two-storeys in scale.

1.3 There are no site constraints.

## 2.0 THE PROPOSAL

2.1 The proposal seeks planning permission to sub-divide the existing detached five-bedroom house to form one three-bedroom house and one two-bedroom house with associated amenity space and parking. A canopy is proposed on the side and front corner of the building which is the only proposed external addition to the building. The remainder of the changes consist of the replacement of the side (south-east) door with a window and alterations to internal walls. The internal floor areas and external amenity space sizes are set out in the table below:

House type	Number of persons	Internal Space	External Space
Two-Bedroom House	Three	57m <sup>2</sup>	20m <sup>2</sup>
Three-Bedroom House	Five	144m <sup>2</sup>	83m <sup>2</sup>

2.2 The proposal has been amended to remove the proposed vehicle drive in front of the proposed two-bedroom dwelling. The forecourt in front of the proposed three-bedroom dwelling has also been amended and tracking information provided. These amendments were in response to concerns raised by the Highway Authority.

## 3.0 SITE HISTORY

Reference	Description	Outcome
17/1534/FUL	Change of use from outbuilding to form new 1 Bed dwelling including forming a first floor by	Permitted.

raising the eaves and ridge height and a single storey front extension

#### 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 3/14 4/13 5/1 5/2 8/2 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material
-----------------------------	---

	consideration)
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)

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

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

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

## 6.0 CONSULTATIONS

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

### Original Comments (15/09/2017)

- 6.1 The proposal removes the facility for vehicles to turn within the site to enter and leave in forward gear, and proposes an additional access without such a facility. Green End Road is a busy route serving the City of Cambridge and, as such, carries high flows of traffic, including a high proportion of pedestrians and cyclists.
- 6.2 For this reason the Highway Authority recommends that this proposal be REFUSED planning permission.

### Comments on revised site plan (03/11/2017)

- 6.3 The additional information indicates a possible facility for vehicles to turn within the site to enter and leave in forward gear, however it is not a tracking diagram generated by any accredited computer programme developed to simulate vehicle manoeuvres. The access would need to be widened to allow two vehicles to pass in the entrance.
- 6.4 Therefore, until additional information demonstrating that access will be provided to a standard acceptable to the Highway Authority my objection to the proposed development remains.

### Comments on revised site plan and tracking diagram (09/02/2018)

- 6.5 Tracking and widening of the access are sufficient to demonstrate that the access is acceptable to the Highway Authority. The following conditions are recommended:
- No unbound material;
  - No gates erected;
  - First use of vehicular access;
  - Highways drainage;
  - Visibility splays;
  - Manoeuvring area as shown;
  - Access as shown;
  - Traffic management plan;
  - Traffic management plan informative; and
  - Highways informative

## **Environmental Health**

6.6 No objection subject to construction hours condition.

## **Urban Design Team**

6.7 No objection.

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

## **7.0 REPRESENTATIONS**

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

- 6 Green End Road
- Camcycle - The Bike Depot, 140 Cowley Road

7.2 The representations can be summarised as follows:

- Highway safety concerns regarding original layout proposed;
- The hand drawn plans are not accurate;
- It is not clear what is happening along the eastern boundary and the effect on residential amenity is consequently unclear;
- Insufficient space along south side of building for emergency and residential services to access rear of site;
- There is no reference to cycle parking;
- The lack of car parking for the proposed two-bedroom house will exacerbate parking problems in the area.

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

## **8.0 ASSESSMENT**

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

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

3. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Third party representations
7. 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 existing 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 m<sup>2</sup>
- 8.5 The footprint of the residential property is approximately 201m<sup>2</sup> and this exceeds this criterion.

B) The likely impact upon on-street parking would be unacceptable

- 8.6 The existing five-bedroom dwelling on the site has three car parking spaces in the forecourt.
- 8.7 The proposed three-bedroom dwelling would have two car parking spaces and I am confident that there would not be a significant increase in car parking pressure resulting from this aspect of the proposed scheme.
- 8.8 No car parking is proposed for the two-bedroom dwelling. It is acknowledged that a concern has been raised regarding the pressure on on-street parking in the surrounding streets that this two-bedroom dwelling may cause.
- 8.9 The proposed development would be two-bedroom in size and I consider the level of parking demand for this proposed unit would be relatively low. Furthermore, the site adjoins onto a cycle path and route which connects to the City Centre and wider area and there appears adequate room to accommodate appropriate cycle storage on the site. There are also good public transport links along Milton Road and Green End Road which provide further alternative means of accessing shops, services and facilities in the wider area. The site is also immediately adjacent to the King Hedges Road Local Centre providing basic shops and facilities within walking distance.
- 8.10 Overall, I consider the pressure on the surrounding streets would be minimal, the proposed development is well-served by public transport and cycle links and is not dependent on the private car as the main means of transport.

C) The living accommodation provided would be unsatisfactory

- 8.11 It is acknowledged that an appeal at No. 34 Mill Road (APP/Q0505/W/17/3183954) has been dismissed. The appeal decision is a material consideration and is relevant to the assessment of the internal environment.
- 8.12 The appeal scheme (16/0163/FUL) was originally refused due to the cramped living environment and subsequent unsatisfactory level of amenity provided for future occupants of the development. The Inspector refers to the government's



‘Technical housing standards – Nationally described space standards (THS)’. These standards, the Inspector states, are an indication of the amount of internal space required within dwellings to avoid harmful living conditions for the occupants.

8.13 The Inspector on this appeal concludes that the all five of the units that are proposed in the converted building and the two units proposed within a standalone building fell ‘significantly short’ of the minimum space standards set out in the THS. Since no substantive evidence was been presented to provide justification to not comply with these standards, the Inspector concluded that the units would not provide acceptable living conditions for future occupants, with particular regard to the provision of space.

8.14 The proposed three-bedroom dwelling would have an internal floor area of approximately 144m<sup>2</sup>. This is significantly above the 93m<sup>2</sup> of internal floor area recommended by the THS and I therefore consider the internal living environment to be acceptable.

8.15 The proposed two-bedroom dwelling would have an internal floor area of approximately 57m<sup>2</sup>. This is 13m<sup>2</sup> below the minimum space standard of 70m<sup>2</sup> for this type of development as set out in the THS. Whilst I acknowledge the proposed two-bedroom falls below this standard, I do not consider the shortfall in floor area to be significantly short and that it is materially larger than that of the smallest unit in the dismissed appeal scheme (16/0163/FUL). The table below demonstrates that the proposed 57m<sup>2</sup> fulfills approximately 81% of the 70m<sup>2</sup> standard for two-bedroom units whereas the smallest 24.1m<sup>2</sup> studio units in the appeal scheme only accounted for approximately 65% of the 37m<sup>2</sup> standard for studio units.

Application	Size proposed	THS standard	% of standard met
16/0163/FUL (Dismissed Appeal)	24.1m <sup>2</sup>	37m <sup>2</sup>	65.1%
17/1533/FUL (Proposed Two-Bedroom Dwelling)	57m <sup>2</sup>	70m <sup>2</sup>	81.4%

- 8.16 In my opinion, the proposed two-bedroom dwelling would be materially closer to meeting the THS compared to that of the appeal scheme (16/0163/FUL). Although it does not meet the THS, I do not consider the shortfall to be significant and am of the view that the proposed living environment would not be cramped.
- 8.17 The proposal includes a large 83m<sup>2</sup> private external amenity space for the three-bedroom dwelling and 20m<sup>2</sup> of private amenity space for the two-bedroom dwelling. In my opinion, the provision of this private amenity space would ensure future occupiers have a high quality living environment.
- 8.18 There is ample space in the front forecourt of the proposed three-bedroom dwelling to accommodate refuse storage and cycle parking without preventing vehicles being able to leave in forward gear. Similarly, the pedestrian entrance area to the proposed two-bedroom dwelling would provide room for refuse storage and cycle parking. The proposed site plan shows refuse being stored at the rear of the site but due to the approximately 1m wide side access being too narrow it would be more appropriate to store bins at the front in a small enclosure. I am confident that the cycle parking and refuse storage can be accommodated comfortably on the site and have recommended conditions accordingly for these details to be agreed.
- 8.19 The site is located in a sustainable location with good cycle, pedestrian and public transport links outside the site and also situated within close proximity to the King Hedges Road Local Centre providing basic shops and facilities within walking distance.
- 8.20 I have recommended conditions to restrict permitted development rights for extensions (class A) and outbuildings (class E) for the proposed dwellings. This is because extensions or additions close to the other dwellings garden boundary could deteriorate the quality of the external amenity space and impact on the amenity for the occupiers of the adjoining dwelling. A condition requiring the proposed private amenity spaces to be provided and retained has also been recommended.

D) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking

8.21 This has been addressed in paragraph 8.18 of this report.

E) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.22 The site is situated in a residential area and so I do not consider the nearby land uses or site itself would result in an unsatisfactory level of residential amenity for future occupiers of the proposed dwelling.

8.23 In my opinion, subject to conditions, the principle of residential development in this location is acceptable and in accordance with policies 5/1 and 5/2 of the Local Plan (2006).

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

8.24 The proposed canopy would be a lightweight structure that adjoins onto the south-west corner of the building to provide cover for the main entrance to the proposed two-bedroom dwelling. It would be of a modest height and form and would not in my view appear overly prominent or out of character with the area.

8.25 The refuse and cycle storage conditions would ensure that any small structures in the front external areas do not appear dominant in the street scene and would be subtle in their appearances.

8.26 I have recommended a boundary treatment condition to ensure that the external amenity spaces for future occupants are private.

8.27 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 5/2.

**Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.28 The proposed canopy would be a lightweight structure that would not result in any loss of light or visual enclosure being experienced at neighbouring properties.
- 8.29 The movement of two vehicles within the forecourt area would not be significantly worse in terms of noise and disturbance than that of the three vehicles that already use the forecourt area.
- 8.30 The comings and goings to and from the proposed dwellings would not have a significant impact on the amenity of adjoining occupiers in my view. The site is already used as a five bedroom dwelling and the number of people proposed on-site would be similar to that of the existing situation. The boundary treatment condition would ensure that the movement of people in the external spaces does not compromise the privacy of neighbours.
- 8.31 The proposed first-floor bedroom windows would be in identical positions to that of present and I am confident that therefore no harmful overlooking would occur from this development.
- 8.32 In my opinion, subject to condition, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 5/2.

### **Highway Safety**

- 8.33 The Highway Authority had originally objected to the proposal on the grounds that cars reversing out onto Green End Road would pose a threat to highway safety. In consideration of the proximity of the vehicle entrances to the busy junction with Milton Road and the adjacent cycle and pedestrian footpath, I shared this view.
- 8.34 In response to this objection, the site plan has been amended to demonstrate that two cars would be capable of leaving the forecourt in forward gear, similar to that of the existing vehicle arrangements on the site. In addition, the car parking space for the proposed two-bedroom dwelling was removed.
- 8.35 In light of these amendments and additional information, the Highway Authority has removed their objection and considers

the proposal to be acceptable from a highway safety perspective subject to conditions.

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

### **Car and Cycle Parking**

8.37 Car parking has been addressed in paragraphs 8.6 – 8.10 of this report.

8.38 There would be adequate spaces in the front external spaces of each of the proposed dwellings to provide the total of five cycle parking spaces in the form of small secure shelters with stands. A condition has been recommended to control this.

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

### **Third Party Representations**

8.40 The third party representations that have not been addressed in the main body of this report have been addressed below:

<b><u>Comment</u></b>	<b><u>Response</u></b>
The hand drawn plans are not accurate	The plans are considered sufficient to make an informed assessment of the proposed development.
It is not clear what is happening along the eastern boundary and the effect on residential amenity is consequently unclear;	A boundary treatment condition has been recommended for these details to be provided.
Insufficient space along south side of building for emergency and residential services to access rear of site;	There would be sufficient space to access the front of the two-bedroom dwelling. The need to access the rear of the site by emergency services is a building regulation matter.

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

8.41 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.

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

## **9.0 CONCLUSION**

9.1 The proposed development would not adversely impact on the amenity of neighbours and would provide an acceptable living environment for future occupants. The proposal would not result in a significant increase in on-street car parking and would respect the character and appearance of the area.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

Reason: To ensure appropriate provision for the secure storage of bicycles and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7, 5/2 and 8/6).

5. No development shall commence until details of facilities for the storage of bins for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The facilities shall be provided in accordance with the approved details before use of the development commences, and shall be retained in accordance with these details thereafter.

Reason: To ensure appropriate provision for the storage of bins and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7, 4/13 and 5/2).

6. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

7. The proposed private amenity spaces for the dwellings hereby permitted shall be laid out in accordance with drawing no.A202-C prior to the occupation of the dwellings and shall thereafter be retained in the configuration as approved for the benefit of future occupants of the scheme unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure an appropriate standard of residential amenity for future occupants (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11, 5/1 and 5/2).

8. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses; and the provision within the curtilage of the dwellinghouses of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwellings, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2006 policies 3/4, 3/14 and 5/2)

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



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

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

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

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

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

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

Reason: To prevent surface water discharging to the highway (Cambridge Local Plan 2006 policy 8/2).

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

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

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

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

15. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided and retained free of obstruction.

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

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

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

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

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

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

This page is intentionally left blank

**PLANNING COMMITTEE**

**DATE: 28<sup>TH</sup> MARCH 2018**

<b>Application Number</b>	17/2227/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	21st December 2017	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	15th February 2018		
<b>Ward</b>	Petersfield		
<b>Site</b>	184 Gwydir Street Cambridge CB1 2LW		
<b>Proposal</b>	Change of use to 184 Gwydir Street from private dwelling house (C3) to David Parr House Visitor centre (D1) on ground floor and three bedroom private residential flat(C3) on first and second floor.		
<b>Applicant</b>	David Parr House DPH 186, Gwydir Street Cambridge CB1 2LW		

<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 principle of development is considered acceptable as the creation of the visitor centre would retain a dwelling on the site;</li> <li><input type="checkbox"/> The proposed comings and goings from the visitor centre and the adjoining David Parr House at 186 Gwydir Street would not adversely impact on the amenities of neighbours;</li> <li><input type="checkbox"/> The proposal would retain an acceptable living environment for future occupants of the reconfigured dwelling.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.184 Gwydir Street, is a two-storey terraced property situated on the east side of the street, close to

the cross road junction with Mill Road and St Barnabas Road. The building is constructed in brick with a pitched tiled roof, as is characteristic of this area. There is a long narrow garden to the rear of the property and a small shed at the end of the garden. The garden is also accessible from a passageway which leads onto the Gwydir Street car park to the south-east. The surrounding area is predominantly residential in character and is formed of similar sized terraced properties.

- 1.2 Immediately to the south of the site is no.186 Gwydir Street otherwise known as the David Parr House. No.186 dates back to the 19th century and was the home of David Parr, an interior artist who resided at the property between 1886 and 1927. The interior of the house was decorated and painted by David Parr and these artistic works have been preserved. Planning permission (16/1240/FUL) was granted on 7<sup>th</sup> November 2016 to change this building from a dwelling to a museum (D1) following the securing of heritage lottery funding.
- 1.3 The site falls within the Central Conservation Area.  
The site falls within the Air Quality Management Area.  
The site falls within the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The proposal, as amended, seeks to change the use of no.184 Gwydir Street from a four-bedroom private dwelling house (C3) to a visitor centre (D1) on the ground-floor, to be used in connection with the David Parr House at no.186 Gwydir Street, and a three-bedroom dwelling across the ground, first and second-floors of the building.
- 2.2 External hard and soft landscaping works are proposed to the rear of the site. No physical additions to the building are proposed.
- 2.3 The application originally included a large outbuilding in the rear garden to accommodate a disabled toilet and bicycle store but this has since been removed from the proposals. The application originally sought to convert the entire ground-floor of the building to a visitor centre and did not include any external amenity space for occupants of the upper-floor dwelling. However, the application has since been amended to provide

an external patio and garden, as well as a dining room and kitchen for the occupants of the three-bedroom dwelling.

### 3.0 SITE HISTORY

Reference	Description	Outcome
16/1240/FUL	A change of use for the house from residential to D1 (non-residential institutions) and the construction of a new building in the garden. (186 Gwydir Street)	Permitted.
05/1253/FUL	Roof extension (including two rear dormers) and single storey rear extension.	Permitted.
05/0541/FUL	Single storey rear extensions and roof extension including two rear dormers.	Permitted.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Supplementary Planning Guidance</p>	<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>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
	<p><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal (2011)</p>

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

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and



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

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

## **6.0 CONSULTATIONS**

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

6.1 No objection.

#### **Environmental Health**

6.2 No objection subject to construction hours condition and condition to restrict D1 community use solely as a visitor centre to the David Parr House and for no other purpose.

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

Original comments (09/01/2018)

6.3 No objection subject to non-masonry walling system condition.

Comments on amended scheme (14/02/2018)

6.4 No objection. Non-masonry walling system condition no longer required in light of removal of outbuilding.

#### **Access Officer**

6.5 The application is supported.

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

### Original comments (05/01/2018)

- 6.6 It is not clear if the flat users have any access to the garden amenity space and if so, how they access it. There is a bike store in the rear garden but again, is this for the visitor centre staff or for the residents? The same question applies to the car parking bay.
- 6.7 Will the boundaries between the two properties be remaining or will there be an intention to join the two gardens to some extent to further enhance the visitor experience?
- 6.8 The loss of amenity space for the residents in the property is not an ideal or possibly even an acceptable situation as the garden will remain predominantly unoccupied as it is accessed during the opening hours of the visitor centre.

### Comments on amended scheme (14/02/2018)

- 6.9 The new plans no longer accommodate cycle storage requirements for either the flat or the visitor centre. We felt the inclusion of the facilities (plus some storage area) in the previous application was acceptable, though it needed to clarify and separate the private use from the Visitor Centre uses. This may also require a review of access for the flat from the rear.
- 6.10 The revisions provide a sensible division of space now which provide the flat with private amenity space fitting for a 3-bedroom flat as well providing access and inclusive parking to the DPH from the Gwydir St Car Park.
- 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 owner/occupier of the following address has made a representation:
- 182 Gwydir Street

7.2 The representation can be summarised as follows:

- Loss of privacy and security risk due to visitors going up and down garden and seeing through the fence.
- Overshadowing from garden building
- Noise and disturbance from additional visitors.
- A d1 use enables 184 to play music, run a café or something similar which could create a lot of noise.
- It is not clear how the David Parr House patio and garden will be used.
- There are no details about the proposed soakaway and the potential smell of this.

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. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations

### **Principle of Development**

8.2 The application proposes the change of use of the site from residential (C3) to a mixed use of a visitor centre to the David Parr House (D1) and residential (C3). Although an element of residential is proposed to be retained, the amount of floorspace provided for the residential use would be decreased from approximately 152.5m<sup>2</sup> to 105m<sup>2</sup> and the number of bedrooms lowered from four to three. Consequently policy 5/4 (loss of housing) of the Cambridge Local Plan (2006) is applicable. This

states that the change of use of residential 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 that 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.

- 8.3 There is no evidence to suggest that this property is unfit for human habitation and cannot be rehabilitated. In my opinion, the proposal does not meet criteria A of policy 5/4. The house is not a subsidiary part of a non-residential property and the proposed does not meet criteria B of policy 5/4. The house is also not listed and thus criterion C is not applicable. Criterion E cannot be met as there would be a reduction in residential floorspace.
- 8.4 Based on the information submitted by the applicant, it is understood that the applicant seeks to demonstrate that the proposal meets criterion D of policy 5/4.
- 8.5 The proposed visitor centre would serve the adjacent David Parr House at 186 Gwydir Street which was granted planning permission (16/1240/FUL) recently to be used as a museum. The key historic interest of the building at no.186 is the painted walls which cannot be touched given their significance and age.
- 8.6 The justification for the proposed change of use of no.184 to a visitor centre is on the basis that no.186 is a very small property and that the access and movement of visitors of the museum into and out of the property puts the historic internal walls of the building at high risk. There is no room for visitor organisation, management of coats and bags or spaces for presentation and educational material within the David Parr House itself. Undertaking these functions within the building would make the historic artwork of the building vulnerable to damage.

- 8.7 The use of no.184 as a visitor centre would allow a considered and managed approach to the management of visitors and consequently reduce the risk of damage to the internal fabric of no.186. Pre-booked groups of visitors would arrive at no.184 and be able to enter this building and drop off coats and bags. The internal space would also provide a space for guides to give talks to visitors and provide a bathroom for visitors also. The provision of this internal space would also mean that groups would not have to congregate on the street outside the front of the site. The proposed visitor centre would also provide facilities for meetings, workshops and other fundraising events of the David Parr House group.
- 8.8 A letter of support for the change of use has been received from Tobit Curteis who is the Wall Paintings Advisor for the National Trust, the external consultant to the Buildings Conservation Team at Historic England, and the conservator appointed as part of the Heritage Lottery Fund to advise on the conservation of the David Parr House.
- 8.9 I am of the view that the applicant has demonstrated the need for the community facility and why the proposed use is necessary to preserve the historic artwork at the adjacent David Parr House. In consideration of expert third party advice, the proposal would meet criteria d of policy 5/4 and is acceptable in principle. The NPPF also supports the provision of community facilities.
- 8.10 Cambridge Local Plan (2006) policy 5/12 relating to new community facilities supports proposals to develop new or extend existing community facilities, for which there is a local need. The development of City-wide or Sub-regional community facilities will be permitted if they are provided in sustainable locations. No.184 Gwydir Street is in a sustainable location close to the Mill Road West District Centre. The site is also well served by frequent bus routes and is within walking and cycling distance of Cambridge Train Station and the City Centre. In my opinion, the proposal accords with policy 5/12.
- 8.11 Cambridge Local Plan (2006) policy 6/4 relating to visitor attractions states that development which maintains, strengthens and diversifies the range of visitor attractions will be permitted if they are well related to the cultural heritage of the city. The proposed use would relate well to the local cultural

heritage and in my opinion, the proposal accords with policy 6/4.

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

- 8.12 No works are proposed to the external appearance of the building.
- 8.13 The proposed landscaping works to the garden would not have a significant impact on the character and appearance of the conservation area. The Urban Design and Conservation Team has raised no objection to the proposal.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Disabled access**

- 8.15 The Access Officer is supportive of the proposed works and I agree with this advice.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.17 There are conditions on the adjacent permission (16/1240/FUL) at the David Parr House which restrict the hours of use to 09:00 – 17:00hrs Monday to Saturday only. The number of visitors is also restricted to a maximum of six visitors at any one time. There is also a visitor management plan which explains that tours would typically last 1.5 hours and are not anticipated to be more than three times a day. I have recommended that these conditions are also included under this application.
- 8.18 Without this change of use, it is likely that while one visitor group is being toured within no.186, any other tour groups will have to wait outside the front of the property. The proposed change of use would allow visitors to wait inside no.184 while the other tour is finishing. In my opinion, as this would reduce the number of people congregating outside the front of the site,

I consider this would have a positive impact on the amenity of neighbours in terms of noise and disturbance.

- 8.19 The proposal originally included plans for the entire rear garden to be used by the visitor centre, including a rear patio area. People exiting the David Parr House would have walked down the full length of the garden of no.186 and then back down the garden towards the rear of no.184 where they collect their belongings. The movement of visitors up and down the entire length of the garden on a regular basis, as well as congregating around the rear patio whilst waiting for their tour to start would have had a detrimental impact on the amenity of no.182 in my opinion.
- 8.20 In response to these concerns, the application was amended to provide a cut-through closer to the main buildings of nos. 184 and 186 which removes the need for visitors to walk up and down the garden when leaving the David Parr House and re-entering the visitor centre. In addition, the majority of the garden adjacent to the boundary of no.182 would now be retained for use by the dwelling at no.184 which would offer a similar relationship to that of present. The movement of visitors would be confined closer to the southern boundary with no.186. In my opinion, these amendments have overcome the concerns originally raised by officers in terms of comings and goings.
- 8.21 It is acknowledged that a concern has been raised by the neighbour at no.182 regarding the potential for amplified music. As the design and access statement refers to potential fundraising, workshop, talks and meetings taking place here, I consider that it is possible that amplified music may be played. Consequently I have recommended a condition which prohibits amplified music from being audible at the boundary of the premises.
- 8.22 In respect of the unique nature of the site and its relationship to the David Parr House, a condition has been recommended which restricts the use of the site solely to a visitor centre to be used in connection with the David Parr House. The proposed use class D1 includes uses such as nurseries and places of worship which may have residential amenity and other planning related implications that have not been considered.

8.23 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 4/13.

#### Amenity for future occupiers of the site

8.24 The amount of floorspace provided for the residential use would be decreased from approximately 152.5m<sup>2</sup> to 105m<sup>2</sup> and the number of bedrooms lowered from four to three. The three bedrooms proposed appear to be capable of accommodating double-beds and it is therefore assumed that six people will occupy the residential unit. The technical housing standards state that for a dwelling of this size there should be 108m<sup>2</sup> of floorspace. The proposed dwelling would be approximately 3m<sup>2</sup> short of this standard but I do not consider this short fall to be significant. The internal layout of the dwelling would not represent a cramped living environment in my view and would provide an acceptable standard of living for its future occupants.

8.25 The proposal includes a large garden and patio of approximately 64m<sup>2</sup> for the future occupiers which I consider is of a sufficient quantity for the three-bedroom dwelling. There would still be a means of access down the southern boundary of the garden for use by the David Parr House and visitor centre. However, this is likely to be used less frequently by visitors as a result of the cut-through closer to the rear of the building. In addition, the car parking space at the rear of the site would be used as a disabled car parking space for the visitor centre and the number of trips to and from the visitor centre to this disabled parking space would be low. I have recommended a boundary treatment condition to ensure that the garden of no.184 is private and not openly visible to visitors.

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



## **Refuse Arrangements**

- 8.27 The three-bedroom dwelling proposed would have use of the three bins at the front of the site which is an identical relationship to that of the existing property.
- 8.28 The visitor centre would use the bins in front of the David Parr House at no.186. I do not anticipate the levels of waste produced by the visitor centre function would be significant and consider this arrangement acceptable.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

## **Highway Safety**

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

## **Car and Cycle Parking**

- 8.32 The proposal would involve the loss of the car parking space for the dwelling at no.184. In my opinion this would not have a detrimental impact on parking in the surrounding streets. The site is within the controlled parking zone and in a sustainable location close to local shops and services as well as public transport links. I do not consider the dwelling would be dependent on private car as the main means of travel.
- 8.33 The applicant had produced a visitor management plan under the approved permission (16/1240/FUL) in terms of visitor car and cycle parking. The proposal does not include any dedicated car or cycle parking for visitors. The visitor management plan confirms that the following car and cycle parking spaces are within walking distance of the site:
- **Gwydir Street car park** is around 10m from the projected entry to the house. It has 38 spaces, and allows a two-hour length of stay, enabling visitors to enjoy the 1.5 hour house tour with time to spare.
  - **Gwydir Street bay parking** outside Dale's Brewery is around 5m from the house. There are three pay and display parking

spaces here, but they are often occupied by visitors to the two antique shops and cafe in Dale's Brewery.

- **Queen Anne Terrace car park** on Gonville Place has 570 spaces, and allows any length of stay. The car park is a 10 to 15 minute walk from DPH.
- **3 bicycle racks** (6 spaces) on Gwydir Street opposite DPH (5m from house).
- **12 bicycle racks** (24 spaces) near the public conveniences on Mill Road (40m from house).

8.34 The visitor management plan also includes a survey of the availability of these spaces at different times of the day:

<b>DATE/TIME</b>	<b>FREE SPACES IN GWYDIR ST CAR PARK (38 spaces available)</b>	<b>FREE SPACES IN GWYDIR ST BAY PARKING (3 spaces available)</b>	<b>FREE RACK SPACES FOR CYCLE PARKING (30 spaces available)</b>
<b>Monday 26 Sept, 10.30am</b>	31	1	14
<b>Tuesday 27 Sept, 4.30pm</b>	23	1	12
<b>Wednesday 28 Sept, 9.45am</b>	27	0	12
<b>Wednesday 28 Sept, 2pm</b>	17	0	11
<b>Thursday 29 Sept, 10am</b>	23	1	16
<b>Friday 30 Sept, 2.30pm</b>	12	0	10
<b>Saturday 1 Oct, 2pm</b>	7	0	7
	1	0	6

8.35 The above table demonstrates that there would be available car and cycle parking spaces close to the application site. Tours will only be available by pre-arranged bookings through the

website. Visitors will be sent emails explaining how to get to the site by public transport, as well as car and cycle parking availability in the wider area. The site is within close proximity to the Mill Road West District Centre which is well served by frequent bus routes into and out of the City Centre. The site is also within walking distance of the Cambridge Train Station and the City Centre. In my opinion, based on the information provided in the visitor management plan I do not anticipate the proposal would unduly impact on residential amenity in terms of car or cycle parking availability. A condition has been recommended for the premises to be used in accordance with the details of the visitor management plan.

8.36 The proposal does not include any cycle parking for the three-bedroom dwelling. There does however appear to be room within the rear patio and garden to accommodate two Sheffield style stands and/or a small enclosure which would provide sufficient cycle parking for future occupiers. I have recommended a condition for this to be agreed prior to occupation of the site.

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

### **Third Party Representations**

8.38 The vast majority of the comments that have been raised have been addressed by way of the amendments or within the main body of this report.

8.39 The concern regarding smell from the soakaway is not a planning consideration.

## **9.0 CONCLUSION**

9.1 The proposed change of use of the ground-floor of the site to a visitor centre would help preserve the significance of the historic artwork of the David Parr House at no.186 Gwydir Street. The proposal would not give rise to harmful levels of noise and disturbance being experienced at adjacent properties, subject to conditions. The proposal would retain an acceptable living environment for the future occupants of the reconfigured three-bedroom dwelling on 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. The premises shall not be open to the public outside of the following hours:

- Mon - Sat: 09:00 - 17:00hrs

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

5. The site shall be occupied by no more than six visitors at any one time.

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

6. The use of the premises shall be managed in accordance with the provisions set out in the Visitor Management Plan (10/10/2016) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties and to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4, 3/7 and 4/13).

7. The ground floor of the premises shall be used as a visitor centre to David Parr House and for no other purpose (including any other purpose in Classes D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: An alternative use in this location would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2006 policies 3/7 and 4/13).

8. In the event that amplified music is played within the visitor centre, doors and windows must be kept closed. Amplified music should not be audible at the boundary of the site, including within the adjoining properties.

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

9. Prior to occupation of the residential use hereby permitted, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the local planning authority. 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 and to provide an acceptable living environment for future occupiers of the dwelling. (Cambridge Local Plan 2006 policies 3/4 and 3/11)

10. Prior to occupation of the dwelling hereby permitted, details of facilities for the covered, secure parking of bicycles for use in connection with the dwelling hereby permitted shall be submitted to and approved by the local planning authority in writing. The facilities shall be provided in accordance with the approved details before use of the dwelling commences, and shall be retained in accordance with these details thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/7 and 8/6).

11. The proposed private amenity space for the dwelling hereby permitted shall be laid out in accordance with drawing no.888-10A prior to the occupation of the dwelling and shall thereafter be retained in the configuration as approved for the benefit of future occupants of the scheme unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure an appropriate standard of residential amenity for future occupants (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/11).

12. The proposed access between the garden of the David Parr House at 186 Gwydir Street and the rear of the visitor centre hereby permitted shall be laid out in accordance with drawing no.888-10A prior to the use of the visitor centre and shall thereafter be retained in the configuration as approved for the benefit of visitors and staff of the scheme unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2006 policies 3/7 and 4/13).

CAMBRIDGE CITY COUNCIL

---

REPORT OF: Arboricultural Officer  
TO: Planning Committee 28<sup>th</sup> March 2018  
WARDS: ECH

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 23/2017**

---

### **1.0 INTRODUCTION**

- 1.1 A TPO has been served to protect a Birch tree at 2 Capstan Close.
- 1.2 As an objection to the order has been received, the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

### **2.0 RECOMMENDATION**

- 2.1 The tree preservation order is confirmed without amendment.

### **3.0 BACKGROUND**

- 3.1 A section 211 Notice was received proposing the removal of a Birch in the front garden of 2 Capstan Close and a 1-1.5m reduction of Crab Apple also in the front garden. No reasons for the proposed work were given in the 211 Notice. Following a site visit officers concluded that the reduction of the Crab Apple would have no material impact on amenity and the character and appearance of the conservation area but that amenity and the character and appearance of the conservation area would be detrimentally impact by the removal of the Birch. As there were no arboricultural or overbearing practical reasons to remove the Birch a TPO was served to protect the tree.

### **4.0 POWER TO MAKE A TPO**

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

#### 4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO.

#### 4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance advises that authorities develop ways of assessing the amenity value of trees in a structured and consistent way. Cambridge City Council Citywide Tree Strategy 2016 – 2026 sets out the criteria for assessing amenity in Policy P2 and considers visual, wider impact, atmospheric, climate change, biodiversity, historic/cultural and botanical benefits when assessing the amenity value of trees.

#### 4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

### 4.2 Suitability of this TPO

#### 4.2.1 Expedience

The TPO is considered to be expedient as the tree was proposed to be removed.

#### 4.2.2 Amenity

Visual. The tree is located to the front of the house and is clearly visible from Capstan Close.

Wider Impact. The tree contributes positively to the character and appearance of the conservation area.

#### 4.2.3 Suitability

The tree is not conflicting with the reasonable use of the property, is not implicated in any direct or indirect damage and



is not causing unreasonable shading or maintenance requirements.

## **5.0 CONSULTATIONS**

- 5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation an objection has been received to the TPO from 2 Capstan Close.

## **6.0 CONSIDERATIONS**

- 6.1 The objection is made on the following grounds:
  - 6.1.1 The tree is a poor example of its species; it has been badly pruned in the past and interferes with a neighbouring tree.
  - 6.1.2 The owners of 1 and 2 Capstan Close are most affected by its removal and are the best judges of its amenity value.
  - 6.1.3 The trees blocks light from the adjacent street lamp to the house, leaving number 2 completely in the dark.
- 6.2 Officer's response to the objection.
  - 6.2.1 The poor quality of past pruning is acknowledged but the overall appearance of the tree is not materially compromised by the abnormal growth at the top. No evidence has been provided to suggest that structural integrity has been compromised by the past work. The tree's stem is covered in ivy and this has impacted on natural growth however the growth is not so compromised so as to impact materially on the tree's overall contribution to amenity. The neighbouring tree is of insufficient value to justify the removal of the more prominent Birch.
  - 6.2.2 The way amenity value is assessed by Cambridge City Council is defined in the Citywide Tree Strategy. Officers assess trees in accordance with this strategy.
  - 6.2.3 Removal of ivy from the tree's stem would aid light filtration to 2 Capstan Close, especially in winter when artificial light is most required and the Birch leaves have fallen. This work would also improve natural light to and therefore benefit the tree's canopy. It is however the opinion of officers that the street lamps are located to illuminate the road and pavement and are not intended to illuminate private properties. Officers also believe that the position of the tree does not hinder the owner from providing suitable illumination of their property.

6.3 In conclusion, officers believe that there are no overwhelming arboricultural or practical reasons to justify the removal of the Birch tree located in the front garden of 2 Capstan Close and that the loss of this tree will have a detrimental impact on amenity and the character and appearance of the conservation area. Because the tree's removal was proposed in a 211 Notice, the serving of TPO 23/2017 was expedient in the interests of amenity.

## **7.0. OPTIONS**

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

## **8.0 RECOMMENDATION**

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 23/2017.

## **9.0 IMPLICATIONS**

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	None

### **BACKGROUND PAPERS:**

The following are the background papers that were used in the preparation of this report:

TWA 17/420/TTCA

City of Cambridge Tree Preservation Order 23/2017.

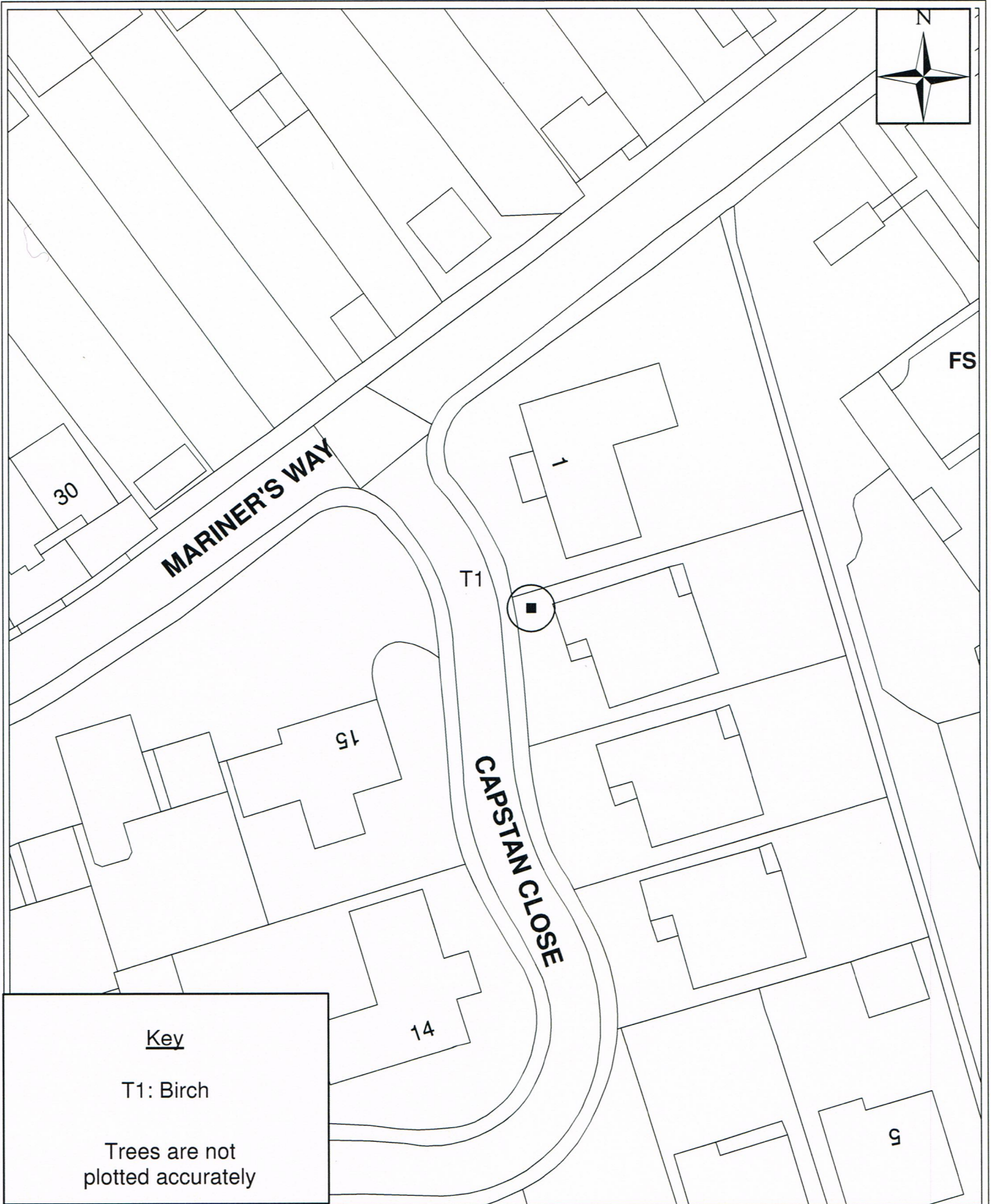
Written objection to TPO 23/2017

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 08/03/2018

Date of last revision: 12/03/2018



Key

T1: Birch

Trees are not plotted accurately



City of Cambridge  
 (2 Capstan Close)  
 Tree Preservation Order No. 23/2017

\*This map is reproduced from Ordnance Survey material with the permission of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.\* Cambridge City Council (Licence No. 100019730) 2017.

Date:	24 October 2017
Prepared by:	Rebecca Wilding
Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:500

This page is intentionally left blank



This page is intentionally left blank

CAMBRIDGE CITY COUNCIL

---

REPORT OF: Arboricultural Officer  
TO: Planning Committee 28<sup>th</sup> March 2018  
WARDS: NEW

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 24/2017**

---

### **1.0 INTRODUCTION**

- 1.1 A TPO has been served to protect a tree at 21 Clarkson Road.
- 1.2 As objections to the order have been received the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

### **2.0 RECOMMENDATION**

- 2.1 The tree preservation order is confirmed without amendment.

### **3.0 BACKGROUND**

- 3.1 A section 211 Notice was received for various works to trees in the front and back garden of 21 Clarkson Road, which is located on the south corner of Clarkson and Wilberforce Roads. Works included pruning a row of Beech and Yew trees along the property's front boundary and a single Yew and single Beech in the back garden, along with the felling of five trees. Trees to be removed were a Lime, two Horse Chestnut trees, a Beech and a Cherry. There were no reasons for works given in the 211 Notice. Following a site visit officers concluded that the proposed pruning works were justified for sound practical and arboricultural reasons and that the felling of four of the five trees proposed to be removed was also justified because of poor vitality, structural defects and negative impact on immediate surroundings. However officers noted no arboricultural or overbearing practical reasons to fell the Beech located close to the south boundary of the property. A TPO was therefore served to protect one Beech tree.

## **4.0 POWER TO MAKE A TPO**

4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

### 4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO.

### 4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance advises that authorities develop ways of assessing the amenity value of trees in a structured and consistent way. Cambridge City Council Citywide Tree Strategy 2016 – 2026 sets out the criteria for assessing amenity in Policy P2 and considers visual, wider impact, atmospheric, climate change, biodiversity, historic/cultural and botanical benefits when assessing the amenity value of trees.

### 4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

## 4.2 Suitability of this TPO

### 4.2.1 Expedience

The TPO is considered to be expedient as the tree was proposed to be removed.

### 4.2.2 Amenity

Visual. The tree is located in the rear garden of a corner property and clearly visible from Wilberforce Road. Its visibility



has been greatly increased by the approved removal of four other trees.

Wider Impact. The tree contributes positively to the character and appearance of the conservation area.

Climate Change. Larger trees have a greater impact with regard to climate change adaptation.

#### 4.2.3 Suitability

The tree is located close the rear boundary of 21 Clarkson Road and therefore in the vicinity of 3 Wilberforce Road. There is no indication of direct or indirect conflict between the tree and 3 Wilberforce Road at present. Lower branches are however getting close the building elevation and will be blocking light to north facing windows. Any issues relating to branches touching the building and lack of light can be mitigated with the removal of lower branches. Such works would have no material impact on the health or amenity value of the tree.

## 5.0 CONSULTATIONS

- 5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation objections have been received to the TPO from 21 Clarkson Road and 3 Wilberforce Road.

## 6.0 CONSIDERATIONS

- 6.1 The objections are made on the following grounds:
  - 6.1.1 Concern that tree roots will effect the stability of 3 Wilberforce Road.
  - 6.1.2 The tree has the potential to significantly increase in size and given the size of the garden two beech trees is disproportionate.
  - 6.1.3 Because of its proximity to the more mature Beech it growth will be compromised.
  - 6.1.4 Roots have already needed to be cleared from drains.
  - 6.1.5 Build-up of leaves in gutters and flat roof drains.
  - 6.1.6 Lack of light to first floor window.
  - 6.1.7 Its removal was to allow replacement with 3 Cut-leaf Birch.
  - 6.1.8 Because removal of the other four trees was justified it is only the removal of Beech that would need consideration from the point of view of amenity.
- 6.2 Officer's response to the objection.

6.2.1 There is no evidence that the tree is causing damage to the structure of 3 Wilberforce Road. While the tree is sufficiently close that there is a possibility of indirect damage, but only if other causal factors including shrinkable clay soil and insufficient foundation depth are also present, the potential risk is insufficiently high at present to justify the tree's removal.

6.2.2 The tree does have capacity to increase in size but the rear garden is approximately 30m wide and 20m deep. While officers believed that 6 large trees in the property's back garden could be considered overbearing, the garden is of sufficient size to accommodate two large trees without compromising reasonable enjoyment of the space.

6.2.3 Officers believe that the two Beech trees in the garden are sufficiently far apart that the health and amenity value of either will not be compromised the retention of the subject Beech.

6.2.4 No evidence has been present to support the need to remove the Beech in relation to root ingress to drains. It is not clear that past drain maintenance was required because of the Beech. One of the four tree's, a Horse Chestnut, officers had no formal objection to felling of, was located immediately adjacent to the subject Beech.

6.2.5 In accordance with the Citywide Tree Strategy, the general maintenance of gutters and drains and the removal of leaf litter are not considered to be sufficient justification to allow the removal of a tree that would otherwise be suitable for TPO.

6.2.6 Management of the tree would greatly improve light to 3 Wilberforce Road without detriment to tree health or amenity value.

6.2.7 Proposed replacement planting is not considered to be sufficient justification to allow the removal of a tree that would otherwise be suitable for TPO. If the tree is protected by a TPO when and if its removal becomes justified, replacement planting can be conditioned. Replacement planting cannot be guaranteed without a TPO.

6.2.8 The proposed removal of trees in a conservation area is always assessed in relation to impact on amenity. It is by balancing the justification for tree works against the impact on amenity that determines the suitability of the proposal. The loss of the four other trees along the west and south boundaries has already had a detrimental impact on amenity but the justification for the works was considered by officers to outweigh the loss of amenity, especially with the retention of the subject Beech.

6.3 In conclusion, officers believe that there are no overwhelming arboricultural or practical reasons to justify the removal of the Beech tree located on the south boundary of 21 Clarkson Road and that the loss of this tree, in addition to the loss of the four trees recently

removed, will have a detrimental impact on amenity and the character and appearance of the conservation area. Because the tree's removal was proposed in a 211 Notice, the serving of TPO 24/2017 was expedient in the interests of amenity.

## **7.0. OPTIONS**

### **7.1 Members may**

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

## **8.0 RECOMMENDATION**

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 24/2017.

## **9.0 IMPLICATIONS**

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	None

### **BACKGROUND PAPERS:**

The following are the background papers that were used in the preparation of this report:

TWA 17/430/TTCA

City of Cambridge Tree Preservation Order 24/2017.

Written objections to TPO 24/2017

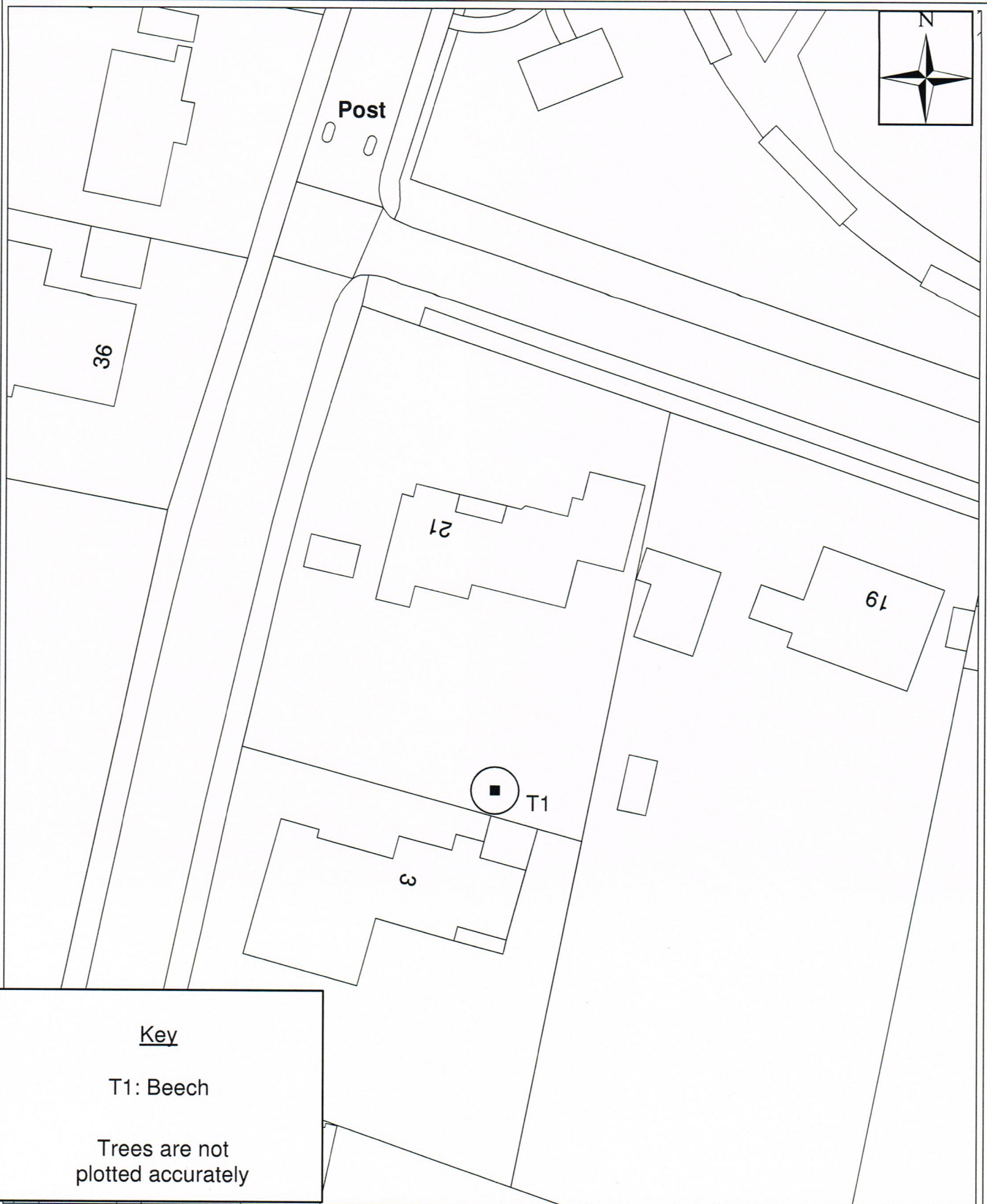
To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 08/03/2018

Date of last revision: 12/03/2018

This page is intentionally left blank



Key

T1: Beech

Trees are not plotted accurately



City of Cambridge  
 (21 Clarkson Road)  
 Tree Preservation Order No. 24/2017

Date:	26 October 2017
Prepared by:	Rebecca Cooke
Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:500

\*This map is reproduced from Ordnance Survey material with the permission of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.\* Cambridge City Council (Licence No. 100019730) 2017.

This page is intentionally left blank



This page is intentionally left blank



CAMBRIDGE CITY COUNCIL

---

REPORT OF: Arboricultural Officer  
TO: Planning Committee 28<sup>th</sup> March 2018  
WARDS: NEW

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 25/2017**

---

### **1.0 INTRODUCTION**

- 1.1 A TPO has been served to protect a group of 8 trees at Kings College School, West Road.
- 1.2 As an objection to the order has been received, the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

### **2.0 RECOMMENDATION**

- 2.1 The tree preservation order is confirmed without amendment.

### **3.0 BACKGROUND**

- 3.1 A section 211 Notice was received proposing a crown reduction of 25% to 8 trees located along the drive of Kings College School. The works was proposed because branches were stated to be over extended, exerting heavy weight, one of the trees had recently lost a limb and, as the trees are located on the edge of a sport field, there is concern for pupil safety. Following a site visit officers concluded that there was some justification for localized remedial work to four of the trees in the group but that there were no arboricultural or overbearing practical reasons to carry out a general crown reduction of all trees of potentially up to 5m. A TPO was therefore served to protect the group of trees.

### **4.0 POWER TO MAKE A TPO**

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

#### 4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO.

#### 4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance advises that authorities develop ways of assessing the amenity value of trees in a structured and consistent way. Cambridge City Council Citywide Tree Strategy 2016 – 2026 sets out the criteria for assessing amenity in Policy P2 and considers visual, wider impact, atmospheric, climate change, biodiversity, historic/cultural and botanical benefits when assessing the amenity value of trees.

#### 4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

### 4.2 Suitability of this TPO

#### 4.2.1 Expedience

The TPO is considered to be expedient because there was insufficient justification for the tree work in the manner proposed and that the works would have a detrimental impact on amenity and the long-term health of the trees.

#### 4.2.2 Amenity

Visual. The trees are located along the drive to Kings College School and are clearly visible from West Road.

Wider Impact. The trees contribute positively to the character and appearance of the conservation area.

Climate Change. Larger trees have a greater impact with regard to climate change adaptation.

#### 4.2.3 Suitability

The trees are not conflicting with the reasonable use of the property, are not implicated in any direct or indirect damage and are not causing unreasonable shading or maintenance requirements.

## 5.0 CONSULTATIONS

5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.

5.2 Following such consultation an objection has been received to the TPO from Town and Country Tree Surgery on behalf of the school.

## 6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

6.1.1 The TPO is wholly unnecessary as there is no intention of carrying out work without the consent of the Council.

6.1.2 The reason for carrying out the work is purely on safety grounds as the trees bound the sports field and overhang the drive.

6.1.3 The trees have overextended branches which are putting excessive weight on the limbs.

6.1.4 Four of the trees have apparent defects including damage to lower stem, a compression fork, the recent loss of a limb, seepage in the lower stem and a hanging branch.

6.2 Officer's response to the objection.

6.2.1 The Council cannot grant or refuse consent for tree works detailed in a 211 Notice. If the Council objects to works detailed in a 211 Notice, the Council can only serve a TPO to prevent works from taking place.

6.2.2 Officers believe that some works are justified for health and safety reasons and have discussed localised reduction of limbs in some of the trees and the potentially felling of one tree with the objector and the school. However the school, through their agent, has maintained their intention to carry out an all-round crown reduction of all trees and therefore maintained their objection to the TPO.

6.2.3 Officers confirm the presence of elongated limbs with unbalance end weight and a tight branch bifurcation and have recommended localized limb reduction to reduce the risk of failure in extreme weather conditions. Confirming the TPO would not stop

works that are required in the interests of health and safety from being carried out.

6.2.4 Officers confirm the presence of seepage in the lower stem of the north easternmost tree and have suggested that the structural integrity of this tree may be sufficiently compromised to justify removal and that a crown reduction may not be sufficient to reduce any risk associated with failure to a reasonable level.

6.3 In conclusion, officers believe that there are no overwhelming arboricultural or practical reasons to justify a 25% reduction of all trees in the group G1 and that the works will have a detrimental impact on amenity and the character and appearance of the conservation area. Because the tree works were proposed in a 211 Notice, the serving of TPO 25/2017 was expedient in the interests of amenity. The confirmation of the TPO will not stop works that are required in the interests of health and safety from being carried out but will require the submission of a tree work application.

## **7.0. OPTIONS**

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

## **8.0 RECOMMENDATION**

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 25/2017.

## **9.0 IMPLICATIONS**

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	None

### **BACKGROUND PAPERS:**

The following are the background papers that were used in the preparation of this report:

TWA 17/433/TTCA

City of Cambridge Tree Preservation Order 25/2017.

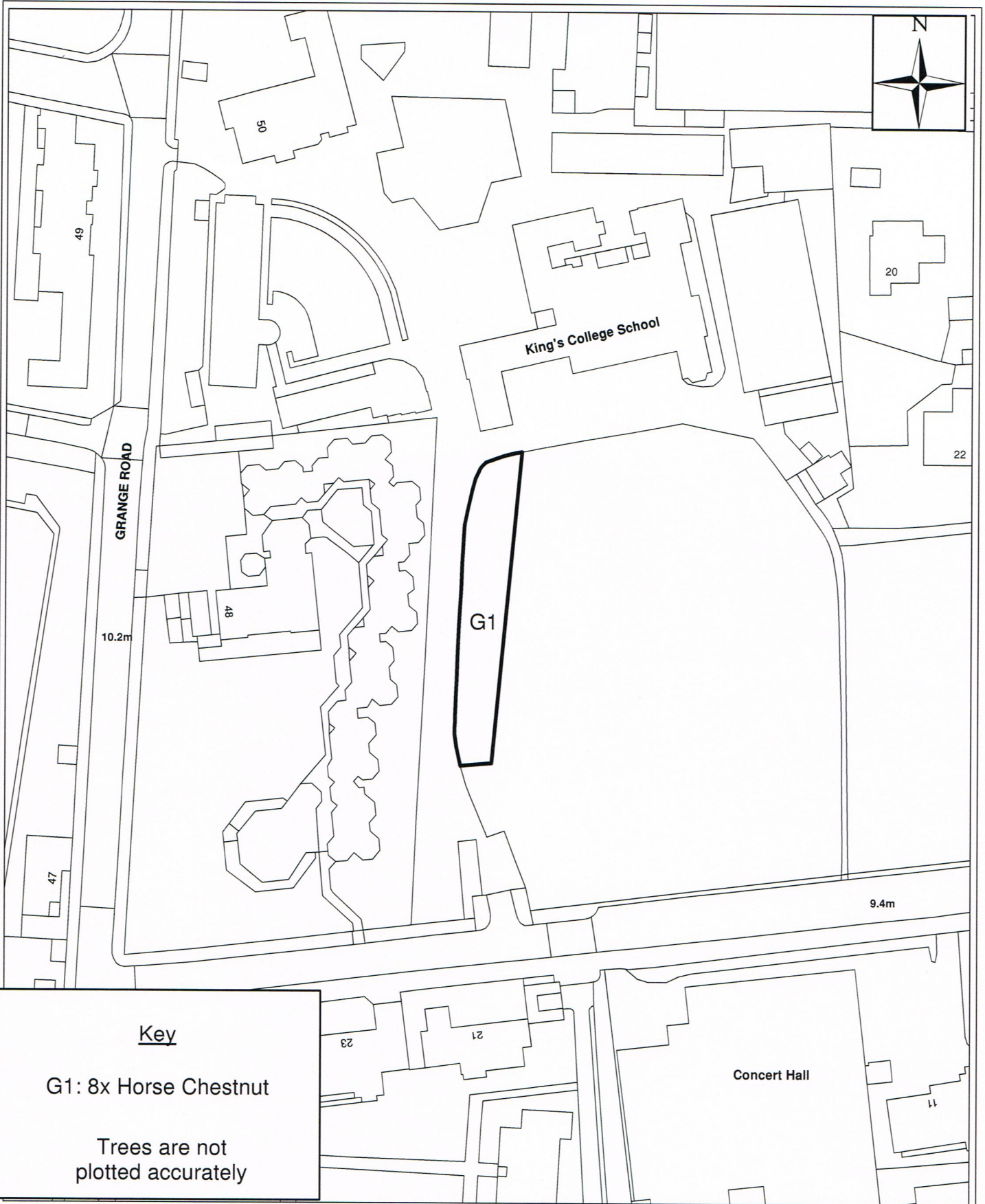
Written objection to TPO 25/2017

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 08/03/2018

Date of last revision: 12/03/2018



**Key**

G1: 8x Horse Chestnut

Trees are not plotted accurately



City of Cambridge  
 (Kings College School)  
 Tree Preservation Order No. 25/2017

\*This map is reproduced from Ordnance Survey material with the permission of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.\* Cambridge City Council (Licence No. 100019730) 2017.

Date:	26 October 2017
Prepared by:	Rebecca Cooke
Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:1000

This page is intentionally left blank



This page is intentionally left blank





Item

## **PLANNING ENFORCEMENT UPDATE AND REVIEW OF OFFICER DELEGATIONS**

**To:**

Planning Committee 28/03/2018

**Report by:**

Sarah Dyer, City Development Manager

Tel: 01223 - 457153 Email: sarah.dyer@cambridge.gov.uk

**Wards affected:**

All

### **1. Introduction**

- 1.1 This report serves two functions which are to provide an update on the planning enforcement activity by the City Development Management team in 2015/2016/2017 and to review the existing arrangements for committee/officer decision making (the 'Delegation Scheme') and make recommendations in relation to planning enforcement decision making.

### **2. Recommendations**

- 2.1 That Planning Committee

- (i) notes the information contained in the report and;
- (ii) approves the delegations in relation to decision making on planning enforcement matters set out in 8.1.

### **3. Background**

- 3.1. This Committee considered a review of the Council's Planning Enforcement Policy in December 2014. This led to the publication of the new Policy early in 2015. It is likely that a new joint Planning Enforcement Policy will be adopted as the Shared Planning Service is implemented.
- 3.2 At the same meeting the Committee received an update report which provided statistics for 2013 and 2014. The Committee also received an update report in December 2015.

### **4 Analysis of planning enforcement caseload 2015 to 2017**

- 4.1 I have set out at Appendices One and Two the workload statistics for 2015, 2016 and 2017 (Workload and Notices Served). An analysis of these statistics over the past 3 years shows that the overall workload has increased. The number of Enforcement Notices served has also increased and we have started to use Temporary Stop Notices and Stop Notices.
- 4.2 Appendix Three sets out the volume of enforcement caseload which has been taken to Planning Committee. An examination of the work of the Planning Committee over the last 3 years in terms of planning enforcement demonstrates that the highest volume of work relates to authorisation of Enforcement Notices. It also highlights the adverse impact of staff changes in 2016 at a time when both experienced enforcement officers in the team left the Council. There has been a marked improvement in 2017 and this needs to be seen against an overall increase in workload.
- 4.3 Appendix Four sets out the reasons for decisions on planning enforcement cases for 2015, 2016 and 2017. This includes the average time taken between the case being logged and the decision being made. This provides useful comparative data going forward.

## **5 Current arrangements for delegation of decision making to officers**

- 5.1 The Planning Scheme of Delegation forms part of the Council's Constitution. In essence it explains which decisions officers can take and which decisions need to be made by Planning Committee. The part of the Scheme which relates to decision making on planning applications is written as an 'exception' based scheme i.e. a decision falls to be made by an officer unless it falls into a list of 'exceptions'. In all cases there is the option for the officer to make a decision to take a 'delegated' matter to Committee and for a Councillor to exercise his/her power to 'call-in' for a Committee decision on an otherwise delegated matter.
- 5.2 The Delegation Scheme insofar as it relates to decision making in connection with planning enforcement is not an 'exceptions' based scheme. The decisions that may be made by officers are set out and are as follows:
1. To serve Requisitions for Information, Planning Contravention Notices, Breach of Condition Notices, Notices of Intended Entry, Section 215 Notices, and Discontinuance Notices for advertisements (subject to prior consultation with the Head of Legal and Democratic Services).
  2. To instruct the Head of Legal Practice to commence prosecution proceedings for the display of illegal advertisements (including fly posting) and for non-compliance with any formal notices issued.
  3. To instruct the Head of Legal Practice to serve enforcement notices under S172 of the Town and Country Planning Act 1990 to remedy a breach of planning control following the refusal of retrospective planning permission
  4. To instruct the Head of Legal Practice to serve Listed Building Enforcement Notices under S38 of the Planning (Listed Buildings and Conservation Areas) Act 1990
  5. To instruct the Head of Legal Practice to serve notices requiring urgent works to unoccupied Listed Buildings under S54 of the Planning (Listed Buildings and Conservation Areas) Act 1990

6. To decide whether to serve a Remedial Notice under Part 8 of the Anti-Social Behaviour Act 2003 where there are no third party representations that are contrary to the officer recommendation (subject to prior consultation with the Head of Legal and Democratic Services) and to instruct the Head of Legal Practice to commence prosecution proceedings for non-compliance with a Remedial Notice or to carry out works in default
7. To make representations as a 'responsible authority' on applications for public entertainment licenses under the Licensing Act 2003.
8. There is also reference in the Enforcement Policy to Senior Officer being able to sign off closure reports

5.3 The other notable difference between delegated powers for dealing with applications etc and planning enforcement is that Members have no right to call in the latter. However, officers do have the overarching provision to take any 'delegated matter' to Committee for approval.

## **6 Potential for changes to the Scheme of Delegation (Planning Enforcement)**

- 6.1 I have set out my assessment of how the Delegation Scheme could be amended to make it more responsive and relevant to the key elements of our workload below. However I am mindful that moving from a system where Planning Committee makes decisions on formal planning enforcement action to one where these decisions are taken only by officers could be seen as representing too significant a change in comparison with current practice. In my opinion incorporating the potential for member 'call-in' into the planning enforcement approval process could address this issue.
- 6.2 I have worked with other officers to establish that it would be possible to produce a 'weekly list' of new enforcement cases which in itself would be beneficial in raising awareness of Ward Councillors about enforcement cases. However unlike the weekly list of planning applications it would not be effective to set a time period within which a

Councillor can effect 'call in'. This is because it is not generally until much later in the process that a decision is made about the necessity for formal action following research and site visits.

- 6.3 My recommendation is therefore that before any decision is made to issue an Enforcement Notice (other than that associated with a Stop Notice) the enforcement case officer will notify the Ward Councillors and Chair, Vice Chair and Spokes. They will be given the chance to 'call-in' the case to Committee within 5 working days of notification.

## **7 Justification for changes to the Delegation Scheme (Planning Enforcement)**

- 7.1 The majority of reports to Committee related to Enforcement Notices. This is because with the exception of enforcement notices relating to a breach of planning control following the refusal of retrospective planning permission, all other decisions on Enforcement Notices had to be made by Planning Committee. There is no flexibility in the current Scheme therefore such decisions include making changes to the Draft Notice. The amount of planning enforcement work being brought to Committee could be reduced and action taken more efficiently if delegated powers were broadened. I have recommended that the Scheme of Delegation be amended to delegate the power for signing, service, varying or withdrawing of Enforcement Notices except in those cases where a member call-in has been activated.
- 7.2 Stop Notices and Temporary Stop Notices are normally needed in a short timescale and practice has now developed whereby such notices are the subject of decisions under Urgency Powers. A report is prepared for approval by the Director of Planning and Economic Development in consultation with the Chair, Vice Chair and Spokes of Planning Committee. A verbal update is provided at the next available committee meeting. When the notice is withdrawn the same process is followed. In order to make the process of serving and withdrawing Stop Notices more efficient I would recommend changing the Scheme of Delegation to delegate the power for signing, service, varying or withdrawing Temporary Stop Notices and Stop Notices to officers.

- 7.3 We have not used our powers in terms of either 'direct action' or the serving of an injunction in the last few years. Under the current arrangements officers would need to bring a report to Committee before initiating such action. I have recommended that officer delegation be extended to these actions also. Similarly commencement of prosecution proceedings is a matter that currently needs to be agreed by Committee. This can result in a delay in addressing a situation where it is clear that a Notice has not been complied with. In the interest of efficiency I have recommended that prosecution proceedings be a matter for officer decision making.
- 7.4 To date we have not used powers provided under the Proceeds of Crime Act in respect to planning enforcement. This allows us to serve a Confiscation Order to seize assets that have been acquired as a result of illegal actions. I have recommended that officer delegation be extended to this action also to allow this potential to be explored.
- 7.5 I am mindful that taking direct action, pursuing a prosecution, issuing an injunction or seeking to seize assets are very serious undertakings in terms of both the reputation of the Council and legal costs. For this reason I have recommended that the authority for these actions be vested in the Shared Director of Planning and Economic Development only and that under the terms of the Scheme he consults with key members and the Head of Legal Practice. In practice this will mean that officers will prepare a report for the Director to sign off as opposed to any other senior officer.
- 7.6 For all other planning enforcement work, including Enforcement Notices and Stop Notices I have recommended that delegated powers be vested in the Enforcement and Monitoring Officer, the Delivery Manager (Development Management) and the Delivery Manager (Strategic Sites).
- 8 Proposed revisions to the Delegation Scheme (Constitution)**

8.1 My proposals for revisions to the Delegation Scheme are as follows:

Delegation to Shared Director of Planning and Economic Development (in consultation with Head of Legal Practice and Chair/Vice Chair/Spokes of Planning Committee):

A To take direct action or works in default as required in relation to Section 178 (Non Compliance with an Enforcement Notice) and Section 219 (Non Compliance with a Section 215 Notice) of Town and Country Planning Act 1990 (as amended) and to recover from the person who is then the owner of the land any expenses reasonably incurred by the Council in undertaking this work under Regulation 14 of the Town and Country Planning General Regulations 1992

B For commencement of prosecution following non-compliance with an Enforcement Notice under Section 179 or Planning Contravention Notice under Section 171D of the Town and Country Planning Act 1990 (as amended)

C To seek an injunction to restrain a breach of planning control under Section 187B of the Town and Country Planning Act 1990 (as amended)

D To make an application for a Confiscation Order under the Proceeds of Crime Act 2002 (as amended)

Delegation to Shared Director of Planning and Economic Development, the Enforcement and Monitoring Officer, the Delivery Manager (Development Management) and/or the Delivery Manager (Strategic Sites)

Subject to a valid request for 'call in' to Planning Committee, To issue and serve Enforcement Notices under Sections 172 and 215 clearance of untidy land and Listed Building Enforcement Notices under Section 38 Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 of the Town and Country Planning Act 1990 (as amended) after consultation with the Head of Legal Practice. Authority to include signing, service, varying or withdrawing Enforcement Notices.

To issue and serve Temporary Stop Notices under Sections 171E to 171H and Stop Notices under Section 183 of the Town and Country Planning Act 1990 (as amended) and associated Enforcement Notices after consultation with the Head of Legal Practice. Authority to include signing, service, varying or withdrawing Temporary Stop Notices and Stop Notices.

Delegation to the Enforcement and Monitoring Officer, the Delivery Manager (Development Management) and/or the Delivery Manager (Strategic Sites)

All other enforcement related tasks, investigations, operational decisions, investigations and service of notices relating to development, trees and hedges, the historic environment, advertisements, and hazardous substances, all under the relevant legislation and to close cases where it is not expedient to pursue enforcement action.

## **9 Publication of Enforcement Reports**

9.1 Under the terms of Part 1 of Schedule 12A of the Local Government Act 1972 as amended the Committee can resolve to exclude the press and public to enable discussion of information that is exempt from public access provisions. Schedule 12A sets out descriptions of exempt information which includes:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- 6 Information which, if disclosed to the public, would reveal that the authority proposes
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.



- 7 Information relating to any action taken or to be taken in connection with the prevention investigation or prosecution of crime.

In addition, Part 2 of Schedule 12A provides that information which may be exempt under the Part 1 categories is only exempt if on balance the public interest in maintaining the exemption outweighs the public interest in disclosing that information to the public.

- 9.2 Our standard practice has been to put Planning Enforcement Reports into the public domain. This has presented some problems in terms of revealing the identity of complainants during public speaking. There is also conflict with this approach in terms of revealing information about an action by the Council which relates or could relate to investigation and prosecution of crime. My proposition going forward is that when we bring Planning Enforcement Reports to Committee we will be asking for these to be treated as exempt information under one of the Part 1 categories and that it is in the public interest for the public/press to be excluded. It will be necessary for the Committee to vote on a resolution to this effect before the agenda item is discussed.
- 9.3 In terms of public speaking, it is recommended that this is not permitted on enforcement reports except for ward councillors (city or county) appearing in their capacity as council members (i.e. not speaking as members of the public or residents)

## **10. Implications**

### **(a) Financial Implications**

None

### **(b) Staffing Implications**

None

### **(c) Equality and Poverty Implications**

An Equality Impact Assessment has not been conducted because under the terms of the revised Scheme of Delegation Councillors will still be able to call a report in for Committee decision and a vote will be taken on every occasion regarding exclusion of the press/public.

**(d) Environmental Implications**

None

**(e) Procurement Implications**

None

**(f) Community Safety Implications**

None

**11 Consultation and communication considerations**

I have notified all Councillors that this report is on the Agenda for Planning Committee.

**12 Background papers**

None

**13 Appendices**

Appendix One Planning Enforcement Caseload (2015 to 2017)

Appendix Two – Planning Enforcement Notices served (2015 to 2017)

Appendix Three - Volume of enforcement caseload which has been taken to Planning Committee (2015 to 2017)

Appendix Four – Reasons for closure of planning enforcement investigations (2015 to 2017)

**14 Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Sarah Dyer, City Development Manager, tel: 01223 - 457153, email: sarah.dyer@cambridge.gov.uk.

**Appendix One – Planning Enforcement Caseload (2015 to 2017)**

**Planning Enforcement workload 2015**

	<b>New cases</b>	<b>Cases closed</b>	<b>Outstanding cases</b>
January	31	50	146
February	23	25	154
March	38	32	160
April	45	36	156
May	14	14	175
June	47	33	172
July	27	45	184
August	43	23	194
September	33	37	183
October	27	38	182
November	35	22	217
December	26	29	207

## Planning Enforcement workload 2016

	<b>New cases</b>	<b>Cases closed</b>	<b>Outstanding cases</b>
January	23	25	205
February	24	54	178
March	31	11	184
April	24	37	174
May	16	23	171
June	19	29	166
July	21	11	180
August	40	15	206
September	17	11	No data
October	38	9	244
November	16	3	254
December	19	43	228

## Planning Enforcement workload 2017

	<b>New cases</b>	<b>Cases closed</b>	<b>Outstanding cases</b>
January	20	39	200
February	18	6	212
March	13	30	192
April	20	3	214
May	17	3	222
June	7	1	242
July	45	7	264
August	7	16	257
September	26	18	264
October	15	18	266
November	20	19	258
December	23	11	271

## **Appendix Two – Planning Enforcement Notices served (2015 to 2017)**

### **Notices served 2015**

	<b>Enforcement Notice</b>	<b>Other notices*</b>	<b>Stop Notice/Temporary Stop Notice</b>
January	0	1	0
February	1	0	0
March	2	3	0
April	1	1	0
May	0	0	0
June	4	3	0
July	0	3	0
August	1	5	0
September	0	1	0
October	0	2	0
November	1	2	0
December	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>21</b>	<b>0</b>

\*Planning Contravention Notice/Requisition for information/Notice of intended entry/Breach of Condition/Condition of land (It should be noted at that not all Notice of Intended Entry have been recorded in the same way on Uniform)

## Notices served 2016

	<b>Enforcement Notice</b>	<b>Other notices*</b>	<b>Stop Notice/Temporary Stop Notice</b>
January	1	3	0
February	0	2	0
March	0	0	0
April	0	1	0
May	1	0	0
June	0	0	0
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	1	0
December	0	0	0
TOTAL	2	7	0

\*Planning Contravention Notice/Requisition for information/Notice of intended entry/Breach of Condition/Condition of land

## Notices served 2017

	<b>Enforcement Notice</b>	<b>Other notices*</b>	<b>Stop Notice/Temporary Stop Notice</b>
January	0	3	0
February	0	1	0
March	1	0	0
April	1	2	0
May	2	1	0
June	0	0	1
July	0	2	0
August	1	0	0
September	1	7	0
October	0	3	0
November	2	0	1
December	5	0	1
<b>TOTAL</b>	<b>13</b>	<b>19</b>	<b>3</b>

\*Planning Contravention Notice/Requisition for information/Notice of intended entry/Breach of Condition/Condition of land



**Appendix Three - Volume of enforcement caseload which has been taken to Planning Committee**

<b>2015</b>	<b>Type of notice/update</b>	<b>Address</b>
January	0	n/a
February	0	n/a
March	Enforcement Notice x 2 Prosecution (Section 215) Enforcement Notice	26 Bishops Road 49 Woodlark Road 45 Elfleda Road
April 01/04	0	n/a
April 29/04	Enforcement Notice	22 Kingston Street
June	Alternative action (caution) Enforcement Notice Oral update	49 Woodlark Road 60 Trumpington Road 22 Kingston Street
July	Update – not to serve EN Enforcement Notice	27 Babraham Road 213 Huntingdon Road
August	Amendment prior to serving EN Record of urgent action – withdrawal of EN	213 Huntingdon Road 136 Perne Road
September	0	n/a
October	Enforcement Notice	136 Perne Road
November	0	n/a
December	0	n/a

<b>2016</b>	<b>Type of notice/update</b>	<b>Address</b>
January	0	n/a
February	0	n/a
March	0	n/a
April 06/04	0	n/a
April 27/04	0	n/a
June	0	n/a
July	0	n/a
August 03/08	0	n/a
August 31/08	0	n/a
October	0	n/a
November 02/11	0	n/a
November 03/11	0	n/a

<b>2017</b>	<b>Type of notice/update</b>	<b>Address</b>
January	0	n/a
February	0	n/a
March	Enforcement Notice	49 Whitehall Road
April 05/04	Delegated authority	Citylife House
April 26/04	No further action Enforcement Notice Delegated authority	8 Richard Foster Road 69 St Thomas Square Citylife House
June	0	n/a
July	Verbal update Temporary Stop Notice	West's Garage 217 Newmarket Road
August 02/08	0	n/a
August 30/08	0	n/a
October	Breach of Condition Breach of Condition Enforcement Notice	146 Mowbray Road
November	Resubmission of previous report	146 Mowbray Road
December	Enforcement Notice Withdrawal of Enforcement Notice	17 Richmond Road 83 Searle Street

**Appendix Four – Reasons for closure of planning enforcement investigations (2016 and 2017)**

<b>Reason for closure</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Planning application approved	60	28	9
Notice complied with	1	0	1
Allowed at appeal	0	2	0
Anonymous complaint	5	0	4
No Breach/Insufficient evidence	171 + 7	113 + 5	68+1
Ceased/Removed	30 + 29	16 + 8	0
Immune from action	10	2	5
Remedied	50	39	8
Unfounded	2	3	1
Not expedient to take action	15	9	9
<b>Total cases received and decided</b>	<b>380</b>	<b>225</b>	<b>106*</b>
<b>Average time between received and decision</b>	<b>105</b>	<b>116</b>	<b>87*</b>

Excludes backlog of cases which need to be formally closed which we will shortly have the resources to tackle.