



Cambridge City Council Planning

Date: Wednesday, 25 April 2018

Time: 10.00 am

Venue: Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ

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

Agenda

1 Order of Agenda

The Planning Committee operates as a single committee meeting but is organised with a three part agenda and will be considered in the following order:

- **Part One**
Major Planning Applications
Start time: 10am
- **Part Two**
Minor/Other Planning Applications
Start time: 12.30pm
- **Part Three**
General and Enforcement Items
Start time: At conclusion of Part Two

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

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

2 Apologies

3	Declarations of Interest	
4	Minutes	(Pages 17 - 28)
Part 1: Major Planning Applications (10am)		
5	17/1372/FUL - 291 Hills Road	(Pages 29 - 78)
6	17/1757/FUL - 283 Queen Edith's Way	(Pages 79 - 124)
Part 2: Minor/Other Planning Applications (12.30pm)		
7	18/0086/FUL - 25 Hale Street	(Pages 125 - 140)
8	18/0127/S73 - 23 Baldock Way	(Pages 141 - 156)
9	18/0092/FUL - 16 Thirleby Close	(Pages 157 - 180)
10	17/2261/FUL - 45 Nightingale Avenue	(Pages 181 - 202)
11	18/0119/FUL - Pavillion, Chesterton Recreation Ground	(Pages 203 - 220)
12	18/0076/FUL - Field House, Conduit Head Road	(Pages 221 - 236)
13	17/2231/FUL - 92 Norfolk Street	(Pages 237 - 258)
14	17/2250/FUL - 20 Kinnaird Way	(Pages 259 - 272)
15	17/1615/FUL - 156-158 Mowbray Road	(Pages 273 - 296)

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

Alternates: Bird, Holland and Page-Croft

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Appendix 1 – Development Plan Policy, Planning Guidance and Material Considerations

(Updated August 2015)

1.0 Central Government Advice

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

1.2 Planning Practice Guidance (March 2014)

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

Guidance is provided in relation to the following:

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

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

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

1.4 Community Infrastructure Levy Regulations 2010

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

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

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

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

(ii) which provide for the funding or provision of that project, or provide for the funding or provision of that type of infrastructure

have been entered on or after 6th April 2010

Development Plan policy

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

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

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

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

3.0 Cambridge Local Plan 2006

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

4/1 Green Belt

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

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

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

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

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

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

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

10/1 Infrastructure improvements

Planning Obligation Related Policies

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

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

4.0 **Supplementary Planning Documents**

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

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

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

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

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

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

5.0 Material Considerations

5.1 City Wide Guidance

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

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

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

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

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

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

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

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

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

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

The strategy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5.2 Area Guidelines

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

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

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

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

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

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

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

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

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

Historic open space guidance.

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

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

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

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

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

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

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

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PLANNING

7 March 2018

10.00 am - 3.20 pm

Present:

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

Officers:

City Development Manager: Sarah Dyer

Principal Planner: Nigel Blazeby

Principal Planner: Lorraine Casey

Principal Planner: Sav Patel

Principal Planner: Toby Williams

Senior Planner: Charlotte Burton

Senior Planner: Michael Hammond

Senior Planner: Adam Bridgeman

Planner: Rob Brereton

Legal Advisor: Rebecca Williams

Committee Manager: Sarah Steed

Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL

18/43/Plan Apologies

No apologies were received.

18/44/Plan Declarations of Interest

No declarations of interest were made.

18/45/Plan Minutes

The minutes of the meeting held on 7 February 2018 were approved as a correct record and signed by the Chair.

18/46/Plan 16/2012/S73 - Station Area Redevelopment (Blocks C1, C2, D1 and F1)

The Committee received a Section 73 application.

The application sought approval to remove condition 33 of permission 13/1041/S73 (noise levels in external leisure/amenity areas).

The Officer referred to additional third party representations contained in the amendment sheet.

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

The representation covered the following issues:

- i. Solutions to mitigate noise levels had not been looked at.
- ii. In June 2016 his family enjoyed a summer on the private balconies, in late 2016 the road opened to traffic and he has not been able to spend time on the private balcony.
- iii. Noise levels were 4 times larger than those recommended by the World Health Organisation. These were very serious noise levels.
- iv. The developer was seeking to remove a condition that they never intended to comply with.
- v. The balcony was an important part of the flats floor space.
- vi. Will lose a massive quality of life and potentially reduced value of the flat.

Colin Campbell (Applicant's Agent) addressed the Committee in support of the application.

Ann Sinnott (Petersfield Ward Councillor) addressed the Committee about the application:

- i. She was struck by the difference between what the Objectors had said and what the Applicant's Agent had said.
- ii. Despite what the guidelines said the road was incredibly narrow and noise levels were dreadful.
- iii. Could not understand why the advice of the Environmental Health Officer was disregarded, they stated that further information was required and advised that winter gardens should have been in place.
- iv. The request for the condition to be lifted pre-supposed that the noise issue would not change but the noise in the area would only get worse.
- v. The condition should remain.

Richard Robertson (Petersfield Ward Councillor) addressed the Committee about the application:

- i. When residents bought and moved into the properties it was with the benefit of condition 33 and the balcony being an amenity space.
- ii. Outdoor noise levels were not to exceed 60db.
- iii. Rejected the contention that balconies did not form part of the amenity space. They were large enough to be used as an amenity space and were used as such.
- iv. Turning the balcony into a winter garden would be inappropriate. Acoustic barriers could be fitted and have the same mitigating effect.
- v. The developer had chosen to do nothing.
- vi. During pre-application discussions there was a formal response regarding careful acoustic mitigation to achieve 50db limit but this was not incorporated into the design.
- vii. The British standard had been addressed by Environmental Health Officers but this should be designed to the lowest practical level.
- viii. The developer could lay particular tarmac down which created less noise and the speed bumps could be changed.
- ix. The amenity space behind the flats was public open space this was different to amenity space provided by the balcony.
- x. Mitigation measures did exist and there should be a condition requiring an acoustic panel in the balcony if the application was approved.
- xi. An increase in noise from 50-60db was a 200% increase.
- xii. Referred to a planning appeal decision where the inspector thought an unacceptable noise environment was dependant on not opening windows.
- xiii. Requested a deferral for the Committee to consider the planning appeal decision and also questioned if the correct people were notified as the number of residences notified of the application was limited to 3 or 4 residencies in Northern Road.

The Committee:

Decided not to defer the application as Cllr Robertson had suggested as it was a long standing application already.

Resolved (unanimously) to refuse the application contrary to the officer recommendation for the following reasons:

Condition 33 should not be removed because this would result in the continued harmful noise levels having an adverse effect on the amenity of the occupants of the existing flats contrary to Cambridge Local Plan (2006) policy 4/13.

18/47/Plan 17/1550/FUL - Jupiter and Leda House

The Committee received an application for full planning permission.

The application sought approval for the demolition of Jupiter House and Leda House and the construction of a single new office building comprising 14,274sqm (GIA) of Class B1(a)/Class B1(b) floorspace with a single basement providing 98 car parking spaces and 482 cycle parking spaces at ground level. A 'pocket park' is to be formed between the building and the boundary with Kett House.

The Officer referred to the amendments contained within the amendment sheet. The Officer provided a verbal update on a further representation received from the owner/occupier of No. 30 Lyndewode Road regarding transport mitigation and provided informal advice from the Highways Authority in response

Mike Derbyshire (Applicant's Agent) addressed the Committee in support of the application.

Richard Robertson (Petersfield Ward Councillor) addressed the Committee about the application:

- i. Expressed concern regarding the impact of the development on the area surrounding building.
- ii. The growth at the station was much higher than expected compared to when the CB1 development was initially granted outline permission.
- iii. Every application which came on the back of the original outline permission was bigger and wider.
- iv. It wasn't just vehicular traffic which needed to be assessed but also cycle and pedestrian traffic.
- v. Reference was made to controlled pedestrian crossings in the transport assessment but these did not exist.
- vi. There had been no mention of Great Northern Road which took traffic without pedestrian crossings.
- vii. Requested a cumulative impact assessment of the whole area.

The Committee:

Resolved (unanimously) to approve the application in accordance with the officer recommendation subject to Planning Committee being satisfied as to the adequacy of transport mitigation measures.

18/48/Plan 17/2258/S73 - AstraZeneca, 1 Francis Crick Avenue

The Committee received a Section 73 application.

The application sought approval to vary condition 26 of 17/0850/S73 for the Cambridge Biomedical Campus development to allow a variation in construction working times for the AstraZeneca development only. The proposal is to extend specific limited works for internal construction working hours from the currently approved 07:30 to 18:00 Monday to Fridays, 08:00 to 13:00 on Saturday and at no time on Sundays, Bank or Public Holidays to the amended times of 07:00 to 20:00 Monday to Friday, 07:00 to 16:00 on Saturdays and 07:00 to 16:00 on Sundays and Bank or Public Holidays, for specific works only.

The Committee:

Resolved (unanimously) to grant the Section 73 application in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

18/49/Plan 17/2192/FUL - Mill Road Depot

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing buildings and structures on the site.

The Officer updated the Committee that since the publication of the report the Ecology Officer had requested a condition for a bat survey to be carried out prior to the demolition of the Coach House.

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

The representation covered the following issues:

- i. Raised concerns regarding the demolition of the Coach House. Asked that condition 4 be amended so the Coach House was demolished by hand, and not mechanical means, as this would result in damage to Kingston Street properties which would be a civil matter.

Andy Thompson (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Resolved (unanimously) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers with the following additional informatives:

1. New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).
2. The applicant shall ensure all building material following demolition is sustainably disposed either by being reused on or off site where possible or sent to be an approved waste handling contractor to be recycled in order to reduce waste being sent to landfill.
3. Notwithstanding the collection/delivery hours specified in Condition 3 the submission of a Traffic Management Plan under Condition 10 shall specify hours during which material shall be removed from the site to ensure that the impact of heavy vehicle movements on Mill Road is reduced as far as practicable.

18/50/Plan 17/1019/FUL - 560 Newmarket Road

The Committee received an application for the change of use of the existing dwelling to two flats including extensions to the building and front cycle and bin storage structures. Permission is also sought for the erection of a one bedroom bungalow in the rear garden.

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

The representation covered the following issues:

- i. The speaker lived near 560 Newmarket Road and was speaking on behalf of local residents.

- ii. Expressed the following concerns:
 - a. Plans for the bungalow would:
 - 1. Lead to over development of site.
 - 2. Set a precedent for buildings in the area.
 - b. Shared access of the locked gate would lead to safety and security concerns.
 - c. Impact of the development on neighbour's amenities eg privacy. Trees could help mitigate this but would lead to loss of light and sense of enclosure.
 - d. Existing parking and access issues would be exacerbated.

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

The Committee Manager read a statement to the Committee about the application from Councillor Johnson (Abbey Ward Councillor).

The representation covered the following issues:

- i. Objected to the proposal in his capacity as Ward Councillor.
- ii. There was likely to be overshadowing of adjoining properties, contrary to Local Plan policy 3/14.
- iii. The proposed changes to the frontage would create a negative impact on the streetscape and character of the area, contrary to Local Plan policies 3/12 and 3/14.
- iv. There was likely to be a loss of residential amenity (eg fear of overlooking) contrary to Local Plan policy 3/10.
- v. Concerns about noise and parking arrangements.
- vi. Impact on the ability of current residents to maintain existing properties.

The Committee:

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

Refuse the application contrary to the officer recommendation for the following reasons:

Resolved (by 5 votes to 2)

- 1. The cumulative impact of the proposed ground floor extensions and bungalow would result in an overdevelopment of the site by virtue of the

excessive footprint and resulting massing. As a result the proposal would detract from the prevailing character and appearance of the area, contrary to policies 3/4, 3/10 and 3/12 of the Cambridge Local Plan (2006).

Resolved (by 6 votes to 1)

2. The cumulative impact of the proposed ground floor extensions and bungalow would result in inadequate external amenity space for future occupants and poor pedestrian and vehicular access arrangements for occupants of the bungalow by virtue of its backland location. For this reason the proposal would fail to provide a satisfactory quality of living environment and standard of amenity for future occupiers. As such it is contrary to policies 3/7, 3/10, 3/12 and 5/2 of the Cambridge Local Plan (2006).

Resolved (by 5 votes to 2) not to include living space or conversion of dwelling into flats (ref policies 3/7 and 5/2) as reasons for refusal.

18/51/Plan 18/0031/FUL - 51 George Street

The Committee received an application for full planning permission.

The application sought approval for erection of a terrace of three, two and a half storey dwellings following the demolition of the existing property and associated works.

The Committee received a representation in objection to the application from a resident of George Street.

The representation covered the following issues:

- i. The development would exacerbate existing parking issues.
- ii. The light study was misleading and a lot would be lost in summer.
- iii. Expected overlooking from the development into rear neighbours' homes and gardens.
- iv. Loss of amenity and privacy.
- v. The building would be 3 storeys in effect and so taller than neighbours.
- vi. Expected security concerns.

Mr Robinson (Applicant's Architect) addressed the Committee in support of the application.

The Committee:

Resolved (by 6 votes to 0) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

18/52/Plan 17/2090/FUL - Moghul Tandoori, 182 Sturton Street

The Committee received an application for change of use of ground floor from a takeaway to a single dwelling, including changes to the external envelope and erection of outbuilding.

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

The Committee:

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

18/53/Plan 17/1926/FUL - 8 & 8A Oak Tree Avenue

The Committee received an application for full planning permission.

The application sought approval for demolition of 8 and 8A Oak Tree Avenue and erection of two dwellings.

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

The representation covered the following concerns:

- i. Overlooking and overshadowing.
- ii. The impact of construction traffic in the area.
- iii. The amount of (construction) time to demolish the old buildings and put in new ones.
- iv. The impact of the development on neighbours' access, amenities and sewerage arrangements.
- v. The area needs redevelopment, but residents had concerns about the design of this application.

- vi. The plans were unclear so residents had queries about the proposed room uses and quality of materials.

The Committee:

Resolved (by 7 votes to 0) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers. It was agreed that through the discharge of the landscape conditions officers would seek some planting to the front of the site subject to further consideration of the character of the area.

18/54/Plan 17/2211/FUL - 42 Birdwood Road

The Committee received an application for full planning permission.

The application sought approval for a single storey extension, alterations and change of use to 6-bed House in Multiple Occupation (HMO) sui generis.

The Committee:

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

18/55/Plan 17/1518/FUL - 15 Fontwell Road

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing dwelling and garage, and erection of a one-and-a-half storey 5-bed dwelling and garage.

The Committee:

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

18/56/Plan 17/2093/FUL - 190-192 Mill Road and 2B Cockburn Street

The Committee received an application for full planning permission.

The application sought approval for extensions and reconfiguration works to the existing buildings to provide 10 residential units (net increase of 7 units compared to existing), including bin and cycle storage.

The Committee:

Resolved (by 7 votes to 1) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

The meeting ended at 3.20 pm

CHAIR

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Application Number	17/1372/FUL	Agenda Item	
Date Received	8th August 2017	Officer	Charlotte Burton
Target Date	7th November 2017		
Ward	Queen Ediths		
Site	291 Hills Road Cambridge CB2 8RP		
Proposal	Residential development containing 15 flats comprising 8 x 2-bed units and 7 x 1-bed units, along with access, car parking and associated landscaping following demolition of the existing buildings		
Applicant	Gibson Developments Ltd		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would provide 15 residential units within the city to contribute to meeting demand.</p> <p style="padding-left: 40px;">The proposal would be a high quality contemporary design which respects its context in terms of scale and massing, form and materials.</p> <p style="padding-left: 40px;">The proposal would not significantly harm the residential amenity of neighbouring properties.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site comprises No. 291 Hills Road which is a detached property within a generous plot on the north western corner of the junction with Queen Edith's Way, also known as 'Raylands' The existing property is a substantial Edwardian building currently in use as a single dwellinghouse. Hills Road forms a major route into the city. The character of this part of Hills Road is predominantly residential.

1.2 The existing dwelling is not a Listed Building and is not a Building of Local Interest. The site is not within a conservation area. There is a tree preservation order on the site which covers 11 trees on the southern and northern sides. The site is outside the controlled parking zone and the air quality management zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

2.1 The proposal is for residential development containing 15 flats comprising 8 x 2-bed units and 7 x 1-bed units, along with access, car parking and associated landscaping following demolition of the existing buildings.

2.2 During the course of the application, the scheme was revised to respond to comments from consultees and third parties. The footprint, form and roof profile was amended. The revised application also involved some of the 2-bed units becoming 1-bed units, and as such the description of development was updated.

2.3 The proposed building would take the form of two 'villas' with a glazed link. The 'villas' would be predominantly two storeys with a pitched roof storey above. There would be lower one-and-a-half and two storey elements on the northern and eastern sides. The design includes recessed balconies, roof terraces and green roofs, as well as mock chimney stacks and a projecting 'turret' of balconies on the south west corner. The materials would be red/brown brick with hung tiles and glazing.

2.4 The proposal includes an underground car park with 15 spaces and cycle store providing 26 spaces. Vehicular access would be via Queen Edith's Way and a pedestrian/cycle access taken from the existing access off Hills Road. A covered ramp would provide access into the basement, with a separate cycle and pedestrian entrance. A bin store is provided on Queen Edith's Way.

2.5 The landscaping scheme includes the retention of 11 mature trees on the site and replacement planting on the boundaries. The site would be laid out to provide informal communal spaces around the building. A wire grid for climbing plants is shown on the northern elevation.

3.0 SITE HISTORY

3.1 The planning history comprises:

Reference	Description	Outcome
C/90/0371	CHANGE OF USE (FROM RESIDENTIAL DWELLING HOUSE (C3) TO GUEST HOUSE (C1)).	Withdrawn
C/65/0515	Erection of detached house or bungalow with garage	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 3/8 3/11 3/12 4/3 4/4 4/9 4/13 5/1 5/10 5/14 8/2 8/6 8/10 10/1

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</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>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p>

	<p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
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5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

28.07.2018 – comment on original proposal

- 6.1 The car park layout is extremely constrained. Recommend conditions for unbound material, removal of permitted development rights for gates, construction specification, access drainage, visibility splays, access and manoeuvring areas, removal of redundant vehicle crossover, and construction traffic management plan.

09.02.2018 - Comment on revised scheme

- 6.2 No further comment to make. Previous comments apply.

Environmental Health

22.08.2018

- 6.3 No objection subject to conditions on construction hours, collection during construction, piling, dust and noise insulation.

Refuse and Recycling

Comment on revised scheme

- 6.4 Capacity of recycling bins is fine. Suggest 360l for food waste as the garden is communal. Bin store is within 10m. Paths from the collection point to the bin stores are level and have no gravel, there must be a drop kerb at the collection point. If there are going to be locks on the bin store door they must be FB2 or Star key locks. All doors must have door hooks so they can be kept open whilst collection is taking place.

Urban Design and Conservation Team

07.09.2018 – comment on original scheme

- 6.5 Objection. The Arts and Crafts style of the existing building should be used to inform a more appropriate design response on this site. The cycle storage is not well resolved.

02.03.2018 - Comment on revised scheme

- 6.6 Whilst many of the issues have been resolved in design terms, there still remain a number of areas where clarification is needed:
- Glazing on the link should be obscure on the northern elevation facing No. 289 Hills Road.
 - Details of rooftop plant should be submitted to fully assess impact in roof in the linked element.
 - Clarification on window sizes on second floor and clarification on full height kitchen windows to Flat 3, 6 and 9.

Tree Officer (Streets and Open Spaces team)

08.09.2018

6.7 Objection.

The site occupies a prominent corner location on a major route into the city. The site is well treed and this contributes significantly to the, albeit dwindling, verdant character of the road. The Hills Road Tree Preservation Order (TPO) protects a number of trees on site but as the TPO dates back to 1979, it is not an accurate representation of the current tree stock. A number of TPOd trees have been lost and trees that are currently of value are not protected. The Hills Road TPO is being varied to remove the trees on 291 Hills Road from its protection but a new TPO is being created simultaneously to provide protection.

A tree survey has been carried out and forms part of the application submission, the qualitative and quantitative details of the survey are broadly accepted and, due to quality and/or limited amenity value there are no formal objections to the tree removals proposed, subject to appropriate replacement planting. The landscape masterplan suggests replacement species which are all considered to be appropriate trees as they will reach a reasonable size at maturity and help to maintain the site's contribution to arboricultural amenity.

I have concerns that the proximity of the proposed building to large trees will result in future pressure to manage/remove trees to improve light and reduce leaf litter etc. I also have concerns that there is a lack of space for construction without materially impacting on trees' above and below ground constraints. There are significant level changes within the site and it is not clear how the proposed no dig surface will be achieved. Drainage proposals show surface water drainage within the root protection area of the large Copper Beech. It is not clear if the basement can be excavated and walled without impacting on the canopy of neighbouring trees.

03.04.2018 – comment on revised plan and additional information

6.8 No objection. Further to the receipt of information clarifying levels, surface water drainage and basement construction, I am satisfied

that retained trees can be protected throughout development. I am also satisfied that the site's long-term contribution to the verdant character of the area will be maintained through proposed replacement planting. Recommend conditions for tree protection plan and implementation.

Landscape Architect (Streets and Open Spaces team)

13.02.2018 – comment on revised plans

- 6.9 No objection. Recommend conditions for hard and soft landscaping scheme, boundary treatments, and landscape maintenance and management plan.

Walking and Cycling Officer (Streets and Open Spaces team)

23.08.2017 – comment on original scheme

- 6.10 Objection. The 26 spaces and 4 visitor spaces does not meet the Council's adopted standards. The 'secure enclosure' to the rear of the building is not in a convenient location. There is not detail of how the spaces will be made secure and there appears to be no aisle width to allow access to the spaces. The ramp to the basement is proposed as 1:10 which is too steep as set out in the City Council's 'Cycle Parking Guide for New Residential Developments' which states that ramps should not exceed a gradient of 1:14. There is no detail of the access entrance into the basement for cyclists.

Cambridgeshire Constabulary (Designing Out Crime Officer)

11.08.2018

- 6.11 No objection.

Further comment on revised plans

- 6.12 Acceptable layout. Good access control to the building and basement and suitable exterior lighting will be particularly relevant covering the parking and cycle storage areas which could perhaps be conditioned.

Cambridge Past, Present and Future

Comment on initial proposal

- 6.13 Recommend refusal. Serious concerns about the justification for the demolition of the existing building, the appropriateness of the design and scale of the replacement proposal and concerns about the impact to the site's ecology, trees and wildlife.

Senior Sustainability Officer (Design and Construction)

Initial comment

- 6.14 No objection. Recommend conditions for renewable energy implementation and water efficiency. Revised roof plan showing photovoltaic panels is required.

Comment on revised plans.

- 6.15 Revised roof plan showing the indicative location of the proposed photovoltaic panels is supported.

Cambridgeshire County Council (Lead Local Flood Authority)

Initial comment

- 6.16 No objection subject to condition for surface water drainage scheme and maintenance arrangements.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

03.10.2017 – initial comment

- 6.17 Objection. Sufficient surface water drainage details have not been submitted.

02.03.2018 – comment on additional information

- 6.18 No objection. Recommend condition for detailed surface water drainage scheme to be submitted and implemented.

Environment Agency

6.19 No objection. Refer to Flood Risk Standing Advice

Anglian Water

Comment on initial submission

6.20 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable, therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). Recommend a condition for a drainage strategy.

Cambridgeshire County Council (Archaeology)

6.21 No objection subject to condition for site investigation.

Developer Contributions Monitoring Officer

6.22 Please see Section 8 of the report below.

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

7.0 REPRESENTATIONS

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

- 201 Hills Road x2
- 209 Hills Road
- 217 Hills Road
- 224 Hills Road
- 234 Hills Road
- 238 Hills Road
- 248 Hills Road x2
- 250 Hills Road
- 251 Hills Road
- 253 Hills Road
- 256 Hills Road
- 265 Hills Road
- 267 Hills Road
- 269 Hills Road x2
- 271 Hills Road
- 272 Hills Road
- 276 Hills Road
- 277 Hills Road
- 278 Hills Road x2
- 282 Hills Road
- 284 Hills Road
- 287A Hills Road

- 288 Hills Road
- 289 Hills Road
- Annexe Rear Of 289 Hills Road
- 292A Hills Road
- 292B Hills Road
- 295 Hills Road
- 296 Hills Road
- 297 Hills Road
- 300 Hills Road
- 301 Hills Road
- 302 Hills Road
- 303 Hills Road
- 15 Almoners Avenue
- 2 Babraham Road
- 24 Baldock Way
- 21 Bowers Croft
- 2B Cavendish Avenue
- 4A Cavendish Avenue
- 13 Cavendish Avenue
- 3 Corfe Close
- The Bike Depot, 140 Cowley Road (Camcycle)
- 1 Dean Drive
- 2 Dean Drive
- 46 Fendon Road
- 6 Flamsteed Road
- 30 Glebe Road
- 16 Grantchester Road
- 24 Grantchester Road
- 53 Hamilton Road
- 14 Hartington Grove x2
- 21 Hartington Grove
- 77 Hartington Grove
- 13 Hinton Avenue x2
- 33 Hinton Avenue
- 10 Hills Avenue
- 19 Hills Avenue
- 54 Hills Avenue
- 41 Holbrook Road
- 61 Holbrook Road
- 64 Holbrook Road
- 68 Holbrook Road
- 70 Holbrook Road
- 71 Holbrook Road
- 81 Holbrook Road
- 83 Holbrook Road x2
- 25 Knightly Avenue
- 2A Long Road
- 2B Long Road
- 7 Luard Close
- 8 Luard Road
- 53 Marshall Road
- 30 Millington Road
- 30 Owlstone Road
- 26 Panton Street
- 1A Queen Edith's Way
- 8 Queen Edith's Way
- 10 Queen Edith's Way
- 12 Queen Edith's Way
- 17 Queen Edith's Way
- 19 Queen Edith's Way
- 23 Queen Edith's Way
- 26 Queen Edith's Way
- 97 Queen Edith's Way
- 137 Queen Edith's Way
- 222 Queen Edith's Way
- 234 Queen Edith's Way
- 236 Queen Edith's Way
- 22 Rock Road
- 31 Rock Road
- 38 Rock Road
- 60 Rock Road
- 61 Rock Road
- 67 Rock Road
- 68 Rock Road
- 18 Rustat Road (Rustat Neighbourhood Association)

- 2 Saxon Street
- 15 Sedley Taylor Road
- 35 Selwyn Gardens
- 1 Spalding Way
- 16 St Edwards Passage
- 16 St Marks Court x2
- 83 Tenison Road
- 9 Wilberforce Road
- 2 Willis Road
- 1 Pearson Court, Milton
- 13 Wheelers, Great Shelford
- 13 Forster Road, London

7.2 The representations can be summarised as follows:

Principle of development

- Demolition of existing dwelling unjustified in terms of loss of family house and building of architectural merit and historic interest. Would set a precedent for further demolition. The existing dwelling should be retained and refurbished. There is precedent for this within the area. Carbon impact of demolition is unsustainable
- Would increase the overprovision of the number of flats in the area which do not meet housing need for family homes. The specification of the proposed flats makes them unlikely to be occupied by families.
- Likely to be owned by non-residents for rental income or used for holiday lets, London commuters or remain unsold/empty. Changing the nature of the residents from those with a long term interest in the community to short term tenants
- Lack of affordable housing/ housing for key workers. Existing should be converted to flats or hostel for multiple occupancy, including key workers
- Demand for housing in the city may have reduced following Brexit.
- Other areas of the city have been identified for housing and are more suitable.
- Example of developer greed

Response to context

- Overdevelopment and excessive density
- Imposing bulk that will dominate the corner and respond poorly to the junction.
- Would create poor gateway into the city
- Dour grey-brown brick walls and large areas of glazing. Inappropriate glazed balustrades. Windows out of keeping.
- Proposed building out of character and unimaginative
- Change from suburban character to urban
- Need to consider cumulative impact of contemporary development. There has been no meaningful democratic discussion on the change in the character of Cambridge's suburbs
- The applicant's examples of contemporary buildings in the area are inappropriate
- Loss of mature trees and verdant character along Hills Road
- The revised proposal has not gone far enough to overcome concerns

Residential amenity

- Overbearing and overlooking annex to the rear of 289 Hills Road and light from the glazed link
- Inconvenience to No. 289 from increased traffic. Overbearing and enclosing impact on No. 289. Loss of light to windows serving habitable rooms at ground, first and second floors. Overlooking and perception of overlooking due to proximity of windows, roof garden and balconies
- Plans showing No. 289 are inaccurate and do not show the separate annex at the rear

Trees and landscaping

- Insufficient outside space for the future occupants
- Lack of play space for children
- Poor landscaping scheme
- Erosion of garden space and increase in hard surfacing
- Pressure to prune existing and replacement trees
- Impact of basement digging on tree roots
- Inadequate replacement planting
- Management of communal landscaped areas

Environmental impacts

- Impact on biodiversity (hedgehogs, birds, newts, deer and foxes). Ecological impact of felling mature trees. Impact of lighting bats that roost in trees
- Basement digging would raise the water table and lead to structural instability.
- Impact of loss of trees on noise and pollution, and climate change.
- Health impact from loss of trees, including for asthma sufferers

Transport impact

- Increased traffic congestion on busy road from increase in residents and deliveries etc.
- Impact on junction from creation of new access and dangerous manoeuvres for vehicles exiting the site. Highway safety issues and increase in accidents. Danger to cyclists.
- Refuse lorries will block traffic and lead to highway safety issues due to increase in number and volume of bins.
- Highway safety issues from removal vans parked on double yellow lines
- Increase in noise and air pollution from traffic. No air quality assessment has been undertaken. Air quality of future occupants using balconies.
- Cumulative impact of traffic generated from nearby developments needs to be considered. Traffic survey should be undertaken at the junction taking account of planned developments.
- Strong case to reduce the number of car parking spaces on the site to minimise transport impact.
- Increased pressure on on-road parking spaces on nearby streets
- Disruption to local highway network during construction

Cycle parking and bin storage

- Insufficient cycle parking
- Basement cycle parking is inconvenient and located furthest away from ramp and access core.

- Stepped ramp into the basement cannot be used with tricycles nor most types of adapted cycles for persons with disabilities. Several ground floor secure and covered cycle parking spaces should be provided
- Discrepancy on plans showing wheeled ramps on both sides of ramp
- Insufficient bin store which is in appropriately located and will bring unwanted odours in the street

Other matters

- Boundary wall issues with annex to the rear of 289 Hills Road
- Impact of structural stability on neighbouring properties resulting from basement digging
- Inaccurate plans
- Problems with the Council's consultation website during the consultation period

7.3 Councillor Page-Croft has called-in the application on the following grounds:

- Demolition of the existing building
- Poor response to context
- Short supply of family housing in this party of the city
- Traffic and highway safety
- Over-development of the site
- Flooding problems
- Loss of trees
- Impact of basement on tree roots
- Loss of biodiversity and climate change mitigation

7.4 Councillor Pippas has also called-in the application on the following grounds:

- Overlooking causing loss of privacy
- Density is too great

7.5 The Hills Road Area Residents Association and the Queen Edith's Way Residents Association have submitted multiple joint representations and reports objecting to this proposal. Their objections are summarised within the comments above.

7.6 A petition was received on the original proposal for a Development Control Forum (DCF) which was submitted by the lead petitioner from 289 Hills Road with 25 signatories objecting to the proposal. The DCF was held on 11 October 2017. The petitioners' grounds for requesting the DCF can be summarised as follows:

- Out of character and adverse impact on the character and appearance of the locality due to the scale, massing and appearance;
- Overlooking and loss of privacy from windows, balconies and roof gardens towards neighbouring properties;
- Overbearing and domineering impact;
- Proximity to the junction and impact on local highway network;
- Further provision of flats when there is an unmet need for family homes and affordable housing

7.7 The owner/occupier of the following addresses have submitted neutral or supportive comments:

- 299 Hills Road

7.8 The representation can be summarised as follows:

- Should not be afraid of progress
- Clearance of overgrown weeds and neglected trees will be an improvement;
- Having an exit further away from the junction will be an improvement;
- Some noise and traffic during construction.

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

8.0 ASSESSMENT

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. Housing Mix / Affordable Housing
3. Context of site, design and external spaces
4. Disabled access
5. Residential amenity
6. Refuse arrangements
7. Transport Impact
8. Highway safety
9. Car and cycle parking
10. Trees
11. Ecology
12. Surface water drainage
13. Renewable energy and sustainability
14. Third party representations
15. Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 The existing property is not a Listed Building and is not within a conservation area. The demolition of the existing building would be permitted development under Class B, Part 11, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), subject to prior approval from the local planning authority as to the method of demolition and any proposed restoration of the site. Thus, the principle of demolition cannot be resisted and therefore is acceptable in principle.
- 8.3 Policy 5/1 of the Cambridge Local Plan (2006) supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area, and therefore I consider that additional dwelling units on this site could be supported. The principle of development is therefore acceptable.

Housing Mix / Affordable Housing

- 8.4 The proposal is for 15 units which constitutes a net increase in the number of residential units on the site of 14. The site area is 0.20ha. Thus the proposal does not trigger the requirements for affordable housing contributions and is compliant with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).

- 8.5 Third parties have objected to the proposed flats rather than family housing and the loss of the existing dwelling. Cambridge Local Plan (2006) policy 5/10 requires housing development on sites of 0.5ha or more, or capable of accommodating 15 or more dwellings to provide a mix of dwelling sizes, measured in the number of bedrooms. The policy does not specify the mix but explains that this will be dictated by the character of the area, site characteristics, and the market and housing need will dictate the mix on different sites. For the reasons given in this report, I consider the site to be suitable for the proposed development.
- 8.6 The supporting text to policy 5/10 explains that the purpose is to create mixed and inclusive communities offering a choice of housing and lifestyle. The proposed mix provides both 1 and 2-bed flats which are suitable for a range of occupiers, including individuals, couples, small families or small house-shares. The surrounding area is characterised by detached family houses, however there are examples of flatted developments and subdivision of family houses. In my opinion, the proposal would complement rather than contrast with the existing housing stock to achieve a mix of dwelling types within the area in accordance with the aims of policy 5/10.
- 8.7 Third parties have raised concerns that there is evidence of over-provision of flats within the area with several recent flatted developments standing empty. The Council has no evidence to suggest that there is no demand for the proposed 1- and 2-bed units, notwithstanding that there are many reasons for properties to appear vacant. The occupancy of any property by commuters or renters is outside of planning control, and therefore this is not relevant to my assessment. Concerns have been raised about the use of the properties for holiday or short-term lets, and the Council has powers to take enforcement action where there is an unlawful change of use from a single dwelling to an alternative use.
- 8.8 In my opinion, the diversification of the housing types within the area from predominantly detached houses to include smaller properties would enhance the community rather than detract from the area, in accordance with the aims of policy 5/10.

Context of site, design and external spaces

Response to context

- 8.9 The site occupies a prominent position on the busy Hills Road junction, which is a main route into the city. The site has frontages onto Hills Road and Queen Edith's Way which are both predominantly residential, albeit the latter has a more suburban character. Hills Road is the subject of the 'Cambridge Suburbs and Approaches: Hills Road' (March 2012) study which provides an overview of the character of the area. However this document has no statutory status and should only be used as a starting point for a wider assessment of the character of the area, which also takes account of recent developments on both Hills Road and Queen Edith's Way.
- 8.10 The site currently has a verdant character dominated by mature trees and planting along the frontages and within the site. The existing dwelling is largely screened from view, as are the neighbouring properties along this side of Hills Road. The site is overgrown, however the existing vegetation contributes to the 'bosky' character of this part of Hills Road, and is important for setting the character of the road as it moves northwards into the city. However, the Suburbs and Approaches study highlights the recent development of three dwellings on the opposite side of the junction which are more visible behind boundary planting and more prominent in views from the junction.
- 8.11 The existing dwelling – known as 'Raylands' – is a redbrick detached Edwardian villa which is characteristic of this part of Hills Road. To the north of the junction, the character of Hills Road is set by large detached or semi-detached villas dating from the early decades of the 20th century. Building styles and materials vary considerably although render and brown/red brick with a tiled roof is perhaps the most common combination, but used in a variety of architectural approaches from more historical styles to Arts and Crafts. However, there has been some later infilling or redevelopment, notably on the northeast side – which are interspersed between the villas.
- 8.12 Queen Edith's Way is characterised by detached properties usually dating from later than the villas on Hills Road. There is arguably less consistency in design than on Hills Road and, again, there are examples of infill development. There are

examples of higher density flatted developments - Dean Court and Wessex Court – as well as Editha House. Contemporary designs have been supported within the immediate vicinity including 6 no. dwellings at Nos. 3-5 Queen Edith's Way (16/2135/FUL) which was approved in June 2017.

8.13 While I accept that the existing building is characteristic of this part of Hills Road and that there is local support for retaining the building, the demolition of 'Raylands' cannot be resisted in planning terms for the reasons I have given in paragraph 8.2. I must assess the proposed design on its own merits. The proposal was revised significantly during the course of the application to respond to comments from the Urban Design team that the original proposal failed to respond positively to the character of the area. I do not intend to rehearse the criticisms of the original scheme, but rather to discuss the ways in which the current proposal responds positively to the character of the area

- *Layout*

8.14 The revised proposal is for two linked 'villas'. The building has been set back into the site, retaining a similar building line on Hills Road and Queen Edith's Way, albeit with a projecting gable and 'turret' element on the south western corner. In terms of access, the proposal addresses both frontages. The existing vehicle access from Hills Road would become a pedestrian and cycle access, and a new access would be created from Queen Edith's Way, similar to other accesses along this road. There is open space for landscaping around the building so that it would not appear a cramped form of development and does not represent over-development of the site in visual terms, in my opinion.

- *Scale and massing*

8.15 The 'villas' would be separated by 9.4m with the linking element recessed between 14.4-16.5m from the frontage. The use of glazing on the front elevation of the link with a void behind would ensure this element is visually light weight. The 'villas' themselves would have slightly longer frontages than the neighbouring traditional properties, however they would be further broken down with projecting elements and the pitched roof forms. Overall, this approach successfully breaks down the

scale and massing of the building into separate elements that respond to the pattern of villas along this part of Hills Road and Queen Edith's Way.

8.16 The applicant's Design and Access Statement Addendum submitted with the revised plans provides a comparison of the height of the building with the existing and neighbouring dwellings, showing the proposal would be lower than these. The building steps down to one-and-a-half storeys on the eastern side which forms a transition to the bungalow at No.1a Queen Edith's Way. The applicant has confirmed there would be no lift overrun above the glazed link, in response to the Urban Design team's comments, and this is not shown on the proposed drawings. I consider the height to be appropriate.

- *Design and materials*

8.17 The revised 'linked villas' design has taken cues from the character of the traditional villas and reinterpreted this in a contemporary design. The applicant's Design and Access Statement Addendum describes the influences that have been used from the surrounding area. In particular, the pitched roof forms, the chimney stacks and the corner bay balcony feature. The use of red/brown brick would be similar to those approved at Nos.3-5 Queen Edith's Way, while the use of hung tiles on the roof scape would be a contemporary use of a traditional material that is prevalent along Hills Road. The glass balustrades have been amended to metal on response to comments from the Urban Design team and third parties. I have recommended a condition for materials samples to be submitted for approval.

- *Landscaping*

8.18 The proposal retains significant tree planting along the frontages, which maintains the verdant character of the site and the junction, and partially screens the proposed building. I am satisfied that the important trees of highest amenity value can be retained for the reasons set out in the section below. The site is currently overgrown and in my opinion, a maintained landscaping scheme would enhance the appearance of the site. I note the concerns from third parties regarding the landscaping scheme and maintenance of communal areas, however the

Landscape Architect supports the landscaping scheme and details could be secured through the recommended conditions.

- *Summary*

8.19 Design is a subjective matter and I appreciate that there is substantial local opposition to the design of the proposal. My opinion is that the building represents a high quality design, which is supported by the Urban Design Team and Landscape Architect, and would respond positively to the context. The proposed building is a contemporary design, rather than a 'pastiche' of the Edwardian style, however it respects its context in terms of the scale and massing, the contemporary 'linked villas', the materials and landscaping.

Movement and Access

8.20 The site would have accesses from both Hills Road and Queen Edith's Way, which link to the main entrances to the units on both frontages. The bin store would be located close to the main entrances and in a convenient location near to the public highway for collection. Cycle parking would be provided within the basement along with the car parking spaces. The vehicular access to the basement parking would be 3.5m wide with 1.5m wide shallow stepped access for cycles with wheeling ramps to both sides. There would be internal accesses from the basement into the core of the building and a separate stepped pedestrian entrance alongside the vehicular ramp.

8.21 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Disabled access

8.22 The proposal includes a lift within the central atrium which provides access to all units. One of the units is identified as 'accessible' and a disabled car parking space is provided at ground level close to the main entrance. The proposal provides good accessibility for disabled users in my opinion, and is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 in this respect.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.23 The neighbouring properties are No.289 Hills Road and the separate annex to the west and No.1a Queen Edith's Way to the north. The proposal would not impact on other neighbouring properties on the opposite corners of the junction. I have also considered the impact on the wider area.

- *No. 289 Hills Road*

8.24 This is a substantial detached property set within a large plot, which is currently used as a single dwellinghouse. There are windows on the side elevation facing towards the application site and the property has a private garden to the rear including a conservatory attached to the rear elevation. I have received objections from the owner/occupiers on grounds of the impact on their residential amenity, which I have assessed below. I have visited No.289.

8.25 The closest part of the proposed building to shared boundary would be the two storey element on the northern side of the eastern 'villa', which would be within 5-7m of the boundary. The adjacent part of the curtilage of No. 289 is used as a driveway, with hedge and garden beyond. The proposal would be approximately 2-3m closer than the existing dwelling, however the side elevation would be approximately 1.5m lower with a flat roof, rather than a pitched roof. The highest three-storey part of the building would be approximately 11-12m from the boundary and would be similar in height to the existing pitched roof. In my opinion, this part of the building would not have a significant overbearing or enclosing impact compared to the existing situation. Moreover, the impact would be softened by the proposed wire grid for climbing plants and the adjoining driveway is not a sensitive part of the garden in terms of residential amenity.

8.26 The western 'villa' would introduce built form directly to the south of No. 289 where there is currently open space at the front of the existing dwelling. The side elevation of No. 289 is between 4-8m from the boundary. The proposed building would be between 9-10m from the boundary, so the separation distance between the buildings would be 13-18m. There are

substantial deciduous trees planted along the boundary within the application site, which would be retained and would provide partial screening. I am satisfied that these trees - combined with the separation distance - would soften the visual impact of the building so that it would not have a significant overbearing impact on No.289. The side elevation and the ridge height would be of domestic proportions, so in my opinion the relationship would be similar to between other villas along Hills Road, including between Nos.287 and 289 which has a smaller gap between the properties (between approximately 6.6-9.5m).

- 8.27 The owner/occupier of No.289 is concerned about overlooking and loss of privacy as the proposal would introduce new windows facing towards their windows, some of which serve bedrooms and other habitable rooms. There would be three first floor unobscured windows on the northern side elevation and one second floor window, which would serve kitchens, bedrooms or living rooms. These windows would be between 13-18m away from the windows on the side elevation of No.289. The proposed windows would be relatively narrow. Due to the separation distance and the retention of boundary trees in my opinion the proposal would not result in a significant loss of privacy. While I appreciate that these trees are deciduous, they are mature and protected under the TPO so provide a significant amount of screening. The windows on the glazed link and the eastern 'villa' would be obscure glazed, so there would be no views towards the conservatory or the private garden.
- 8.28 There would be no balconies or roof terraces with views towards No. 289 and I have recommended a condition to prevent the green roofs from being accessed other than for maintenance. Concerns have been raised specifically about overlooking from the balcony of Flat 12. However this is an inset balcony and the side elevation would restrict views towards No. 289. There may be some narrow oblique views towards windows on the side elevation of No. 289, but these would be over a significant distance and would be partially obscured by the protected trees. As there would be no direct views, in my opinion this is acceptable.
- 8.29 The owner/occupant has raised concerns about light emission from the glazed link on the northern elevation. The amount of glazing has been reduced during the course of the application

and a central panel of hung tiles added. This is a recessed link set back from the boundary. The windows would be obscured which would diffuse the light so that there would be no direct light beams. Moreover, this would be filtered by the mature trees which would be retained. As such, while light illumination would be visible from windows and from the garden of No.289, this is unlikely to have a significant impact on residential amenity.

8.30 For these reasons, in my opinion the proposal would not have a significant adverse impact on the residential amenity of the occupants of No. 289.

- *Annex to the rear of No. 289*

8.31 This is a two storey annex converted from an outbuilding which is understood from the occupants to be used as a separate dwelling. While the status annex in planning terms is unconfirmed, I have assessed the impact on this annex on the basis of its being used as a separate dwelling, as a 'worst case scenario'. The annex is located close to the boundary of the curtilage of No. 289 adjacent to the application site. There are no windows on the southern elevation facing towards the application site, but there are windows the gable end western elevation. I have received objections from the owner/occupants on the grounds of the impact on their residential amenity. I have seen the annex from my site visit to No. 289.

8.32 The north eastern corner of the proposed building would be within 5m of the southern elevation of the annex. This would be approximately 2m closer than the existing building. The proposed building would be one-and-a-half storeys on this corner with a sloped roof rising to two storeys. Additional planting along the boundary within the application site would soften the visual impact of the building. As a result, I am satisfied that this would not have a significant overbearing or enclosing impact on the windows on the southern elevation of the annex. The first floor windows on the north elevation facing towards the annex would be obscure glazed to prevent oblique views into the windows. There would be no balconies or roof terraces with views towards the annex. The proposed building is to the south of the annex, however would not result in significant loss of light to the windows on the south elevation compared to the existing situation. The owner/occupant has

raised concerns about light emission from the glazed link on the northern elevation. This is a recessed link and while it may be illuminated, there would be no direct light towards the annex windows. Moreover, this would be filtered by the boundary planting. As such, this is unlikely to have a significant impact.

8.33 For these reasons, in my opinion the proposal would not have a significant adverse impact on the residential amenity of the occupants of the annex.

- *No.1a Queen Edith's Way*

8.34 This is a detached bungalow with a courtyard on the western side and windows serving habitable rooms opening onto the courtyard. I have visited this property.

8.35 The revised proposal has reduced the impact on this property compared to the original scheme. The closest part of the building would be between 10-12m to the western elevations of No. 1a, which is similar to the nearest part of the existing dwellinghouse. The side elevation would be approximately double the length of the existing dwellinghouse. However, the elevation would be approximately 1.5m lower and the highest part of the roof would be approximately 2.4m lower. I am satisfied due to the separation distance that this would not have a significant overbearing impact on the courtyard area. The highest three storey part of the building would be over 16m from the boundary and would be lower than highest part of the existing building, so would be acceptable. The vehicle ramp enclosure would be 2.5m high which would not have a significant impact.

8.36 There would be no first floor windows on the elevation facing towards No. 1a. There would be some roof lights. I have no sections showing the height of these above the internal floor level. However due to the separation distance and presence of trees along the boundary within the application site, I am satisfied that there would be no significant loss of privacy, should views from these windows be possible.

8.37 The shadow diagrams show no significant overshadowing compared to the existing situation, and some minor reduction in overshadowing from 5pm on 21 June. There would be some minor increase in the area of the courtyard in shade after 3pm

on 21 March. However, this would not fail the BRE guidance as the property would retain at least 2 hours of sunlight across at least 50% of its external amenity space. This is acceptable, in my opinion.

8.38 The revised scheme includes a cover over the ramp and I have recommended a condition to ensure this is completed prior to first use of the ramp in order to reduce the noise and disturbance impact from vehicle movements.

- *Wider area*

8.39 The proposal would intensify the use of the site, increasing from a single dwelling to 15 households. However, it is a large plot with space for landscape buffering to mitigate the impact on the immediate neighbours. The site is situated on a busy junction so that the impact of additional comings and goings on the nearby properties is unlikely to be significant. I have discussed the transport impact and parking provision in the sections below and I am satisfied that this would not have a significant impact on residential amenity.

8.40 I have recommended the conditions requested by the Environmental Health team to control the impacts of construction and plant noise in the wider area, and I am satisfied that these are sufficient. In terms of air quality, the site is not within the Air Quality Management Area and as such an air quality assessment is not required. The Environmental Health team has raised no objection to the proposal in terms of the increase in air pollution from traffic generated.

8.41 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

8.42 The Council has no adopted space standards; however using the national Technical Housing Standards (2015) as a guideline to assess the quality of the internal living accommodation, in my opinion the units provide good standard of accommodation. The smallest unit (Flat 1) is within 6sqm of the national technical housing standards*, and the largest unit (Flat 13) is over 18sqm

above the standards. The units would have access to private balconies at least 2m deep which would provide an acceptable level of amenity, consistent with the Council's approach on other similar sites within the city. The landscaped areas on the site provide some informal communal amenity space.

Unit	Beds	Floor space (sqm)
Flat 1	1-bed (2 persons)	44
Flat 2	1-bed (2 persons)	45
Flat 3	2-bed (3 persons)	64
Flat 4	1-bed (2 persons)	54
Flat 5	2-bed (3 persons)	60
Flat 6	2-bed (3 persons)	71
Flat 7	2-bed (3 persons)	58
Flat 8	1-bed (2 persons)	45
Flat 9	2-bed (3 persons)	64
Flat 10	1-bed (2 persons)	58
Flat 11	2-bed (3 persons)	59
Flat 12	1-bed (2 persons)	56
Flat 13	2-bed (3 persons)	79
Flat 14	2-bed (3 persons)	75
Flat 15	1-bed (2 persons)	62

*(national Technical Housing Standards: 50 sqm for a 1-bed, 2 person flat and 61 sqm for a 2-bed, 3 person flat)

8.43 The Environmental Health team has advised that the impact of traffic noise can be mitigated through a mechanical ventilation system which would allow the future occupiers to be able to control internal thermal comfort and cooling without compromising acceptable internal noise levels, and details can be secured through conditions. With regard to the external balconies, the Environmental Health team supports balconies in this location given the existing residential use of the site, but has recommended a condition for appropriate mitigation to be put in place, such as imperforate balustrades. I accept this advice.

8.44 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

- 8.45 A bin store is proposed near to the front of the site which provides capacity for 6no. 1100l bins. The Waste Team has advised that the capacity is acceptable in accordance with the RECAP guidance. The bin store would have a green roof; however no elevations have been submitted. These would be submitted under the landscaping condition I have recommended. The detailed comments from the Waste Team regarding the doors and locks are management issues that I do not consider it to be necessary to secure through conditions.
- 8.46 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 in this regard.

Transport Impact

- 8.47 The applicant has submitted a Transport Statement which demonstrates that the future occupants would not be dependent on private cars, given the highly sustainable location of the site close to public transport connections at Addenbrooke's and along Hills Road and Long Road. The improvements to the cycle network along Hills Road also promote sustainable transport modes. Thus while car parking spaces would be provided, the proposal is unlikely to generate a significant additional demand on the public highway network. The applicant has stated their intention to issue Travel Packs to the future occupants which is supported, however these are not necessary to make the development acceptable in my view and therefore securing these through a condition would not be reasonable in my view.
- 8.48 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Highway Safety

- 8.49 The proposal includes the creation of a new vehicle access onto Queen Edith's Way and the removal of the existing vehicle access from Hills Road. The new access would be a minimum of 5m wide and would have visibility splays within the public

highway. Concerns have been raised by third parties regarding the highway safety implications of the new access so close to the junction and from refuse lorries/removal vans. The Highways Authority has not raised highway safety concerns, subject to conditions, and I accept this advice. The impact of refuse lorries/removal vans would be a temporary situation and is unlikely to have a significant impact. Moreover, removal and delivery vans would be able to enter the site so would not need to park on the highway, which is controlled through double yellow lines. I have recommended those conditions that have been requested by the Highways Authority where they are reasonable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- *Car parking*

8.50 The proposal provides 15 car parking spaces in the underground car park and one disabled space at ground level in front of the building. This provides one space per unit, which is in accordance with the Council's adopted standards outside the controlled parking zone. The Highways Authority has raised concerns about the accessibility of maneuvering into the spaces, Given that car-free development would be in accordance with the adopted maximum standards, the accessibility of the spaces would not be valid grounds for refusal. In my opinion, this is a matter for the management and occupiers of the spaces.

- *Cycle parking*

8.51 The proposal provides 26 cycle parking spaces within a secure enclosure within the basement in accordance with the Council's adopted standards. I am satisfied that the Sheffield hoops and cycle parking enclosure meets the required dimensions and guidance within the Cycle Parking for New Residential Developments SPD. The cycle store is located at the further end from the access which I accept is not the most convenient location. In my opinion, the cycle parking could be split to provide 6 no. spaces between the car parking spaces opposite the access core, which would provide some spaces in a more convenient location. I have recommended a condition for details of the cycle parking to be submitted so that this option

can be explored. The access would be a stepped access with wheeling ramps which would be separate from the vehicle ramp, which is in accordance with the SPD. The Cycling and Walking Officer has commented on the gradient of the ramp being unacceptable, however this gradient refers to ramps whereas the SPD only requires stepped accesses to be as shallow as possible. I accept the comments from third parties regarding the lack of provision of larger cycles, however this would not be reasonable grounds for refusal as the Council's standards do not require this. Nonetheless, the applicant could bring forward proposals for this through the condition, should they wish to. 8 visitor spaces are provided at ground level in convenient locations close to the main entrances, which is supported.

8.52 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Trees

8.53 The proposal includes the loss of some of the trees on the site. This is supported by the Tree Officer and Landscape Architect subject to suitable replacement planting which would be secured through the landscaping condition. The Tree Officer has confirmed that 11 trees on the site are subject to a recent tree preservation order (TPO) from September 2017. These are trees of higher amenity value. The proposal would retain the protected trees. During the course of the application, details have been provided which have assisted the Tree Officer's initial concerns regarding the basement excavation and no-dig hard surfacing construction method. The Tree Officer supports the proposal (subject to conditions) and I accept their advice that the proposal retains the trees of highest amenity value and that these can be protected during and after the construction.

Ecology

8.54 Third parties have raised concerns about the impact of the proposal on bats, hedgehogs, birds, newts, deer and foxes. The site is currently overgrown and could be used by protected species, in particular roosting bats. However an ecology survey has not been undertaken. I have recommended a condition for an ecological construction method statement and ecological mitigation measures based on survey findings to be undertaken

to be submitted to the Council for approval. I am satisfied that, should the survey identify the presence of important species on the site, this would provide an appropriate level of protection during construction and mitigation within the proposed development. The retention of 11 of the mature trees on the site would ensure that the tree habitats would be preserved.

Surface Water Drainage

- 8.55 The proposed surface water drainage strategy comprises discharge into the public sewer with an attenuated flow, unless infiltration can be found to be viable in which case soakaways will be used. The Sustainable Drainage Engineer and the Lead Local Flood Authority (LLFA) support the proposal and are satisfied that a detailed surface water drainage scheme can be secured through conditions. While I recognise the concerns of third parties with regard to the impact of the basement excavation on the water table, I accept the advice of consultees and in my opinion the proposal is acceptable in this regard, subject to the recommended condition.

Renewable energy and sustainability

- 8.56 A hierarchical approach to energy efficiency and associated carbon reduction is proposed, which includes the use of a 4 kWp photovoltaic panel array. This contributes an 11% reduction in carbon emissions. The proposal also includes the use of Mechanical Ventilation with Heat Recovery (MVHR) which is supported from an energy efficiency and internal air quality perspective. The Sustainability Officer supports this approach in line with the carbon reduction targets for major development set out in Cambridge Local Plan (2006) policy 8/16. The proposal also includes the provision of biodiverse green roofs, low-flow sanitary ware and appliances to reduce water consumption, which are supported.
- 8.57 Subject to conditions to secure the implementation of these sustainability measures, 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.

Third Party Representations

8.58 I have responded to the third party representations regarding the principle of development, response to context, residential amenity, trees and landscaping, environmental impacts, transport impact and cycle parking and bin storage in the relevant sections of my report above. I have responded to the other matters as follows:

Representation	Response
Boundary wall issues with annex to the rear of 289 Hills Road	Boundary wall matters are civil issues and not planning matters.
Impact of structural stability on neighbouring properties resulting from basement digging	This is not a planning matter but is a civil issue that the applicant and the affected third parties will need to consider.
Inaccurate plans	I am satisfied that the revised plans are accurate. I note the comments from the occupants of No. 289 regarding inaccuracies in the conservatories, hedges and outbuilding within their property as shown on the plans. There is no requirement for land outside of the application site boundary to be accurate. I have visited No. 289 and I am satisfied that my assessment is accurate based on what I have seen on site.

<p>Problems with the Council's consultation website during the consultation period</p>	<p>The Council's consultation website was down for a period during the consultation, however third parties who wished to comment were advised on the consultation letter of alternative means to submit comments, including email or post. I received several responses via these means. I am satisfied that the consultation process was not prejudiced.</p>
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Planning Obligations (s106 Agreement)

8.59 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.

8.60 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.

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

City Council Infrastructure (Open spaces and Community facilities)

8.62 The Developer Contribution Monitoring Unit (DCMU) has recommended that contributions be made to the following projects:

Infrastructure	Identified project	Contribution
Community Facilities	<p>The proposed development is within 1 mile of the Clay Farm Community Centre site.</p> <p>Towards the provision of and / or improvement of equipment at the Clay Farm Community Centre</p>	£16,958 (plus indexation)
Indoor Sports	<p>The proposed development is within 600m of Nightingale Pavilion Community Room.</p> <p>Towards the provision of and / or improvement of a sprung floor for sporting activities (for example; Yoga, Zumba and Pilates classes) at Nightingale Pavilion Community Room</p>	£6,052.50 (plus indexation)
Outdoor Sports	<p>This proposed development is within 500m of Nightingale Recreation Ground. 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.</p> <p>For the provision of and / or improvements to access to the grass playing pitches at Nightingale Recreation Ground.</p>	£5,355 (plus indexation)

<p>Informal Open Space</p>	<p>This proposed development is within 500m of Nightingale Recreation Ground, which is on the council's 2016/17 target list of informal open spaces for which specific S106 contributions may be sought. The Informal Open Spaces Audit (2016) highlights that the scope for improving the open space facilities in order to mitigate the impact of local development.</p> <p>For the provision of and/or improvement of and/or access to the Informal Open Space at Nightingale Avenue Recreation Ground.</p>	<p>£5,445 (plus indexation)</p>
<p>Play provision for children and teenagers</p>	<p>This proposed development is within 550 metres of Nightingale Avenue play area, which is on the Council's 2016/17 target list of play areas for which specific S106 contributions may be sought.</p> <p>Towards the provision and/or improvement of the children's play area at Nightingale Avenue play area.</p>	<p>£3,792 (plus indexation)</p>

8.63 I agree with the DCMU that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore passes the tests set by 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.

9.0 CONCLUSION

- 9.1 I recognise the strong local opposition to this proposal evident from the large number of objections I have received. While I appreciate the strong support among local residents for retaining the existing building, the demolition of 'Raylands' cannot be resisted in planning terms. I have given my reasons above for supporting the proposal as a high quality design which responds appropriately to its context, which is a view shared by the Urban Design, Landscape and Tree officers. I have carefully assessed the impact on the amenity of neighbouring properties and the wider area, and I consider this to be acceptable. I have taken the advice of technical consultees including the Highways Authority, the Environmental Health team and colleagues in drainage and sustainability, and there are not outstanding issues. The proposal would contribute towards meeting a housing demand in the city and, for these reasons the officer recommendation is for approval subject to conditions and the S106 Agreement.

10.0 RECOMMENDATION

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

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

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

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

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

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

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

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

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

5. 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 policy 4/13

6. No demolition or construction works shall commence on site until a Traffic Management Plan has been submitted to and agreed in writing by the local planning authority. The 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.

Development shall be carried out in accordance with the agreed details thereafter, unless any variation has been agreed in writing by the local planning authority.

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

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

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

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

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

Reason: In the interests of the protection of water resources.

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

Reason: In the interests of tree protection (Cambridge Local Plan 2006 policy 4/4).

10. Prior to the commencement of site clearance, a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and local planning authority's Tree Officer to discuss details of the approved AMS.

Reason: In the interests of tree protection (Cambridge Local Plan 2006 policy 4/4).

11. Prior to the commencement of development (including demolition), a written scheme of archaeological investigation (WSI) shall be submitted to and approved in writing by the local planning authority. This shall include:
 - i. the statement of significance and research objectives;
 - ii. the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
 - iii. the programme for post-excavation assessment and subsequent analysis, publication and dissemination, and deposition of resulting material.

For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI until an evaluation report in accordance with the programme set out in the agreed WSI has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of archaeology.

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

Reason: In the interests of tree protection (Cambridge Local Plan 2006 policy 4/4).

13. Prior to commencement of development (including demolition and site clearance), an ecological survey report shall be undertaken and submitted to the local planning authority for approval in writing. This shall include, as appropriate to the findings of the survey:
 - i. a construction environmental management plan (CEMP) including a risk assessment of potentially damaging construction activities, practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, and details of responsible persons and lines of communication; and
 - ii. ecological mitigation measures to be provided on site.

Any approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Any approved ecological mitigation measures shall be implemented prior to first occupation of the development hereby permitted (or in accordance with an alternative timescale that has been agreed in writing by the local planning authority) and retained as such thereafter.

Reason: In order to protect important species and habitats.

14. Prior to commencement of development (other than demolition), a surface water drainage works scheme in accordance with the submitted Drainage Statement by JPP Consulting, Revision B dated February 2018, shall be submitted to and approved in writing by the local planning authority. The submitted details shall:
- i. include results of infiltration testing in accordance with BRE Digest 365 should be submitted to the local planning authority to identify whether infiltration of the surface water runoff would be feasible;
 - ii. 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;
 - iii. include detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
 - iv. 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
 - v. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surface water drainage scheme shall be completed in accordance with the agreed details prior to first occupation of the development, and shall be managed and maintained thereafter in accordance with the agreed details and the management and maintenance plan for the lifetime of the development.

Reason: In the interests of surface water drainage.

15. Prior to first occupation of the development hereby permitted, a hard and soft landscaping scheme shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
 - b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;
 - c) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas;
 - d) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected.

Development shall be carried out and maintained in accordance with the agreed details. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

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

16. Notwithstanding the approved plans, details of the cycle parking shall be submitted to and approved in writing by the local planning authority. The cycle parking shall be provided in accordance with the agreed details prior to first occupation of the development, and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 8/6).

17. Prior to the commencement of construction of external surfaces, samples of the brick and hung tiles, and details of the brick mortar shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details thereafter.

Reason: To ensure the development responds positively to the character of the area (Cambridge Local Plan 2006 policies 3/4, 3/4 and 3/12).

18. Prior to the installation of balustrades, details of the materials and design shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure the balustrades are an appropriate design (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

19. Prior to the installation of windows, details of the window, glazing type and reveals shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure the windows are an appropriate design (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

20. The windows identified as having obscured glass on the approved plans shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to first occupation of those units and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall, and shall be retained as such thereafter.

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

21. There shall be no access to the areas shown on the approved plans as 'green roof' other than for maintenance purposes. At no time shall these areas be used for amenity space.

Reason: To protect the residential amenity of neighbouring properties.

22. Prior to first vehicular use of the vehicle access ramp hereby permitted, the roof covering the ramp shall be completed in accordance with the agreed details, and shall be retained as such thereafter.

Reason: To protect the residential amenity of neighbouring properties.

23. Prior to the commencement of development (other than demolition and site clearance), a noise insulation scheme detailing the acoustic noise insulation performance/specification of the external building envelope to reduce the level of noise experienced in the residential units (having regard to the building fabric, glazing, ventilation, internal plant related noise and external balconies/terraces) shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented and a completion report submitted to and approved in writing by the local planning authority prior to first occupation of the units. The approved scheme shall be retained as such thereafter.

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

24. Prior to commencement of use of the vehicular access hereby permitted, the access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification, or in accordance with alternative details that have been submitted to and agreed in writing by the local planning authority. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway. The access shall be retained as such thereafter.

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

25. Prior to commencement of use of the vehicle access hereby permitted, the visibility splays, access and manoeuvring areas shall be provided as shown on the approved drawings. The areas within the visibility splays shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high thereafter. The access and manoeuvring areas shall be maintained thereafter free of any obstruction that would prevent a domestic vehicle from being able to manoeuvre with ease so it may enter and leave the property in a forward gear.

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

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

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

27. 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).

28. The on-site renewable and low carbon energy technologies as shown on the approved plans and as detailed in the '10% reduction in Carbon by LZC Onsite Energy or 10% Improvement in Energy Demand' letter from Green Heat Ltd dated 6 July 2017 shall be fully installed and operational prior to first occupation of the development (or in accordance with an alternative timescale agreed in writing by the local planning authority) and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

No review of this requirement on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the local planning authority. Any subsequent amendment to the level of renewable technology 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).

29. Prior to first occupation of the development, 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. Development shall be carried out in accordance with the agreed details thereafter.

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).

30. A public art strategy shall be submitted to an agreed in writing by the local planning authority, and shall be completed in accordance with a timetable agreed in writing by the local planning authority.

Reason: In accordance with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD (2010).

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

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

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

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

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

INFORMATIVE: 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.

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

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Application Number	17/1757/FUL	Agenda Item	
Date Received	11th October 2017	Officer	Charlotte Burton
Target Date	10th January 2018		
Ward	Cherry Hinton		
Site	283 Queen Ediths Way Cambridge CB1 9NH		
Proposal	Residential development comprising 6no 2xbed and 4no 1xbed units with access, car and cycle parking and associated landscaping following demolition of existing dwelling.		
Applicant	Archstone Partners Ltd		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would provide 10 no. housing units in a sustainable location.</p> <p style="padding-left: 40px;">The units would not have a significant adverse impact on the residential amenity of the neighbouring properties, and the units would provide good level of amenity for the future occupants.</p> <p style="padding-left: 40px;">The proposed buildings respond to the residential character of the area and the landscaping scheme retains the verdant character of the junction.</p> <p style="padding-left: 40px;">The proposal would not result in significant highway safety concerns.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No. 283 Queen Edith’s Way occupies the south western corner of the junction with Cherry Hinton Road. Itburto1 currently consists of a bungalow within a large plot. There is mature

hedge planting on the south eastern and northern boundaries adjacent to a generous highway verge which includes tree planting. There is a vehicle access onto Queen Edith's Way which drops down into the site which is at a lower ground level to the highway. There is a secondary vehicle access at the rear of the plot. The garden slopes down towards the rear.

- 1.2 The site forms part of the residential character of Queen Edith's Way, which is characterised by detached properties predominantly dating from the first half of the C20th. To the north-west and backing onto the rear garden is the Church of Jesus Christ of the Latter-Day Saints which is a contemporary church within an open landscaped setting. To the north-east on the opposite corner of the junction is the Robin Hood Public House. The north-west and south-east corners of the junction have a verdant and rural character formed by the 'Giant's Grave' pond and the Limekiln Close Local Nature Reserve respectively.
- 1.3 The site is outside the conservation area and there are no designated heritage assets affected. The Limekiln Close Nature Reserve opposite the site is within the Green Belt. There are no protected trees on the site. The site is outside the controlled parking zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 The proposal is for residential development comprising 6 x 2-bed and 4 x 1-bed units with access, car and cycle parking and associated landscaping following demolition of existing dwelling. The units would be arranged within four linked blocks with pitched roofs and inset balconies. The materials would be brick with timber cladding and glass bricks.
- 2.2 During the course of the application, two units within the second-floor of the two westernmost blocks were removed, which is reflected in the amended description of development above. This reduced the height of these blocks from two-and-a-half storeys to two storeys. The two easternmost blocks would be two-and-a-half storeys. The two second floor units were changed to studios.
- 2.3 Vehicle access would be from Cherry Hinton Road in the approximate location of the existing secondary access. A

pedestrian and cycle entrance would be provided from Queen Edith's Way in place of the existing main entrance. 6 no. car parking spaces would be provided. 16 no cycle parking spaces and a communal bin store would be provided within a central store.

2.4 The landscaping scheme includes nine new trees within the application site, as well as boundary hedge planting. Informal communal open space would be provided at the rear of the building.

3.0 SITE HISTORY

3.1 There is no relevant planning history.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</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>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p>

	<p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
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5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

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

Cambridgeshire County Council (Highways Development Management)

Initial comment 19.10.17

6.2 Objection.

The proposal seeks to justify a level of car parking provision within the site in line with Local Plan Parking Policy, which gives maximum levels of provision based upon size of dwelling unit and location.

The streets in the vicinity provide uncontrolled parking, and whilst the transport assessment argues that the narrowness of the street and the presence of an on-carriageway cycle lane will deter parking, I do not consider that this is sufficient reassurance and residents or visitors may still stop outside the development.

The proximity, on both frontages to the signal controlled junction of Cherry Hinton Road/Fulbourn Road/Queen Edith's Way/High Street Cherry Hinton and the heavy flows (including high proportions of cyclists) would mean that an obstruction at this point would severely disrupt traffic flows and endanger cyclists as they seek to pass the obstruction.

Whilst the proposal intensifies the use of an access in close proximity to the junction, the provision for vehicles to turn within the site to enter and leave in forward gear is considered adequate to minimise disruption in use of the access provided that adequate parking provision is made.

Failure to do so may encourage additional vehicles to park within the site, preventing manoeuvring within the site, with an unacceptable impact upon highway safety, reinforcing the highways concerns voiced above.

The submitted plans show an area marked 'Deep highways verge'. This area is not entirely highway maintainable at the public expense and the applicant should verify that they, or the Highway Authority, control sufficient land to form an access to the public highway as shown, including vehicle-to-vehicle visibility splays

Comment 09.04.2017

- 6.3 The installation of double yellow lines around the junction radius along the frontage of the site would overcome objection to parking provision. This would need to be secured through a pre-commencement condition.

Environmental Health

- 6.4 No objection subject to conditions and accompanying informatives for:
- construction hours
 - collection during construction
 - construction/demolition noise/vibration & piling condition and informatives
 - piling
 - dust condition and informatives
 - contamination conditions and informatives
 - Noise Insulation Scheme condition and informatives
 - Ventilation Scheme
 - Artificial Lighting
 - Asbestos informative
 - Housing Health & Safety Rating System Informative

Urban Design and Conservation Team

Comment on initial scheme 08.10.18

- 6.5 No objection subject to condition for materials details.

- *Response to context*

The overall approach to break up the form of the development into four gable fronted buildings with recessed linking elements is supported, as it allows the proposal to respond to key contextual and placemaking factors. The contemporary gable forms reinforce the residential grain of the area and respond to the more suburban character of the context, whilst still providing a strong, articulated frontage onto Cherry Hinton Road.

- *Movement and access*

The proposal adequately accommodates the functional requirements of the development, by providing a centrally located and secure cycle store within the footprint of the

building. 18 spaces have been provided, which conforms to Local Plan standards of 1 space per bedroom. Confirmation needs to be provided that this store is lockable and that Sheffield stands are proposed. Visitor cycle parking is well located to entrances. Refuse collection arrangements should be confirmed.

- *Scale and massing*

The overall scale of the proposal at 2.5 storeys sits comfortably within the largely residential context. The massing of the scheme has been broken into 4 well-proportioned gable fronted elements, with recessed linking elements. This creates a good vertical rhythm and presents a confident frontage onto Cherry Hinton Road. The scale and massing is supported.

- *Elevations and Materials*

The overall approach to the elevations is supported in design terms. The scheme responds to the suburban characteristics of the area by incorporating pitched roofs and gable features in a contemporary way.

Recommend minor changes:

- Remove patio door access to space adjacent to eastern elevation and reconfigure landscape
- Use of a warmer-slightly pink, multi toned brick instead of buff.

Comment on revised plans 22.02.18

- 6.6 No objection. Recommendations above have been incorporated and brick selection can be addressed through condition.

Senior Sustainability Officer (Design and Construction)

Initial comment

- 6.7 Sustainability Statement and Checklist, and Energy Statement need to be submitted.

Comment on information submitted

- 6.8 Acceptable subject to condition for roof plant showing the layout of photovoltaic panels, standard energy condition and standard water efficiency condition. Use of Mechanical Ventilation with Heat Recovery (MVHR) is supported from an indoor air quality perspective. Recommend the system is specified with a summer bypass mode to ensure that it does not inadvertently contribute to unwanted internal heat gains in the summer and shoulder months.

Head of Streets and Open Spaces (Tree Team)

Initial comment

- 6.9 Removal of trees supported subject to suitable replacement planting. Objection on the following grounds:
- The planting strip adjacent to the car parking is only 1m deep and insufficient to accommodate any trees of suitable stature even though the above ground constraints are limited along this boundary.
 - Adjacent to the northernmost units there is limited space below ground because of the path layout and very limited space above ground because of the building elevations.
 - Within the current layout I would suggest that there is only space for a couple of medium sized trees but as these would be to south of the buildings, I would anticipate future pressure for heavy pruning/removal as the tree matured.

Comment on revised landscape strategy

- 6.10 No objection to the replacement planting subject to comments from Landscape Officer regarding replacement planting along car park boundary.

Head of Streets and Open Spaces (Landscape Team)

Initial comment 02.11.17

- 6.11 Support the proposal in principle subject to hard and soft landscaping scheme, boundary details and a maintenance plan.

The proposed site plan identifies trees G01 and T07 to be retained along the eastern boundary between the car park and the neighbouring land. This boundary is an important green edge which benefits from tree and shrub planting, however, there is little value in retaining the Cypress and paired Ash trees. Both will likely create a nuisance as they continue to mature. Recommend the removal of both G01 and T07 and adequate replacement tree planting proposed. Replacement planting, in order to act as a green edge, should be semi-mature with a minimum girth of 16-18cm. A minimum of 3 trees should populate this edge and ideally, of 2 or more species to retain the diverse look of the surrounding landscape.

Comment on revised plans 21.03.18

6.12 No objection subject to conditions listed above.

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

6.13 No comments received.

Refuse and Recycling

6.14 No comments received.

Cambridgeshire County Council (Flood and Water Management)

6.15 No objection subject to surface water drainage scheme condition.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.16 No objection subject to condition for surface water drainage strategy.

Head of Streets and Open Spaces (Nature Conservation Officer)

Initial comment 20.10.18

- 6.17 Given the sites proximity to the Cherry Hinton Chalk Pits Local Nature Reserves and SSSI, Cherry Hinton Hall Park and Cherry Hinton Brook, all of which provide foraging opportunities for bat species, an assessment of the existing building/s for bat roost potential is required.

Comment on ecology survey

- 6.18 No objection. The building has no features suitable for roosting bats.

Environment Agency

- 6.19 The application falls within Flood Risk Standing Advice.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters. If during development, contamination not previously identified is found to be present at the site then no

further development shall be carried out until the developer has implemented a remediation strategy.

Anglian Water

- 6.20 The site is in the catchment of Cambridge Water Recycling Centre which currently does not have the capacity available to treat the flows from your development site. Anglian Water are obligated to accept the foul flows from the development, therefore would take the necessary steps to ensure that there is sufficient treatment capacity.

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.

Recommend conditions for foul water strategy and surface water management strategy.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.21 The area is within an area of low vulnerability to crime. There is no mention of Crime Prevention/Security within the Design and Access statement. This office would be happy to discuss Secured by Design and measures to reduce the vulnerability to crime and the fear of crime with the applicant as the application progresses.

Developer Contributions Monitoring Unit (DCMU)

Comment on revised proposal

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

7.0 REPRESENTATIONS

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

- 15 Almoner's Avenue
- Broad Reach, Fields Way
- 118 Queen Edith's Way
- 137 Queen Edith's Way
- 209 Queen Edith's Way
- 222 Queen Edith's Way
- 223 Queen Edith's Way
- 258 Queen Edith's Way
- 266 Queen Edith's Way
- 277 Queen Edith's Way
- 279 Queen Edith's Way
- 281 Queen Edith's Way
- 11 Glenacre Close
- 29 Greystoke Road
- 39 Greystoke Road
- 53 Greystoke Road
- 67 Greystoke Road
- 42 Ventress Farm Court

7.2 The representations can be summarised as follows:

Principle of development / Housing mix

- Over-development
- Unsuitable site
- Unstructured and uncoordinated densification of neighbourhoods
- The area does not need further filling with higher density housing
- Flats unlikely to be occupied by long-term Cambridge residents who need family homes
- Inappropriate typology for the largely house-based area
- Lack of affordable housing
- Loss of family housing

Response to context

- Density out of character with the area and the pattern of development
- Flats change the character of the area
- Frontage blocks are out of character
- The blocks 3 and 4 turn their back on the Queen Edith's Way frontage
- Blank walls, and tile and timber cladding out of character
- Trees should remain to screen the building
- Increase in hard standing in place of gardens which are usually well-kept by families
- The revised plans do not overcome previous concerns

Amenity of future occupants

- Cramped units for future occupants
- Lack of natural light in proposed units
- Ventilation system required for the units
- Lack of private green spaces for future occupants
- No space for children to play
- Nearby Chalk Pit is unreasonable alternative green space
- Noise insulation required between flats due to density

Impact of amenity of neighbouring properties

- Overshadowing neighbouring properties
- Cumulative overlooking from windows and balconies towards neighbouring windows and garden resulting in significant loss of privacy
- Overbearing and oppressive impact from the continuous unrelenting wall of buildings along the length of the garden of No. 281
- Noise and disturbance from comings and goings in close proximity to No. 281
- Impact of cramped units on existing residents
- Impact on traffic and pollution at busy junction
- Increased noise from traffic due to access
- The revised plans do not overcome previous concerns

Highways impact

- Inadequate car parking provision
- Risk to cyclists from new access crossing cycle route
- Access would hinder the ambulance route along Queen Edith's Way
- Inadequate assessment of impact on traffic
- Traffic from delivery vehicles and services
- Impact of parking near to junction
- Overflow car parking using residents' spaces on Fulbourn Road layby
- Likely to result in parking blocking the footpaths endangering pedestrians
- Inaccuracies in Transport Statement
- Travel pack is inaccurate
- Nearby watercourse and pond opposite the site as well as natural springs in the area
- Impact of loss of trees on pollution and noise pollution from the road
- Precedence for further redevelopment of family homes
- Redevelopment should only consider one or two family homes
- No mention of provision for motor bikes
- Future occupants are unlikely to be car-free
- Turning circles are required of the loading/unloading space available
- Likely to have vehicles reversing onto Cherry Hinton Road
- Inadequate car parking spaces leading to rows between occupiers which could adversely affect neighbours
- Inadequate cycle parking numbers and security

Landscape, trees and biodiversity

- Removal of trees
- Loss of large cherry tree
- Green spaces should be protected
- Impact of loss of garden on wildlife on nearby nature reserve
- Impact on bats on No.283
- Proposed planting should screen building and add to local biodiversity, complementing the Giant's Grave and the local nature reserve
- Responsibility for landscape maintenance

Other matters

- Flats lead to empty streets as people are out to work, making the area more open to anti-social behaviour and petty crime
- Developer profit
- Inadequate photo-realizations
- Pressure on main sewerage drains
- No discussion of fire protection for the flats
- Inadequate public consultation and publicity on the application

7.3 Councillor Page-Croft has called in the planning application on the grounds:

- Inadequate car parking resulting in more on-street car parking
- Absurd massing within close proximity to junction

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

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 The demolition of the existing building would be permitted development under Class B, Part 11, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), subject to prior approval from the local planning authority as to the method of demolition and any proposed restoration of the site. Thus, the principle of demolition cannot be resisted and therefore is acceptable in principle.
- 8.3 Policy 5/1 of the Cambridge Local Plan (2006) supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area, and therefore I consider that additional dwelling units on this site could be supported. The principle of development is therefore acceptable.

Housing Mix / Affordable Housing

- 8.4 The proposal is for 10 units and the site area is 0.20ha. Thus the proposal does not trigger the requirements for affordable housing contributions under Cambridge Local Plan (2006) policies 5/5, 10/1 and the Affordable Housing SPD (2008).
- 8.5 The proposed mix provides both 1 and 2-bed flats which are suitable for a range of occupiers, including individuals, couples, small families or small house-shares. Third parties have raised concerns about the dwelling mix, however policy 5/10 which relates to housing mix applies only to sites of 0.5 ha or more, or to proposals for 15 dwellings or more. Therefore, there is no policy requirement to provide a mix of housing on the site and the proposed mix is acceptable.

Context of site, design and external spaces

Response to context

- 8.6 The site has frontages onto Queen Edith's Way and Cherry Hinton Road, and given its location on a busy junction, the site forms part of a significant gateway into the city along Cherry Hinton Road. The existing dense evergreen hedge and tree planting within the site contributes to the verdant character of

the junction, along with the grass verge and tree planting in front of the site, and the Giant's Grave and the nature reserve on the opposite corners.

8.7 The character along Queen Edith's Way is for detached properties dating predominantly from the first half of the C20th and have varying styles, and has a residential character. Cherry Hinton Road has a more varied character, predominantly residential with some larger flatted developments (Ventress Farm Court). However, the site does not form part of a built up frontage along Cherry Hinton Road as it is separated from development further west by the openness of the church site.

- *Layout*

8.8 The buildings have been orientated to front onto Cherry Hinton Road. Due to the wide verge in front of the site, the easternmost blocks would be set back from the junction with space for new tree planting in front, as described below. The elements of the building are staggered to respond to the line of the road. The existing dwelling on the site does not front onto Cherry Hinton Road, however as this is the longest axis through the site, in my opinion it is appropriate that the new building fronts in this direction. The building turns its side onto Queen Edith's Way and respects the established building line along the street, allowing space for landscaping. The site layout allows an appropriate separation and gap between the proposal and the adjacent 281 Queen Edith Way.

- *Movement and access*

8.9 The site has a single point of vehicle access from Cherry Hinton Road, with pedestrian access from the parking area and a secondary access from Queen Edith's Way. This provides good connections to cycle and pedestrian networks along both frontages. Connections within the site are to the rear of the building in order to maintain a verdant frontage. This provides access to the two cores of the building serving the westernmost and easternmost paired blocks respectively. Cycle parking for residents has been conveniently located in a central store, and the bin storage has been split into two stores, one for each pair of blocks. Visitor cycle parking is well located to entrances.

- *Scale and massing*

8.10 The massing of the scheme has been broken into 4 well-proportioned gable fronted elements, with recessed linking elements. This creates a good vertical rhythm and presents a confident frontage onto Cherry Hinton Road. The building has been reduced in scale to two storeys on the western end, rising to two-and-a-half storeys on the junction end. The scale is appropriate given the slope of the land and the rooms in the roof. The lower development softens the visual impact of the proposal in long views looking eastwards along Cherry Hinton Road. The overall scale of the proposal sits comfortably within the largely residential context.

- *Open Space and Landscape*

8.11 The proposal includes the removal of the existing trees and hedges on the site (with the exception of two trees along the north western boundary proposed to be retained) and a replacement landscaping scheme. The loss of the existing trees is supported by the Landscape and Tree officers, subject to suitable replacement planting. The Landscape and Tree officers have recommended the removal of the existing Cypress and paired Ash specimens along the north western boundary, which are of little value and likely to create a nuisance as they continue to mature. Suitable replacement tree planting would include a minimum of three semi-mature trees of two or more species. This can be secured through the recommended landscape condition.

8.12 The proposal includes nine new trees planted within the site, comprising 4 no. Birch trees along the south western boundary and 5 no. Maple on the Queen Edith's Way and Cherry Hinton Road frontages. The Landscape and Tree officers support the replacement trees. The Birches along the boundary with No. 289 would provide deciduous screening without being oppressive on the neighbouring garden. The Maples along Cherry Hinton Road would form part of a layered buffer alongside the existing trees within the verge and the proposed boundary hedge. In my opinion this would retain the verdant character of the site and the contribution this makes to the junction.

8.13 Within the site, the landscaping scheme would provide communal open space towards the rear of the building laid out with footpaths to provide access to the communal entrances and small seating areas surrounded by soft planted beds. This would provide informal amenity space which would enhance the amenity of the future occupants, but would be inappropriate for recreational uses which would impact on the neighbouring property. The amenity of the occupants of the ground floor units would be protected by buffer planting around the patio areas. The area in front of the building behind the boundary hedge would be laid out as a simple grassed area with shrub planting which is appropriate to the frontage. Maintenance of these areas would be secured through the landscaping condition including a management and maintenance plan.

- *Elevations and Materials*

8.14 The scheme incorporates pitched roofs and gable features which would respond to the suburban characteristics of the area in a contemporary way. Brick provides a solid base to the scheme with timber cladding and clay tile hung features providing interest at upper floors. Timber cladding provides texture and warmth to the inset private balconies and softens the rear elevations facing towards the neighbouring property. The Urban Design team recommends a warmer slightly pink, multi-toned brick instead of buff brick, which can be secured through conditions.

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

Disabled Access

8.16 The proposal includes four ground floor units. The upper floor units are not accessible for people with impaired mobility, however there is no policy requirement for all units to be accessible. The proposal includes one disabled car parking space.

8.17 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

- 8.18 The neighbouring properties are No. 281 and No. 279. I have assessed the impact on these properties and the wider area.
- *Nos. 281 – 279*
- 8.19 No. 281 is a detached two storey property with a rear garden. The owner/occupier of this property has objected to the proposal and I have visited this neighbour. There are ground floor kitchen and study windows on the side elevation facing towards the application site, and first floor bedroom, bathroom and landing windows. A garage projects forward with windows on the side elevation. There is a raised patio at the back of the property before the garden slopes towards the rear of the site. The ground level is also slightly lower than the application site. There are mature trees within the garden including evergreens.
- 8.20 The easternmost two blocks would be in line with the No. 281 and would be between 9-11m from the shared boundary. These blocks would be two-and-a-half storeys. There would be landscaped areas to provide a buffer. I am satisfied that the visual impact on views from the kitchen, bedroom and study windows would not be significantly overbearing and would not harm residential amenity as a result. The revised plans have re-orientated these blocks so that there would be no balconies on the rear elevations facing towards No. 281. Inset windows would prevent direct views from the bedrooms. As a result, there would be no direct views into habitable rooms.
- 8.21 The westernmost two blocks are staggered closer to the boundary between 5.5-7.5m. This aligns with the middle section of the neighbouring garden. The reduced height of these blocks to two storeys alleviated the overbearing impact on the garden. The substantial set back of the link element between these blocks and the low height of the cycle/bin store link means that the proposal would not present a continuous 'wall' of building to the neighbouring garden. The massing of the rear elevations would be further broken up by the inset areas and the use of timber to soften the appearance of the building. Again, the two trees proposed along the boundary

would provide some buffering and there would be no significant loss of privacy due to the inset windows.

8.22 The owner/occupier of No. 281 has raised concerns about the impact of noise and disturbance from comings and goings within the communal area at the rear. I accept that the increased intensity of use of the site would generate additional noise. However, the greatest impact would be on the rearmost part of the garden due to the maneuvering within the car park and where the footpath is closest to the boundary. This is a less sensitive part of the garden, nonetheless the proposed two trees planted along the boundary would provide some buffer. The part of the site closest has a larger area of landscape buffer which is informally laid out with planting so would not be used for loud recreation. The site is within a relatively noisy environment close to the busy junction, and in my opinion, for the reasons given, the proposal would not result in significant harm to the residential amenity of the occupants of No. 281 in this regard.

8.23 Due to the separation distance to No.287, I am satisfied that the proposal would not have a significant impact on this property in terms of overbearing, and there would be no overlooking. The site is to the north east of these properties, so would not overshadow its neighbours.

- *Wider area*

8.24 Third parties have raised concerns about the impact of additional demand for on-street car parking arising from the site which would impact on the residential amenity of occupants of nearby streets. For the reasons I have given in the relevant section below, I am satisfied that the proposed car parking levels comply with the Council's adopted standards. This site is in a sustainable location close to public transport, cycling and walking links along Queen Edith's Way and Cherry Hinton Road, so the future occupants would not be car dependent. The applicant has proposed Travel Plans to be issued to the future occupants to promote sustainable transport modes, and I have recommended a condition to secure this. Moreover, the current pressure for on-street parking within the area would serve to deter the future occupants from car-ownership. For these reasons, in my opinion the proposal would not have a significant impact on the residential amenity of the wider area

and this would not be reasonable grounds to recommend refusal.

8.25 Given the size of the plot and the position on the junction, the intensification of the use of the site would not impact on the wider residential area, other than as assessed above the impact on No. 281. The Environmental Health team has recommended conditions to mitigate the impact of construction on the residential amenity of the wider area, and I accept this advice.

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

Amenity for future occupiers of the site

8.27 The floor spaces for the units are provided in the table below. The Council has no adopted space standards, however the internal accommodation is a Local Plan consideration in terms of providing an acceptable level of amenity for the future occupants. The national Technical Housing Standards (THS) provide guidance on what would be acceptable floor spaces. The occupancy is based on the size of the bedrooms in accordance with the THS. The floor space for units 5, 6, 7 and 8 are approximately 4sqm below the standards. However, in my opinion these units provide a good level of amenity with generous balcony space which significantly enhances the living space.

Unit	Bedrooms	Persons	Floor space (sqm)	THS guidance (sqm)
01	1	2	52.6	50 sqm
02	1	2	52.6	50 sqm
03	2	3	60.1	61
04	2	3	60.1	61
05	2	3	56.8	61
06	2	3	56.8	61
07	2	3	56.8	61
08	2	3	56.8	61
09	Studio	1	39.6	39
10	Studio	1	39.6	39

- 8.28 The ground floor units have patios on the rear elevations and each of the upper floor units have inset balconies on the north-eastern elevations. These are at least 2m deep and provide useable private amenity space. The ground floor patios would be screened with a landscaped buffer to provide privacy. The landscaping scheme also provide some informal communal amenity space. The Cherry Hinton Park is within close proximity to the site and provides a large area of open space for recreation and play areas for children. Onsite play areas would not normally be required for a development of this scale. The nature reserve would also provide an alternative green space nearby, however due to the provision on site and at the park, the occupants would not be dependent on the nature reserve for external amenity space.
- 8.29 The Environmental Health team has assessed the environmental quality of the habitable rooms and the external balcony areas in terms of the noise from traffic and air quality. In terms of the noise levels in noise-sensitive rooms, the Environmental Health team is satisfied that acceptable levels can be achieved through a condition requiring details of a noise insulation scheme including a form of purge ventilation, such as a Mechanical Ventilation with Heat Recovery (MVHR) ventilation system.
- 8.30 In terms of noise levels in external amenity areas, the applicant's noise assessment indicates that the gardens will achieve acceptable noise levels with the exception of the southernmost garden of Plot 04. The Environmental Health team recommends acoustic screening to this garden. The noise levels on balconies facing Cherry Hinton Road are predicted to exceed acceptable levels and the Environmental Health team has advised that acoustically absorbent materials can be fitted to balcony soffits and reveals to limit noise reflections and reduce noise levels experienced. This could be addressed through a noise insulation scheme condition.
- 8.31 There would be some potential inter-looking between windows on the side elevations of units 6 and 7, including between bedrooms, bathrooms and living rooms. These would be oblique but relatively close with only 3.5m between the elevations. Due to the positioning of the windows within the bedrooms, any overlooking is unlikely to result in a significant loss of privacy for the occupants. The side living rooms

windows are secondary as the living rooms are served by large windows onto the balconies, and therefore the occupants could install curtains or blinds to protect their privacy without harming the quality of the internal accommodation. With regard to the bathroom, I have recommended a condition for the bathroom windows of all the units to be obscure glazed.

- 8.32 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

- 8.33 The communal bin storage would be split between two stores; one would be located within the central link and one within the footprint of the westernmost element. I am satisfied with the capacity of the bin stores and the location would be convenient for the users. A collection area is shown within the hard landscaped area close to the Cherry Hinton Road access. While this dedicated space looks a little small, a larger space could be shown within the detailed landscaping scheme to be secured through condition without impacting on the access. This is in an appropriate location close to the public highway.
- 8.34 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 in this regard.

Highway Safety

- 8.35 Vehicle access into the site would be at the rear of the site from Cherry Hinton Road. The existing dropped kerb - which appears to be disused - would be widened to provide a larger 5m-wide access with visibility splays provided within the site to allow sight of the footpath, and within the public highway. This would provide access to the 6 no. car parking spaces. The existing vehicle access from Queen Edith's Way would be removed and replaced by a pedestrian entrance. The Highways Authority has raised no objection about the access arrangements on highway safety grounds.
- 8.36 The Highways Authority objected to the car parking provision on the grounds that any demand for on-street parking or

collection/deliveries to the site could result in parking on or within close proximity to the junction, which would have an unacceptable impact on highway safety. They have recommended that this could be overcome through the installation of double yellow lines along the radius of the junction corner. This would be subject to a separate Traffic Regulation Order administered by the Highways Authority. I accept the Highways Authority's advice that this would be acceptable mitigation to overcome their concern. I have recommended a condition for the Traffic Regulation Order to be made prior to commencement of development and for the double yellow lines to be installed prior to occupation, and the Highways Authority supports the wording of the condition.

- 8.37 Therefore, while I acknowledge the concerns that have been raised by third parties with regard to highway safety, I am satisfied with the advice of the Highways Authority that this is acceptable though conditions. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- *Car parking*

- 8.38 The proposal provides 6 no. car parking spaces for the proposed ten units. This is in accordance with the Council's adopted maximum car parking standards. I have discussed the highway safety issues and residential amenity issues regarding the car parking in the sections above. In my opinion, the car parking levels are policy compliant in-line with the Council's aims to promote sustainable transport modes, and there would be no reasonable planning grounds on which to recommend refusal.

- *Cycle parking*

- 8.39 The proposal includes 16 no. cycle parking spaces within a communal store within the central link. The store does not show stands, however the space would be large enough to provide 8 no. Sheffield hoops in accordance with the Cycle Parking Guide for New Residential Developments SPD. 3 no. visitor cycle parking spaces are provided close to the main entrances to the blocks. I have recommended a condition for

the cycle parking to be provided prior to first occupation of the development.

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

Ecology

- 8.41 The preliminary bat roost inspection of the existing bungalow identified no potential bat roost features and lacked any evidence of bat presence. The bungalow was considered to be of negligible bat roost potential. This is accepted by the Nature Conservation Officer who supports the proposal. No concerns have been raised by the Nature Conservation Officer with regards to the proximity to the Lime Kiln Nature Reserve.

Surface water drainage

- 8.42 The applicant has demonstrated that surface water can be dealt with on site by using a geocellular attenuation tank and restricting surface water discharge. The applicant proposes to undertake infiltration testing to ascertain whether the local ground conditions are suitable for use with infiltration to inform proposals and design of soakaway features. The Sustainable Drainage Engineer has recommended that a suitable surface water drainage scheme can be secured through conditions.

Renewable energy and sustainability

- 8.43 The Council's target of achieving 10% of the development's energy requirement from renewable sources would be met through a Mechanical Ventilation Heat Recovery (MVHR) system and photovoltaic panels. This will result in an 11.52% reduction in carbon emissions. The applicant's Sustainability Statement also includes achieving targets for water consumption levels of 105 liters/head/day and measures to conserve water. These can be secured through conditions.
- 8.44 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Third Party Representations

8.45 I have addressed the comments regarding the principle of development and housing mix, response to context, amenity of future occupants, impact on the amenity of neighbouring properties, highways impact, landscape, trees and biodiversity in the relevant sections above. I have responded to other matters below.

Representation	Response
Flats lead to empty streets as people are out to work, making the area more open to anti-social behaviour and petty crime	I have no evidence to support this assertion.
Developer profit	This is not a planning matter.
Inadequate photo-realizations	The photo-realizations are a visual aid and do not form part of the plans to be considered. I have assessed the application on the basis of the accurate drawings.
Pressure on main sewerage drains	This is not a planning matter and Anglian Water has recommended a condition for a foul water drainage scheme.
No discussion of fire protection for the flats	This is not a planning matter but would be covered under building control regulations.
Inadequate public consultation and publicity on the application	I am satisfied that the consultation has been undertaken as required.

9.0 CONCLUSION

9.1 The proposal would provide additional units on the site. The design responds to the site constraints, in terms of providing a residential frontage onto Cherry Hinton Road, maintaining a landscape buffer along the frontages and providing a good level of amenity for the future occupants. The revisions submitted during the course of the application to reduce the scale of the westernmost buildings have overcome concerns about the relationship with the neighbouring property, in my opinion. The Highways Authority has advised that the installation of double

yellow lines would overcome concerns arising about overspill parking and deliveries on the busy junction. For these reasons, in my opinion the proposal would be acceptable and the recommendation is for approval.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

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

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

4. Submission of site investigation report and remediation strategy:

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

- (a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors
- (b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

7. Material Management Plan:

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

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development

- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and 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. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

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

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

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. Prior to commencement of development (other than demolition and ground works), 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 provision) and other noise mitigation to reduce the level of noise experienced internally and externally (noise levels within any balconies and other external amenity areas) and to protect future occupiers from external noise levels in the area (predominantly traffic noise from Cherry Hinton Road, Queens Edith's Way and the Cherry Hinton Road / Queens Edith's Way / Fulbourn Road / High Street Junction), shall be submitted to and approved in writing by the local planning authority.

The scheme shall have regard to the internal and external noise levels recommended in British Standard 8233:2014 'Guidance on sound insulation and noise reduction for buildings' and the principles and noise mitigation recommendations detailed in the submitted 'NOISE ASSESSMENT, 283 QUEEN EDITH'S WAY, CAMBRIDGE CB1 9NH, dated 18 September 2017 (Cass Allen: INNO BUILD LTD - RP01-17543)'.

If acceptable internal noise levels can only be achieved with closed windows then alternative means of whole dwelling mechanical and or passive background / purge ventilation should be provided to allow residents to occupy the residential habitable rooms at all times with windows closed.

The scheme as approved shall be fully implemented prior to first occupation of the development and shall be retained thereafter.

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

15. Prior to commencement of development (other than demolition and ground works), details of an alternative ventilation scheme for the residential units / habitable rooms to negate / replace the need to open external windows and doors for ventilation purposes (and to address thermal comfort issues), in order to protect future occupiers from external traffic noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from Cherry Hinton Road / Queens Edith's Way. The ventilation scheme shall achieve a purge ventilation rate of at least 2 air changes per hour for each habitable room. Full details are also required of the internal operational noise levels of the alternative ventilation system.

The scheme as approved shall be fully implemented prior to first occupation of the development and shall be retained thereafter.

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

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

Thereafter, external artificial lighting shall only be implemented in accordance with the agreed scheme.

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

17. No development authorised by this permission shall commence unless and until a Traffic Regulation Order has been made under the provisions of the Road Traffic Regulation Act 1984 for the installation of double yellow lines on Cherry Hinton Road and Queen Edith's Way along the south eastern and north eastern boundaries of the site. The Traffic Regulation Order shall be fully implemented prior to first occupation of the development hereby permitted.

Reason: In order to prevent overspill parking and delivery vehicles associated with the development from impacting on highway safety (Cambridge Local Plan 2006 policy 8/2).

18. No demolition or construction works shall commence on site until a Traffic Management Plan has been submitted to and agreed in writing by the local planning authority. The 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.

Development shall be carried out in accordance with the agreed details thereafter, unless any variation has been agreed in writing by the local planning authority.

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

19. Prior to commencement of use of the vehicular access hereby permitted, the access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification, or in accordance with alternative details that have been submitted to and agreed in writing by the local planning authority. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site. The access shall be retained as such thereafter.

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

20. Prior to commencement of use of the vehicle access hereby permitted, the visibility splays, access and manoeuvring areas shall be provided as shown on the approved drawings and retained as such thereafter. The areas within the visibility splays shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high. The access shall be at least 5 metres width for a minimum distance of ten metres from the highway boundary and retained free of obstruction. The manoeuvring areas shall be maintained free of any obstruction that would prevent a domestic vehicle from being able to manoeuvre with ease so it may enter and leave the property in a forward gear.

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

21. 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).

22. No development hereby permitted shall be commenced until a surface water drainage scheme based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. Site-specific soil permeability testing and calculations in accordance with BRE Digest 365 will be required to demonstrate whether infiltration is feasible. If infiltration is not feasible then attenuation storage will be required to restrict the runoff from the site to 2.5l/s. The drainage system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding of third party land for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall include details of all proposed SuDS features, hydraulic calculations and a management and maintenance plan for the lifetime of the development. The surface water drainage scheme shall be constructed in accordance with the agreed details prior to the occupation of the site, and managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In the interests of surface water drainage.

23. Prior to commencement of development (other than demolition), a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved foul water strategy prior to first occupation of the development, and shall be retained as such thereafter.

Reason: To prevent environmental and amenity problems arising from flooding.

24. Prior to first occupation of the development, renewable energy technologies shall be installed in accordance with the 'Feasibility for Renewable Energy & Low Carbon Technology and 10% Calculations Assessment' letter from Green Heat Ltd dated 23 November 2017 and a plan showing the location of photovoltaic panels which shall be submitted to and approved in writing by the local planning authority prior to installation. The technologies shall thereafter be maintained in accordance with a maintenance programme which shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The technologies shall remain fully operational in accordance with the approved 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 technology 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).

25. Prior to first occupation of the development, 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. Development shall be carried out in accordance with the agreed details thereafter.

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).

26. Prior to the commencement of construction of external surfaces, samples of the brick and hung tiles, and details of the brick mortar shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details thereafter.

Reason: To ensure the development responds positively to the character of the area (Cambridge Local Plan 2006 policies 3/4, 3/4 and 3/12).

27. Prior to the installation of windows, details of the window, glazing type and reveals shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure the windows are an appropriate design (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

28. The windows serving bathrooms or en-suites as shown on the approved plans shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to first occupation and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall, and shall be retained as such thereafter.

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

29. Prior to first occupation of the development hereby permitted, a hard and soft landscaping scheme shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
 - b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;
 - c) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas;
 - d) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected.

Development shall be carried out and maintained in accordance with the agreed details. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

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

30. Prior to first occupation of the development, the cycle parking for residents and visitors and the bin stores shall be provided in accordance with the approved plans or alternative details that have been submitted to and approved in writing by the local planning authority prior to installation. Thereafter these facilities shall remain in accordance with the agreed details.

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

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

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

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

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

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

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

INFORMATIVE: 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

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

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

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

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

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

INFORMATIVE: Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m³ or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

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

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

Further information may be found here:

<https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>

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

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

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

Application Number	18/0086/FUL	Agenda Item	
Date Received	16th January 2018	Officer	Eloise Limmer
Target Date	13th March 2018		
Ward	Arbury		
Site	25 Hale Street Cambridge CB4 3BZ		
Proposal	Construction of new single storey garden room ancillary to the main dwelling and replacement boundary wall following demolition of existing garden shed and timber fencing.		
Applicant	Mr & Mrs Hess & Mullen 25 Hale Street Cambridge CB4 3BZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> The proposed garden room would be subservient to the host dwelling and is acceptable in terms of design The proposed garden room would preserve the character of the conservation area The proposed garden room would not have a significant adverse impact on the amenity of neighbouring occupiers
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a two storey end of terrace dwelling house situated on the eastern side of Hale Street. The garden runs along the northern side of Clare Street. It falls within the Castle and Victoria Road Conservation Area. The surrounding area is predominantly residential mainly made up of Victorian terraced properties with back gardens and associated sheds and outbuildings. It also falls within Controlled Parking Zone C; a car parking space is currently accommodated within the

garden and there is a dropped kerb allowing access from Clare Street. There are no other relevant site constraints.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the construction of a new single storey garden room ancillary to the main dwelling and replacement boundary wall following the demolition of the existing garden shed and timber fencing.

2.2 The application was amended to address the Case Officer's concerns regarding the impact on 23 Hale Street in terms of overshadowing and overbearing. The flat 'green' roof section has been extended along the boundary; this means that the gable end of the pitched roof has been set back from this boundary between 1.9m and 2.4m.

2.3 The application is accompanied by the following supporting information:

1. Design Statement
2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
17/0686/FUL	Construction of two bedroom dwelling, consisting of two floors above ground and one floor below ground including creation of courtyard garden, to the rear of 25 Hale Street	Withdrawn

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 4/11 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) 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)
Material Considerations	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 No pedestrian visibility splay is provided, and vehicles would exit the parking space with inadequate visibility of passers-by, however, given the existing fence height I am unable to object to the proposal on these grounds as no net detriment would accrue from this detail.

Urban Design and Conservation team

- 6.2 It is considered that there are no material Conservation issues with this proposal.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 County Councillor Scutt and Councillor Shiel object to the application and request that the application is called into Committee for the following reasons:
- Density – the addition of this ‘garden room’ will add to the density of this area by, in effect, creating another dwelling on the street. This creates overcrowding and adds inappropriately to the density of an already dense residential area.
 - Parking – this application must be considered as providing potential for more cars coming into an already over parked area. That the area is residents’ only at set times does not

eliminate the issue of parking from consideration. This should be considered as an issue in and of itself.

- Height – the dimension are not ‘one storey’, the height indicates that there can be a ground floor and mezzanine floor. The application is misleading in this regard. The height creates overshadowing and overbearing impacts on neighbouring properties. The amendments do not mitigate this impact and do not address the objections raised by residents.
- ‘Garden Room’ – this is not an orthodox garden room due to the inclusion of a shower and lavatory plus entrance from the street. Adding a condition regarding ancillary use provides little or no confidence. If this building were genuinely ancillary to the main building then its entrance would be from that main building and not from the street. This suggests that the garden room is going to be used as a separate dwelling.
- Enforcement - The notion that a breach of this condition could be responded to by ‘enforcement action’ is unlikely, enforcement officers have work on their hands which means they are not always able to undertake enforcement on occasions where the need is indicated. Surely it is preferable to ensure that any application is clearly an application for the stated purpose rather than allowing the application to go ahead and then to place upon residents the duty to notify the Council of suspected breach, and Council officer having to pursue such notifications then to undertake enforcement action where breach is indicated.
- Environment – the extensive report from the Conservation Team in regard to the original application (17/0686/FUL) and its ‘one liner’ now give rise to a) a concern consistent with the original report that this application is contrary to environmental requirements for this densely built up area and b) a concern in regard to the ‘one liner’ as to how this application can now be seen as consistent with these requirements. The concerns raised in the original Conservation Team report have not been eliminated.

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

5 Clare Street
7 Clare Street
9 Clare Street
10 Clare Street

15 Clare Street
21 Hale Street
23 Hale Street
10 St Luke's Street
12 St Luke's Street
13a St Luke's Street

7.3 The representations relating to the original application can be summarised as follows:

7.4 *Design:*

- The roof should be flat rather than pitched. The building should be described as one and a half storeys, particularly in regard to its visual impact. The proposed building comprises over-development; the 'intimate courtyard' is extremely small and thus a poor substitute for the open garden space which is a central feature of the conservation area.
- The application seems less rigorous in attention to detail and accuracy than the last one, which was rejected. Why else do the conservation concerns previously expressed by the officer seem to have been dismissed or disappeared?
- A full size bathroom should not be necessary for a 'garden room' a WC would be adequate this close to the main house. As it also has its own entrance from the street via the vehicle access it could potentially be occupied in the future as a small self contained unit with its own parking.

7.5 *Streetscape / Garden development:*

- The argument that the garden is under used is not a sound reason to build on ground which has always been a garden. The siting and scale of the new building will reduce the green space and compromise the balanced proportions of Clare Street. It represents an expansion of the built environment at the expense of the natural and thus intrinsically and inevitably changes the visual character of this section of the street.
- The replacement of the timber fence with a nearly 2m high brick wall would not give a sense of continuity along the street frontage. The style of housing on Clare Street is set back from the street so this will not be in keeping.

- The proposed development would negatively affect views through the conservation area to the spire of St Luke's Church. St Luke's Church has been visible from Clare Street since the church was built in 1885.
- 30-31 Clare Street should not be used as precedent as they are not comparable; they were constructed on a brownfield site and are set back from the street.

7.6 *Neighbour impact:*

- The site lies to the south-west of its immediate neighbour and would block sunlight from the garden in the afternoon, particularly during winter months. The visual impact and some loss of light would to a lesser extent be noticeable in gardens further down Hale Street.
- Clare Street is one of the narrowest streets in the area, only 80% of the width of either Hertford Street or Hale Street, so anything built opposite terraced houses at 1-10 Clare Street is correspondingly closer to these properties and dominates the outlook more completely. The building would be too dominant, making the street feel darker and more claustrophobic.
- The window facing Clare Street will directly overlook the front rooms of the opposite properties. It should be relocated to overlook their own courtyard 'garden'. People in the Clare Street properties will be able to look directly through this window so the inhabitants won't have privacy.

7.7 *Security:*

- There are concerns about how security would be maintained around the gated passageway to the rear gardens of neighbouring properties (17, 19, 21, 23 Hale Street and 10-13 St Lukes Street) during construction works. Residents should retain access during and after construction works as it is in constant use.
- If the new building will be let out as AirBnB the ambience of the neighbourhood will be detrimentally affected by a variety of short term renters coming in and out of the building.

7.8 *Trees:*

- Tree identified as T1 has a stem diameter of over 140mm at 1.3m above ground level and therefore is well beyond the size criteria to be considered a tree. I have no issue with the entitlement of the owners of No.25 to cut back to the boundary any overhanging trees or shrubs subject only to the requirement to give notice to the Council of any intended work on trees as we are within the conservation area.

7.9 The representations relating to the amended application can be summarised as follows:

- The latest amendments to the roof height along the boundary with 23 Hale Street to mitigate the overshadowing and overbearing impact on the neighbour make no material difference to the substantial concerns previously raised. Many residents responded that their original objections still stand in their entirety.

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

8.0 ASSESSMENT

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

1. Context of site, design and external spaces (and impact on heritage assets)
2. Residential amenity
3. Highway safety
4. Car and cycle parking
5. Third party representations

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

8.2 The proposed garden room and new boundary wall would be visible from Clare Street. A new 1.8m high brick boundary wall would replace the existing timber fencing. The garden room would span the full width of the garden (7.3m) for 3.4m. There

would be an additional section housing a bathroom that would project a further 2.6m across a width of 2.4m narrowing to 1.7m. This L-shape leaves room for an off-street car parking space on the site.

- 8.3 The main section of the garden room would have a pitched roof measuring 2.45m at the eaves and 4.0m at the ridge. This section would be 5.4m in length and 3.4m in width. There were several comments suggesting that the description of the building would be more accurate if the building were described as one and a half storeys. However, the eaves and ridge height of the pitched roof would not leave enough head room for any kind of mezzanine level therefore it is considered that the description of the proposal as single storey is accurate. The section that runs along the boundary with 23 Hale Street and additional bathroom section would have a flat 'green' roof that would be 2.6m in height. This section would be between 2.4m and 1.75m in length and 6m in width.
- 8.4 The garden room would be constructed from brick with a slate roof; these materials would match the existing dwelling. The scale of the garden room means that it would clearly read as an outbuilding subservient to the host dwelling. The scale and design of the proposed outbuilding are therefore considered to be acceptable.
- 8.5 The remaining garden space were this building to be constructed would be 45m² which is considered to be acceptable for this size of dwelling in this urban context. Despite several objectors suggesting that open garden space is a central feature of the conservation area, the appraisal highlights this area as 'intensely urban' and 'heavily built up with houses and offices'. It is considered that a single storey garden room in this location would not be damaging to the character of the conservation area.
- 8.6 The proposed brick garden wall would be 1.8m tall which is the same height as the existing wooden fence. It is not considered that changing the material from timber to brick would have a significant impact on the continuity of the street frontage. The boundary wall of 13A St Luke's Street is also constructed from brick (although it is recognised that this is a shorter wall) as is that of 20 Hale Street. Therefore it is considered that a brick

wall is possibly more in keeping with the character of the surrounding area than the existing timber fence.

- 8.7 It is recognised that the properties on Clare Street are set back from the street, however the proposed building is not designed to be read as a dwellinghouse but as a subservient outbuilding. Therefore having the side elevation right on the boundary with the street is considered to be acceptable. Some views of St Luke's Church will be lost as the result of this development however it will still be visible from most of this section of Clare Street. There are several large trees in the rear gardens of the properties on Hale Street and St Luke's Street that currently block the view of the church from some angles.
- 8.8 The Conservation Officer considers that there are no material conservation issues with this proposal. I concur; it has the character of an outbuilding using materials, brick and slate, that are prevalent in the conservation area, and is subservient to the main dwelling. This application has been approached by the Council in the same way as the previous application. This is a materially different proposal on a much smaller scale than the previous application. The Conservation Officer has been formally consulted and their comments reflect their view that there are no conservation issues with the new application.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

Residential Amenity

23 Hale Street

- 8.10 The application site is situated to the south of this neighbour. The outbuilding would project 6.0m along the boundary with 23 Hale Street. No.23 has a two storey extension on the other boundary that projects along approximately half of their garden. The application was amended to address the Case Officer's concerns regarding the impact on 23 Hale Street in terms of overshadowing and overbearing. The flat 'green' roof section (2.6m in height) has been extended along the boundary; this means that the gable end of the pitched roof has been set back from this boundary between 1.9m and 2.4m. This is considered to significantly reduce the overbearing impact on this neighbour by moving the 4.0m high gable end away from the boundary.

This is also considered to mitigate the overshadowing impact as most of the shadow cast by the taller section will fall within the site, onto the flat roof. There will be no windows facing this neighbour therefore it is considered that there will be no overlooking issues. Therefore it is considered that the amended scheme has addressed concerns relating to overshadowing and overbearing and is therefore acceptable in terms of impact on this neighbour.

11/13/13A St Luke's Street

- 8.11 The application site is situated to the west of these neighbours. The garden room would be separated from the rear gardens of these properties by the car parking space incorporated within the application site, the shared access to the rear gardens of the properties on St Luke's Street and Hale Street, and the bin storage area for these properties. Given this distance and the proposed scale of the garden room it is not considered that there will be any significant impact on these neighbours in terms of overshadowing or overbearing. There will be no windows in the elevation facing these properties therefore it is considered that there will be no overlooking impact.

7 and 8 Clare Street

- 8.12 The application site is situated to the north of these neighbours. The proposed garden room is separated from these neighbours by the width of Hale Street. Although one of the objections to this application points out that Hale Street is quite a narrow street it is not significantly narrower than other similar streets in the surrounding area (two cars width and pedestrian footpaths). Due to its location to the north of these properties and its single storey height it is not considered that this proposal would have any overshadowing impact on these neighbours. While it is recognised that the outlook from these properties will change, the distance between the neighbours and the proposed garden room means it is not considered that the proposal would result in an unacceptable overbearing impact. There is a high level window in the proposed garden room facing onto Clare Street; the base of this window is 2.45m above street level so there would not be any overlooking from within the property. To protect the amenity of the occupiers of 25 Hale Street when using this garden room a condition will be applied to any permission requiring this window to be obscure glazed.

General

- 8.13 Many objectors are concerned that the garden room is intended for use as an independent dwelling. The applicant proposes to use this room as office space and for extra accommodation when family come to stay. The addition of a bathroom to such a space is not uncommon. Concerns were raised over the inclusion of a door which provides independent access to the garden room from the car parking space. However I consider that the main access to this building would be through the bi-fold doors from the garden; these take up most of the elevation facing the main house. This is a significant amount of glazing that would have serious privacy consequences if this building was proposed to be separately let. Due to the proximity between the building and house, the proposal is only acceptable if occupied for ancillary purposes and I have recommended a condition to this effect to be added to any consent. There was concern about access to the shared gated passageway to the rear gardens of neighbouring properties. A condition is recommended requesting details of contractor operations before development commences. This will enable the Local Planning Authority to ensure that construction does not give rise to adverse residential amenity issues.
- 8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

Highway Safety

- 8.15 The Highways Officer states that vehicles would exit the parking space with inadequate visibility of passers-by. However, they point out that this is no different from the existing situation due to the existing fence height so there would be no net detriment from this proposal.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.17 The existing off street car parking space will be retained alongside the current informal cycle parking provision. There is therefore no change to the existing situation.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.19 *Trees* - None of the trees mentioned in the objections are subject to Tree Preservation Orders. Trees in conservation areas are protected by the provisions but I do not consider the trees on the site to be of sufficient quality to specifically require their retention. A new tree is proposed to be planted on the boundary with Hale Street as part of this scheme; it is considered that this will enhance this section of the street scene although is not necessary to make the development acceptable.

9.0 CONCLUSION

- 9.1 The revised proposed garden room would not have a significant adverse impact on the amenity of the neighbouring occupiers. It is of an appropriate scale and design and would read as subservient to the host dwelling and would preserve the character of the conservation area. It would provide extra living space for the occupiers of 25 Hale Street while maintaining a satisfactory amount of outdoor amenity space.

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 window on the south-west elevation facing onto Clare Street shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

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

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

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

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

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

6. The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse and it shall at no time be independently occupied or let, used to accommodate bed-and-breakfast guests or other short-term visitors paying rent or fees.

Reason: To avoid harm to the character of the area, to protect the amenity of neighbouring occupiers and to avoid the creation of a separate planning unit (Cambridge Local Plan 2006, policies 3/4, 3/10, 3/12 and 4/13).

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Application Number	18/0127/S73	Agenda Item	
Date Received	25th January 2018	Officer	Charlotte Burton
Target Date	22nd March 2018		
Ward	Queen Ediths		
Site	23 Baldock Way Cambridge CB1 7UX		
Proposal	Section 73 application to vary condition 2 (Approved drawings) of planning permission 17/0792/FUL (Demolition of the existing bungalow and the erection of a detached three bedroom residential unit) to allow infill of approved carport, relocation of the main entrance and a roof light to the flat roof.		
Applicant	DR N Cheung C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed amendments to the approved scheme are acceptable in terms of the impact on the character and appearance of the area; - The proposed amendments would not harm the residential amenity of the neighbouring properties and would provide an acceptable level of amenity for the future occupants. - The loss of one approved car parking space and the remaining one on-plot parking space would be acceptable in line with the Council's maximum standards and the previous consents issued on the site.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No.23 Baldock Way is a detached bungalow with an attached single flat roof garage and drive way to the north, situated on the eastern side of Baldock Way. The application site has been formed from the subdivision of no.73.
- 1.2 The surrounding area is predominantly residential mainly consisting of two-storey detached, semi-detached and terrace houses. To the north of the site is an allotment site and to the south the site adjoins the rear boundary of no.73 Glebe Road.
- 1.3 The site is not within a Conservation Area or within the setting of any Listed Buildings or Buildings of Local Interest. The site is outside the controlled parking zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 The current application to vary the consent 17/0792/FUL for the demolition of the existing bungalow and construction of a two storey 3-bed dwellinghouse with off street car parking and private amenity space.
- 2.2 The variation sought is to condition 2 (Approved drawings) to allow infill of the approved carport, relocation of the main entrance and a roof light to the flat roof.
- 2.3 These amendments are material changes as the consent 17/0792/FUL included the removal of permitted development rights for external alterations in order to protect the residential amenity of neighbouring occupiers.

3.0 SITE HISTORY

Reference	Description	Outcome
C/78/0035	Erection of detached bungalow	PERMITTED
14/0129/FUL	Demolition of bungalow and erection of detached house	REFUSED – dismissed at appeal
14/1652/FUL	Demolition of the bungalow and replacing it with a chalet bungalow	REFUSED

15/1589/FUL	Demolition of the existing bungalow and the erection of a pair of two-bedroom residential units.	APPROVED
17/0792/FUL	Demolition of the existing bungalow and the erection of a detached three bedroom residential unit.	APPROVED

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

6.2 The proposed development is acceptable subject to conditions on construction hours and piling and an informative on dust.

Head of Streets and Open Spaces (Landscape Team)

6.3 No objection or additional conditions other than those used on the original consent.

Head of Streets and Open Spaces (Trees Team)

6.4 No comments received.

Drainage

6.5 No comments received.

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

7.0 REPRESENTATIONS

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

- 24 Baldock Way
- 16 Ditton Lane
- 69 Glebe Road
- 71 Glebe Road
- 73 Glebe Road

7.2 The representations can be summarised as follows:

- Over-development of a small site
- Increase the occupancy of the site
- Potential use as a house in multiple occupancy (HMO)
- Inadequate internal habitable space
- Inadequate outside amenity space
- Increased pressure on drainage system
- Inadequate off-street parking leading to increase on-street parking problems

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 The principle of the demolition of the existing bungalow and erection of a detached dwelling has been established through the extant consent (17/0792/FUL), which was considered

acceptable for the reasons set out in the officer's report on this application.

- 8.2 The assessment for this application concentrates on the material changes that are the being sought, namely the infilling of the approved carport, relocation of the main entrance and a roof light to the flat roof.
- 8.3 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:
1. Context of site, design and external spaces
 2. Residential amenity
 3. Car parking
 4. Highway safety
 5. Third party representations

Context of site, design and external spaces

- 8.4 The proposal would infill the existing car port with a rendered wall and window, which would remain indented on the same building line as the approved garage. The elevational treatment would be the same as the approved elevation. The proposal would retain the hard landscaping in front. The front door would be relocated from the side elevation to the front elevation in place of an approved bathroom window. In my opinion, this enhances the appearance of the bungalow by activating the frontage onto Baldock Way. The inclusion of a roof light would not have a material impact on the character and appearance of the property.
- 8.5 For these reasons, in my opinion the proposed amendments are compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential amenity

Impact on residential amenity of neighbouring properties

- 8.6 The proposed works would not impact on the residential amenity of the neighbouring properties in term of overlooking, overshadowing, loss of light, overbearing or enclosure.

- 8.7 Concerns have been raised by third parties in terms of the intensification of use of the site through the additional bedroom, however I do not consider this to be significant. I have addressed the comments regarding car parking in the section below, and I consider there are no reasonable planning grounds on which to recommend refusal on the basis of loss of car parking.
- 8.8 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity of future occupiers

- 8.9 Concerns have been raised about the quality of the internal accommodation for the future occupants as a result of the additional bedroom. The floor space of the 4-bed (8-person) unit would be 154.2m² (as stated by the applicant). In my opinion, this would provide an acceptable amount of space, and is well above the Technical Housing Standards (March 2015) which recommends 124 sqm.
- 8.10 With regard to external amenity space, the Council has no adopted standards and therefore there is no reasonable planning reason why the approved amenity space would be acceptable for a 3-bed property and not for a 4-bed property as proposed, as both are capable of being occupied by families or other households that have similar needs for external amenity space. I therefore consider this to be acceptable.
- 8.11 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.

Car Parking

- 8.12 The approved scheme provides space for two cars to park off-street. The current proposal would reduce this to one space. This is in accordance with the Council's adopted maximum car parking standards which seek to reduce private car usage and promote the use of sustainable transport modes. The

previously approved scheme for two dwellings on the site (15/1589/FUL) provided no off-street parking spaces. For these reasons, there are no reasonable planning grounds on which to resist the loss of the car parking space. I consider this to be acceptable and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Highway safety

- 8.13 The proposal would not affect the approved access from Baldock Road which would remain the same. The Highways Authority has not raised concerns on highway safety grounds, including the impact from any potential additional demand for on-street car parking as a result of the loss of the car parking space. I accept this advice and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.14 I set out my response to the concerns raised in the third party representation in the below table.

Representation	Response
Over-development of a small site	I have set out my reasons in the assessment above why I consider the proposal to be acceptable in terms of the context, impact on neighbouring properties and amenity of future occupiers. For these reasons, I do not consider the proposed amendments would constitute over-development of the site.
Increase the occupancy of the site	The additional bedroom is acceptable in terms of the amenity of the future occupiers and would not harm the residential amenity of immediate neighbours or the wider area for the reasons I have given.

Potential use as a house in multiple occupancy (HMO)	The property – like other dwellings – could be occupied as small HMO for up to 6 occupants without the need for planning permission. Should the number of occupants exceed 6 people, then planning permission would be needed for a change of use to a large HMO. Use as an HMO would also be subject to separate licensing.
Inadequate internal habitable space	Please see paragraph 8.7.
Inadequate outside amenity space	Please see paragraph 8.8.
Increased pressure on drainage system	The potential increased pressure on the drainage system is not a planning matter that I can take into consideration. Notwithstanding this, I do not consider that the additional bedroom would have a significant impact. The site is not within a flood zone and the Council's Drainage Officer did not consider the proposal would cause any additional surface water drainage issues over and above that which already exists during the original application.
Inadequate off-street parking leading to increase on-street parking problems	Please see paragraphs 8.10 and 8.11.

9.0 CONCLUSION

- 9.1 In conclusion, the proposed amendments to the approved scheme are acceptable in terms of the impact on the character and appearance of the area, would not harm the residential amenity of the neighbouring properties and would provide an acceptable level of amenity for the future occupants. The loss of one approved car parking space and the remaining one on-plot parking space would be acceptable in line with the

Council's maximum standards and the previous consents issued on the site, and would not have a significant harmful impact on residential amenity through additional demand for on-street parking. In my opinion, the proposed dwelling as amended by this application complies with the policies of the Cambridge Local Plan (2006) and other material considerations.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission reference 17/0792/FUL, namely by 3 November 2020.

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

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

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

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

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

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

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

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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety

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

Reason: In the interests of highway safety.

7. 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.

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

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

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

9. 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)

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

11. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

12. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties.
(Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

13. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties.
(Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

14. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties.
(Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

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

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

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

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

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

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

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Application Number	18/0092/FUL	Agenda Item	
Date Received	17th January 2018	Officer	Mairead O'Sullivan
Target Date	14th March 2018		
Ward	Arbury		
Site	16 Thirleby Close Cambridge CB4 3RS		
Proposal	Residential development consisting of four 1 x bedroom dwellings along with car and cycle parking and associated landscaping following demolition of existing buildings on site		
Applicant	Mr A De Simone C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The revised design is considered to be acceptable - The revised proposal would no longer harm the amenity of surrounding occupiers - The units would provide a good standard of amenity for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located on the south eastern side of Thirleby Close. This is a residential cul-de-sac to the east of Harding Way. The eastern part of the road is characterised by red brick bungalows with pitched roofs. There are a number of two storey dwellings on the western end of the street. The buildings tend to be set back from the street. Many have low walls with gardens to the front; some also include hardstanding and off-street parking. Many of the bungalows have flat roofed garages to the side and rear.

1.2 The building on the application site is rendered and with a flat roof and is an anomaly in the street. The application site also has a longer garden than the surrounding properties on Thirleby Close as it appears to have bought part of the garden of 144 Gilbert Road. The bungalow has a large red brick pitched roof rear extension which has a linear form and runs along the boundary with no 14 Thirleby Close.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of existing buildings on site and the construction of 4 x 1 bedroom dwellings with associated car/cycle parking and landscaping.

2.2 The original design submitted was considered to appear dominant in the streetscene and to have an overbearing impact on the adjoining properties. The applicant has submitted revised plans which reduce the scale of the building to address these concerns.

2.3 The proposal is for a building running perpendicular to the highway containing three 1 bedroom houses and a further detached 1 bedroom dwelling in the southern part of the site. The frontage building would be set back from the footpath, similar to the existing bungalow, with three off street car parking spaces. The front elevation has a flat roofed single storey element which is brick with vertical timber cladding. This element contains bike and bin storage. There is then a pitched roof 1.5 storey gable end element. The pattern of single storey flat roof followed by 1.5 storey pitched roof continues for the remaining two properties. The roof would be finished in slate with three rectangular dormer windows on the side elevation. These have oriel windows which angle views toward the street. There are also first floor windows serving bathrooms on this side elevation. These windows are to be obscure glazed and fixed closed.

3.0 SITE HISTORY

Reference	Description	Outcome
C/96/0241	Extension to bungalow (single storey rear extension).	Permitted

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
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5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection: Parking is provided at less than one space per unit and the development may impose additional demands upon the on-street parking. This is unlikely to impact on highway safety but has the potential to impact on residential amenity. A number of conditions are requested restricting the use of unbound material, removing pd rights for gates, requiring the access to be unobstructed, laid out with adequate drainage and in line with the county council specifications, and requiring visibility splays to be implemented. An informative regarding works to the highway is also requested.

Environmental Health

- 6.2 No objection: conditions are recommended regarding construction hours, piling, collections during construction and dust. A dust informative is also requested.

Refuse and Recycling

- 6.3 No objection.

Urban Design and Conservation Team

First comment

- 6.4 Objection: The boxy form is out of character and would dominate the street scene. There are concerns about car parking allocation and the impact of further on-street car parking on the streetscene. The roof terraces would be shaded most of the day. Removing the terraces would allow the internal layout to be reconfigured to provide better amenity. The building would have an overbearing impact on neighbouring properties.

Second comment

- 6.5 Concerns about scale and massing have been addressed; however there still remain some concerns about parking and outlook of units. The bin collection point compromises the front garden of plot 1. Detail of how the four car parking space would be allocated between the three units is requested.

Head of Streets and Open Spaces (Tree Team)

- 6.6 No comments received.

Head of Streets and Open Spaces (Landscape Team)

- 6.7 Objection: The quality of landscape amenity spaces is low. The first floor terraces would be shadowed by the parapets and the entrance to the front unit is compromised by the location of the car parking.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.8 No objection: All new or altered external surfaces within the site boundary should be of permeable construction. Two conditions are requested regarding surface water drainage.

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

7.0 REPRESENTATIONS

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

- 15 Brimley Road (support)
- 144 Gilbert Road x2
- 2 Thirleby Close
- 8 Thirleby Close x2
- 11 Thirleby Close
- 13 Thirleby Close
- 14 Thirleby Close x3
- 15 Thirleby Close x2
- 17 Thirleby Close x3
- 18 Thirleby Close
- 19 Thirleby Close x3
- 21 Thirleby Close
- 23 Thirleby Close

7.2 The representations can be summarised as follows:

- The demolition of the building will cause noise disturbance and disruptions. It may also result in damage to surrounding properties.
- Buildings are in too close proximity to no's 14 and 18 in terms of noise disturbance, loss of privacy and loss of light
- First floor windows would overlook 144 Gilbert Road
- Windows overlook garden of no.14 Thirleby Close
- Loss of privacy to bedroom and sitting room of no.11 Thirleby Close
- Would overshadow windows on east side of no. 14 Thirleby Close
- Roof terraces will overlook garden of no.8

- Overdevelopment
- Incongruous in the streetscene
- Bricks should match the surrounding properties
- The timber cladding is out of character and will deteriorate with time.
- Concerned about maintenance of timber cladding to bike and bin stores
- Would destroy the quiet character of the street
- Would have a greater height than surrounding properties. Should be single storey
- The precedents stated by the developer are not relevant. Colwyn Close is historic and part of a comprehensive redevelopment
- Thirleby Close is a very narrow street and has an existing problem with on-street car parking and the proposed cart parking would be inadequate
- Photographs submitted clearly show the parking problem on the street
- Additional on-street parking would obstruct emergency vehicle access
- Would increase traffic on the street
- Request a close boarded fence is constructed on the boundary with no 14 as the existing hedge is not dense enough to provide adequate screening or security
- An application to build an additional bungalow at no.2 was rejected as out of character
- Would set a precedent
- Detached bungalows are rare in the area and are needed for people with mobility issues
- Efficient use of the site. Properties are small but well designed.
- Reduction in height is welcomed
- Loss of a family home

7.3 Councillor Scutt has commented on the application. Her comment can be summarised as follows:

- There are on-going issues with parking and driveways being blocked
- There is an application for a Local Highway Initiative (LHI)
- Cycle parking does not replace car parking
- Parking on pavements occurs even with double yellow lines; this is a hazard for pedestrians
- The proposed density is incompatible with the street
- The building would be out of character

- It is not possible to landscape the development to adequately mitigate for its impact
- Demolition will cause disruptions

7.4 Councillor Sheil has commented on the application. He has requested that it is determined at planning committee unless the officer recommendation is for refusal.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 5/1 states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is currently in residential use and the character of the surrounding area is predominantly residential. As a result the proposal accords with policy 5/1.

Context of site, design and external spaces

8.3 The original proposal was considered to be unacceptable in terms of design. The scale and massing combined with the boxy design were considered to be incongruous and would appear dominant in the streetscene.

- 8.4 The applicant has revised the proposal to address concerns regarding the design and the impact on the adjoining occupiers. The revised proposal has been reduced in scale with the height of the revised proposal being reduced from 5.75m to 5.5m; approx. 0.5m higher than the existing ridge. The height adjacent to both boundaries has also been reduced with the eaves height coming down to 3.2m from 3.5m. The reduced height is only marginally greater than the surrounding bungalows. The pitched roof gable end elements also mimic the surrounding bungalows and appear more in keeping than the original squared off proposal.
- 8.5 The scheme has been amended to remove the dark timber clad first floor projecting elements. The proposal still includes an element of timber cladding to the ground floor stores. The buildings would be predominantly buff brick with slate roofs. Timber cladding and buff brick are not characteristic in the area with the majority of the properties in the vicinity being red brick. However, the material palette is considered acceptable in principle, subject to the material being high quality. The proposal is a modern development and although it has incorporated some elements of the surrounding properties such as the pitched roof gable end, it is a different type of development which is reflected in the materials. I am satisfied that the proposed material palette would provide a successful contrast with the surrounding red brick bungalows. Material details are recommended to be required by condition.
- 8.6 The applicant has provided a context plans which suggests a number of precedents for the linear form of development proposed. None of these are considered to be relevant to the site. The development of Colwyn Close is historic and part of the comprehensive redevelopment of quite a large site. The flats at the end of Thirleby Close are not characteristic of the area and are set back at the end of the cul-de-sac and much less prominent than what is proposed. However, although neither of these developments are considered to be a precedent, the revised proposal, with its reduced height, is no longer considered harmful to the character of the area. The reduction in scale results in a less dominant form of development. The pitched roof element has a similar height and pitch to the surrounding and is no longer considered to appear incongruous.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The original proposal was considered to have an overbearing impact on both adjoining properties. The application has been revised and the scale and massing reduced to overcome this concern.
- 8.9 The frontage building would be in close proximity to the boundary with no.14. The existing bungalow has a very large extension which runs adjacent to this boundary. The current situation is not ideal and does cause some enclosure to the garden of no.14. The revised proposal is to be a similar height to the existing extension; it would be approx. 0.5m higher but with the ridge located 1m further away from the boundary than the ridge of the existing extension. The massing is also broken down further and would no longer be a continuous mass of building. The building is broken down into pitched roof elements separated by single storey flat roof elements. This helps to break down the overall massing adjacent to the boundary. In my view the combination of the broken up massing and the similar height to the existing arrangement would not result in any further enclosure to the neighbour at no.14. In terms of loss of light to no.14, the proposed building is only marginally higher than existing and this mass is broken up, as a result I do not consider it would have any significant impact in terms of additional loss of light to no.14.
- 8.10 The reduction in the height of the building has also reduced enclosure to the neighbour to the east at no.18. The impact in terms of enclosure to no.18 is less than that to no. 14 as the proposed building would be set off the boundary with this occupier. Similar to the impact on no. 14 in terms of loss of light, as the height difference is marginal and the mass of the new building is broken down, I am satisfied that there would be no significant increase to overshadowing of the garden no.18.
- 8.11 The proposal has a number of first floor bedroom windows which face number 18. These are shown to be obscure glazed and fixed shut. A condition is recommended to ensure these are

maintained in perpetuity. A condition is also recommended removing permitted development rights for any additional first floor windows to protect the amenity of surrounding occupiers. There are rooflights facing towards no.14 Thirleby Close but these are high level and would not result in any overlooking.

- 8.12 The application site is longer than the adjoining rear gardens and includes an area which would have historically been part of the end of the garden of 144 Gilbert Road. Plot 4, the detached unit is located in this part of the site. There are no first floor windows in the end wall of this unit which would overlook the garden of 144. The building is significantly set away from the house at 144 and would have no impact on the amenity of 144 Gilbert Road in terms of enclosure or overshadowing.
- 8.13 A number of representations raise concern about noise and disturbance from the additional dwellings on site. I do not consider that four small dwellings in place of one large dwelling would result in any significant increase to noise and disturbance. The pedestrian access to the houses runs in close proximity to the boundary with no. 18. However, I am satisfied that subject to an adequate boundary treatment, details of which are recommended to be submitted by condition, there would be no significant noise disturbance from comings and goings given the small number of units.
- 8.14 A number of representations raise concerns regarding disturbance during demolition and construction. The Environmental Health Officer has recommended conditions regarding working hours, piling and dust. I am satisfied that subject to these conditions, the proposal would not have any significant adverse impact on the amenity of surrounding occupiers.
- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.16 The applicant has confirmed that the units provide 53sqm of internal floorspace. There were some concerns about the ceiling heights as the first floor room is contained in the roof

spaces. The applicant has confirmed that 78% of the internal space would have a floor to ceiling height of at least 2.3m; this meets with the space standard requirements. The units do not have any rear private garden space. The three frontage units have small amounts of space by the front door but this is not considered to be a garden. Given that the units provide one bedroom and are only going to be occupied by an individual or a couple, the lack of garden is considered to be acceptable.

- 8.17 The Urban Design Officer has raised concerns regarding the location of the bin collection point due to its proximity to the front garden space of plot 1. The bins would only be in this location for a limited time on collection day and I am satisfied that this would not have any significant adverse impact on the amenity of the occupier of this unit.
- 8.18 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.19 Bins are to be provided within the flat roof elements to the front of each of the frontage units (plots 1-3). Bins are provided to the side of plot 4. The refuse officer is satisfied that the proposed bin arrangements are acceptable. There are no elevations for the bike and bin store for plot 4; these are required by condition.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.21 The Highway Authority has not raised any concerns regarding highway safety subject to condition. I share this view.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.23 Cycle parking is contained within the single storey flat roofed elements to the front of plots 1-3. Bike storage is to the side of plot 4. This arrangement is considered to be acceptable. As noted above, there are no elevations for the store for plot 4; this is required by condition.
- 8.24 Three off-street car parking spaces are to be provided. I note the large number of objections regarding car parking and traffic generation however the number of spaces is compliant with policy. The site is located within a sustainable location within close proximity to public transport links and cycle infrastructure so the 3 space provided is considered to be acceptable. I note the Urban Design Officer's request for information regarding car park allocation but I do not consider this to be necessary.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.26 I have addressed the majority of the issues raised by the third party representations within the body of my report. I will consider any outstanding matters in the below table:

Representation	Response
The demolition of the building will cause noise disturbance and disruptions. It may also result in damage to surrounding properties.	See paragraph 8.14. Damage to other properties is a civil matter.
Buildings are in too close proximity to no's 14 and 18 in terms of noise disturbance, loss of privacy and loss of light	See paragraphs 8.9-8.11 & 8.13
First floor windows would overlook 144 Gilbert Road	See paragraph 8.12
Windows overlook garden of no.14 Thirleby Close	There are only rooflights which would face the garden on no. 14. These would be high level and would not result in any overlooking.

Loss of privacy to bedroom and sitting room of no.11 Thirleby Close	There is a significant distance between the site and no. 11 which is at the other side of the road. I am satisfied that there would be no significant impact to the privacy of this occupier
Would overshadow windows on east side of no. 14 Thirleby Close	See paragraph 8.9
Roof terraces will overlook garden of no.8	The roof terraces have been removed.
Overdevelopment	The proposal is considered to be of an appropriate scale for the plot and is considered to provide a high quality living environment to future occupiers.
Incongruous in the streetscene	See paragraphs 8.4 & 8.5
Bricks should match the surrounding properties	In my view the buff brick and timber would successful contrast with the surrounding red brick. Details are required by condition.
The timber cladding is out of character and will deteriorate with time.	I am satisfied that high quality timber cladding can be used which would successful contrast with the surrounding materials
Concerned about maintenance of timber cladding to bike and bin stores	Subject to the use of high quality materials, I am satisfied that there would be no maintenance issues. Details are requested by condition
Would destroy the quiet character of the street	I am satisfied that the revised proposal would no longer be harmful to the character of the area
Would have a greater height than surrounding properties. Should be single storey	The building would be marginally taller than the surrounding bungalows. However I am satisfied that it would no longer appear dominant in the streetscene nor would it be harmful to the character of the area.

The precedents stated by the developer are not relevant. Colwyn Close is historic and part of a comprehensive redevelopment	I share this view but consider the development to be acceptable in terms of design and streetscene impact. See paragraph 8.6
Thirleby Close is a very narrow street and has an existing problem with on-street car parking and the proposed cart parking would be inadequate; photographs submitted clearly show the parking problem on the street	The parking issues are noted. The proposal provides 3 off street car parking spaces for 4 units. This is considered to be an acceptable provision given the sustainable location of the site
Additional on-street parking would could emergency vehicle access	The highway authority has not raised concerns regarding emergency vehicle access
Would increase traffic on the street	I do not consider that 4 dwellings in place of one dwelling would significantly increase traffic in the area.
Request a close boarded fence is constructed on the boundary with no 14 as the existing hedge is not dense enough to provide adequate screening or security	A boundary treatment is recommended to ensure that an adequate boundary for screening and privacy is provided prior to occupation
An application to build an additional bungalow at no.2 was rejected as out of character	I note the planning history at no.2 but each application is assessed on its own merits
Would set a precedent	Each application is assessed on its own merits
Detached bungalows are rare in the area and are needed for people with mobility issues	This type of dwelling is not protected by policy and there is no reason to reject its loss.
Wish to speak at planning committee	Those who have objected will be informed about how to register to speak at committee
Loss of a family home	The proposal does not result in the loss of housing but results in an increase to the number of residential units on site. It is therefore compliant with policy.

Councillor Scutt comments	
There are on-going issues with parking and driveways being blocked	Noted but the current application is not considered to have any significant adverse impact on car parking
There is an application for a Local Highway Initiative (LHI)	Noted but the proposal is not considered to impact on the application
Cycle parking does not replace car parking	The proposal is policy compliant in regard to both car and cycle parking provision
Parking on pavements occurs even with double yellow lines; this is a hazard for pedestrians	The proposal is not considered to have any significant impact on the existing on-street parking issue
The proposed density is incompatible with the street	The proposal is considered to be of an appropriate scale for the site
The building would be out of character	See paragraphs 8.4 and 8.5
It is not possible to landscape the development to adequately mitigate for its impact	I am satisfied that adequate landscaping can be achieved on site subject to conditions regarding boundary treatment and hard and soft landscape details
Demolition will cause disruptions	See paragraph 8.14

Planning Obligations (s106 Agreement)

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

8.28 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than

1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

- 9.1 The revised proposal is considered to be acceptable in terms of design and would no longer appear dominant in the streetscene. The revised proposal would no longer have an overbearing impact on the amenity of the adjoining occupiers. The units would provide a high standard of living accommodation for future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions

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

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

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

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

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

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

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

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

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

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

6. Prior to the occupation of the units, details of the bike and bin store for plot 4 shall be submitted to and approved in writing by the Local Planning Authority. The store shall be installed in accordance with the approved details and retained thereafter.

Reason: To ensure adequate and secure bin and bike storage for future occupiers.

7. The windows in the east elevation at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the units and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall. All of the rooflights shall be constructed a minimum of 1.7m above the finished floor level. The rooflights and obscure glazed windows shall be retained as such thereafter.

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

8. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new first floor windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

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

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

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

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

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

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

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

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

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

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

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

14. 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).

15. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

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

16. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: To prevent surface water discharging to the highway in accordance with policy 8/2 of the Cambridge Local Plan (2006).

17. 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 site. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

18. Prior to the first occupation of the development hereby permitted, the access shall be provided as shown on the approved drawings and shall be retained free of obstruction thereafter.

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

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

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- ii. provide a management and maintenance plan for the lifetime of the development.
- iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

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

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

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

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

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

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Application Number	17/2261/FUL	Agenda Item	
Date Received	10th January 2018	Officer	Rob Brereton
Target Date	7th March 2018		
Ward	Queen Ediths		
Site Proposal	45 Nightingale Avenue Cambridge CB1 8SG Erection of two detached, three storey, four bedroom family homes with single storey elements to the front and rear following demolition of existing detached house and garage.		
Applicant	Mr Kuwaidar 144 Cambridge Road Great Shelford CB22 5JU		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> The proposal represents a net gain of a new dwelling which would contribute to meeting housing demand in the city. The design and scale of the proposal are considered to positively address the surrounding built environment and character of the area. The proposal would not have a significant adverse impact on adjoining residential amenity.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 45 is a two storey detached dwellinghouse on the south eastern side of Nightingale Avenue. Nightingale Avenue is tree lined and characterised by detached dwellings which fill nearly the entire width of the plot. The houses generally have open front gardens. On the opposite side of the Avenue is Nightingale Recreation Ground.
- 1.2 The site is not within a Conservation Area and falls outside the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of two detached, three storey, four bedroom family homes with single storey elements to the front and rear following demolition of existing detached house and garage.
- 2.2 The proposed four bedroom detached houses are identical. Both are gable ended with a box dormer on one slope of the roof, have flat roofed porches and single storey rear elements finished in sedum green roofs. These houses are proposed to be finished in a combination of materials including wood cladding, metal cladding, tiles and render. The ground floors contain a sitting room/study and an open plan kitchen/dining room, on the first floor there are two bedrooms and two bathrooms and the second floor is contained within the roofspace and dormer, it contains two further bedrooms and a bathroom. The site will be split in two at the front by a low hedgerow to the front and by a 1.8 metre high boundary fence to the rear. Bin and cycle stores are to be proposed in the rear gardens of each dwelling and each new house has space for off-street parking of two cars.

3.0 SITE HISTORY

Reference No.	Description	Outcome
C/03/1163	Variation of planning permission ref: C/02/1224/FP to allow retention of flat roofs.	Approved
C/02/1224	Erection of a single storey side extension with pitched roof connecting to main roof of existing dwelling.	Approved
C/02/0439	Erection of two storey side extension, garage and enlarged porch.	Withdrawn
C/71/0360	Erection of residential estate of 60 properties	Approved
C/70/0745	Addition of Music Room Stores to existing house	Approved

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal should have no significant impact on the public highway, should it gain the benefit of planning permission, subject to the incorporation of the conditions regarding the treatment and maintenance of the proposed driveway.

Environmental Health

- 6.2 No objection subject to standard conditions limiting construction hours, collections during construction, piling and dust.

Landscape Design

- 6.3 No objection subject to a condition requiring further details of hard landscaping.

Urban Design

- 6.4 The proposed dwellings sit comfortably on the site. They retain the domestic character and scale of the surrounding area, which is a mix of mid-20th century houses of varying styles. The

proposal maintains the building line of the street. The existing dwelling is framed by trees and greenery. This should be maintained or replaced as much as is possible, to maintain the leafy suburban prevailing character.

There is approx. 700mm increase in the ridge height, which is acceptable in design terms. However it is unclear from the submitted information what impact the proposed dwellings will have on neighbouring properties.

City Council Drainage Team

6.5 No objection subject to three standard sustainable drainage system conditions.

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 address have made representations:

- Camcycle- The Bike Depot, 140 Cowley Road
- 41 Nightingale Avenue
- 43 Nightingale Avenue
- 45A Nightingale Avenue
- 47 Nightingale Avenue
- 25 Worts Causeway
- 137 Queen Ediths Way

7.2 The representations can be summarised as follows:

- The indicated cycle parking area in the rear garden is clearly too small to park the necessary number of cycles according to Appendix D of the 2006 Local Plan. Furthermore, the access gates to the rear garden appear to be less than 1 metre wide.
- The design, appearance and size of the new buildings is not in keeping with the surrounding area. There are no other narrow, three-storey buildings in Nightingale Avenue.

- Granting this application would set an unacceptable precedent and greatly change the character of the area.
- Currently all houses in Nightingale Avenue have a single dwelling on a single plot. To fit two houses on one plot would be out of character with the rest of the road.
- No house on this street has been demolished to make way from further development and this would set an unacceptable precedent.
- This road has free parking down one side which is used day and night. Due to congestion at the hospital roundabout, this road is used by drivers wishing to bypass this. This means that this residential road has far more traffic than intended. Any extra vehicles both during the build and after both houses are occupied is undesirable.
- It is far too wasteful of resources to demolish and rebuild.
- The application, rather disingenuously, suggests that the scale and massing of the proposed houses is in keeping with the surrounding area, but there is no evidence or illustration included in the application to support these claims; and any examination of the detail of the proposals show this is simply not the case.
- The proposal more than doubles the density of the development at No. 45 Nightingale Avenue by building on the existing garden, and so is an example of 'garden grabbing' which is now generally considered to be an inappropriate form of development.
- The proposal is for two three storey houses: even though the plans show the second floor being incorporated into the roof space of the new houses, the rooflines would have to be significantly higher than the existing houses along Nightingale Avenue (all of which have c.45cm of their first floor within the roof space). Allowing for insulation and appropriate habitable space ceiling heights it is likely that the roof ridge height would have to be increased by c1600mm (heights do not appear to be shown on submitted plans, nor is there an elevation drawing showing their height alongside neighbouring dwellings).
- The plot for this proposed development is situated directly opposite Nightingale Recreation Ground, which is an important and well-used public open-space. The massing of the existing houses along the southern side of Nightingale Avenue, the greenery between them and their low rooflines all contribute significantly to the character and visual amenity

of this open space. The avenue itself has an open, leafy character, which is important not only for local residents but also for significant numbers of staff at Addenbrookes who visit and walk here during their breaks. A denser, taller development would significantly alter the character and visual amenity of this public space.

- Whilst the density of this development might be appropriate in the City Centre, on the southern fringe of the City there is an expectation that a family house should have a family-sized garden.
- The proposed houses have little storage inside them so will require a lot of outbuildings.
- The proposal will overload the existing shared sewer.
- The proposal doubles the amount footprint currently on site.
- The proposal will significantly overshadow the rear garden of No. 43.
- The second floor roof windows could overlook adjoining properties.
- The amount of glazing proposed will not pass building regulation and will let noise pass easily.
- The proposed site excavation will cause a huge amount of disturbance.
- Acoustic shielding between floors is not achievable.
- Unwanted proposed boundaries will encroach or replace existing.
- Water runoff onto the highway will be excessive when compared to the existing situation.
- The proposal will impact neighbours trying to sell their properties

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

8.0 ASSESSMENT

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

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

4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations

Principle of Development

- 8.2 The property currently situated on the subject site is not characterised as a building of architectural merit as it is not Listed, a Building of Local Interest or within a Conservation Area. It therefore has permitted development rights to be demolished without planning permission subject to Environmental Health being satisfied with technical demolition details. I note this fallback position and I also note Environmental Health have no objection to the demolition subject to further details being provided by condition. I am therefore of the opinion the principle of the proposed demolition is acceptable.
- 8.3 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is therefore my view that the proposal complies with policy 5/1 of the Local Plan.
- 8.4 Policy 3/10 of the Cambridge Local Plan (2006) states residential development will not be permitted if it will [the relevant extracts are listed below]:
- have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - detract from the prevailing character and appearance of the area;
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1. The relevant criteria of policy 3/10 are considered in further detail below.

Context of site, design and external spaces

- 8.6 Nightingale Avenue is characterised by substantial two storey detached properties whom mainly fill the width of the plot. The majority of plots on this street are uniform in width. The proposal would subdivide the plot in a manner not typical of the pattern of development in this location. I note from my site visit that Nightingale Avenue contains a lot of mature planting and the majority of properties are tree lined to the front. These trees break up views along the street and in this context the atypical development pattern proposed here would not have a significant visual impact. I do not consider it to be a reason to refuse the proposal. The existing dwelling is framed by trees and greenery and the scheme does not propose to change this. Finer details of fenestration will also be important to the frontage to maintain the openness of the frontage as much as possible. These details are recommended to be sought by a condition which requires hard and soft landscaping scheme for the site.
- 8.7 Neighbours have voiced concerns that the proposal is an overdevelopment of the site. The scheme, while leaving a gap of 0.8 metres to the northern western boundary and 1 metre to the southern western boundary, takes up the majority of the frontage of the site facing the streetscene. This is common in this location. While the depth of the proposed buildings at first and second floor level would be greater than the single dwelling they would replace, the depth is comparable with No. 43 Nightingale Avenue and 2.5 metres greater than No. 45a Nightingale Avenue. In this context I therefore do not consider the scale and bulk of the proposal to be an overdevelopment of site, but in keeping with the character of the area.
- 8.8 There is no definitive architectural style on Nightingale Avenue, which is mix of mid-20th century houses of varying styles. I consider the proposed contemporary design would complement the architecture on this street. I note while the proposed dwellings maintain the established building line they would have a ridge height approximately 0.7 metres higher than immediately adjoining properties. As can be seen in the streetscene provided building height is not uniform on this part of the road and as these properties have a low eaves height I do not envisage they will appear overly dominant. Both properties are gable fronted and have box dormers that face

each other. Box dormers that are visible from the streetscene are not a prominent feature on Nightingale Avenue but they are well integrated into the design and well indented from the front facade, I consider they have a subservient form which complements the contemporary design. I also note that the dormers are not visible from wider views but only when an observer is standing directly in front of the scheme. In these circumstances I consider these dormers are acceptable. The quality of materials will be paramount to this being a successful scheme and a high quality piece of infill design. I recommend a condition is added to ensure this. I note Urban Design have support the proposed design approach.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

Overlooking

- 8.10 The first floor master bedroom window in unit 1 faces the boundary with No. 43 Nightingale Avenue. Proposed elevation drawings indicate this to be obscurely glazed. A condition is recommended to ensure this. Similarly, in unit 2, the first floor master bedroom window faces the boundary with No. 45a Nightingale Avenue, and the condition should apply here too.
- 8.11 Apart from these windows and those in bathrooms which also face neighbouring boundaries all the upper floor windows in the new dwellings would face either the road frontage or down the rear garden. I do not consider any significant opportunity for overlooking beyond what already exists would be created.

Overshadowing / Enclosure

No. 43 Nightingale Avenue

- 8.12 No. 43 Nightingale Avenue is located north-east of the subject site. Unit 1 would be indented 0.8 metres from the boundary with No. 43 Nightingale Avenue and there would be 5.5 metres between the two properties. No. 43 Nightingale Avenue has two windows facing the side elevation of unit 1. The first is a

stairwell window and the second is a living room window. As the stairwell is not a habitable room some loss of light to this window is considered acceptable. Loss of light to the living room is also considered acceptable as this room is dual aspect with a glazed opening also to the rear of this building. A detrimental loss of daylight is therefore not envisaged to this habitable room.

- 8.13 The rear elevation of the upper floors of unit 1 does not surpass the rear elevation of No. 43 Nightingale Avenue; however the single storey element to the rear extends 5.9 metres past this neighbour's rear elevation. This single storey element is flat roofed and has a height of 2.9 metres. However the ground level on the application plot is lower than at No. 43, so the height above the ground level of this neighbour is 2.4 metres. This means the extension is just 0.6 metre higher than the boundary wall/fence. I do not consider an extension of this height indented 1 metre from the shared boundary would have a detrimental enclosure impact on the rear garden of No. 43 Nightingale Avenue.
- 8.14 The main two and a half storey bulk of unit 2 will lead to the loss of some western evening light in the rear garden of No. 43 Nightingale Avenue. I consider because of the short period of time this impact would occur and because the majority of this neighbour's significant rear amenity space will not be overshadowed this impact is not significant enough to warrant refusing this application. I also note this impact will be very similar to the overshadowing produced by the existing dwelling as this proposal while 0.7 metre greater in ridge height, has similar eaves to the existing dwelling.

No. 45a Nightingale Avenue

- 8.15 No. 45a Nightingale Avenue is located south-west of the subject site. Unit 2 would be indented 1 metre from the boundary with No. 45a Nightingale Avenue and there would be 2.1 metres between the two properties. This neighbouring property has three glazed openings facing the proposal. These include a glazed conservatory, a first floor stairwell window and glazed French doors leading to a sitting room. Loss of light to the first floor stairwell window is considered acceptable as it is not a habitable room. The conservatory not only has glazing facing the proposal but also a glazed roof and glazing facing down the

garden. It is therefore considered that a detrimental level of daylight would not be lost to this habitable room. The living room within this neighbour's single storey rear extension is also dual aspect with a window facing down No. 45a's rear garden. As these French doors are nearly 9 metres away from the proposed single storey element of unit 2 no detrimental levels of loss of daylight to this habitable room are envisaged.

- 8.16 Unit 2 would be approximately 5 metres closer to the boundary with No. 45a Nightingale Avenue than the existing detached property. The rear elevation of the upper floors of unit 2 would extend 2.5 metres further than the rear facade of No. 45a. I consider this additional bulk coupled with the orientation of unit 2 will lead to a limited additional sense of enclosure to the rear garden of No. 45. I do not consider that this would cause significant harm to the neighbours' amenity such as to merit refusal. Any loss of sunlight to the rear garden at No. 45 would be very limited and confined to early summer mornings.
- 8.17 All other neighbouring properties are too far away for any overshadowing and enclosure impacts.

Noise and disturbance during demolition and construction

- 8.18 The Environmental Health Team does not consider that the proposed two detached houses will create a significant additional detrimental level of noise impact to neighbours. I agree with this assessment. I note the proposed side passages, that future residents would use, adjoin the boundaries with Nos. 43 and 45a Nightingale Avenue. I do not consider the future occupants using these passageways would unduly disturb the occupants of the neighbouring properties.
- 8.19 I note this application involves lowering the ground level by approximately 0.4 metres as well as demolition and construction. I therefore agree with Environmental Health that conditions are warranted to control the demolition and construction process. I therefore recommend conditions limiting construction hours, collections during demolition/construction, piling and dust.
- 8.20 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

- 8.21 The proposed windows in both houses all have an acceptable outlook onto private amenity space. I consider the use of an obscurely glazed window in the master bedrooms is acceptable as there are other transparent windows proposed in these bedrooms.

Amenity space

- 8.22 I consider each of the proposed amenity spaces to the rear are of a sufficient size and quality for each four-bedroom dwelling. The Landscaping team also considers these amenity spaces acceptable subject to a condition on details of hard and soft landscaping. To ensure both amenity space remain sufficient in size in the future I recommend a condition removing permitted development rights.
- 8.23 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

- 8.24 The refuse arrangements appear satisfactory and to comply with the RECAP Waste Management and Design Guide 2012.
- 8.25 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2006) policy 3/12.

Highway Safety, Car and Cycle Parking

- 8.26 County Highways has no objection to the proposal in terms of highway safety. Having been to site I note the existing access arrangement will not change as part of application and no additional areas of hardstanding are proposed. However, I do note this proposal would split the existing driveway in half. This

leaves unit 1 with two parking spaces and unit 2 also with two parking spaces. This amount of off-street parking accords with Appendix C of the Cambridge Local Plan (2006) and is considered acceptable. I have only recommended a condition requiring the provision of the access prior to occupation of the dwelling as I do not consider the other conditions recommended by Highways are necessary to make the development acceptable.

8.27 Appendix D of the Cambridge Local Plan (2006) requires four bedroom properties to have a minimum of 3 cycle parking spaces. I do not think either of the sheds provided are large enough to cater for the 3 cycle spaces. However, it is my opinion that both the rear amenity spaces of unit 1 and unit 2 are large enough to house separate cycle stores that are large enough for 3 cycle spaces. I recommend further details are sought by condition.

8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2, 8/6 and 8/10.

8.29 Third Party Representations

Concern	Response
Cycle parking	See paragraph 8.26 and condition 10
Design and scale is not in keeping	See paragraphs 8.6 – 8.9
Precedent	Each case is adjudged on its own merits. Approving this application cannot create a precedent.
Impact of extra vehicles during build	See paragraph 8.18 – 8.19 and conditions 3 and 4
Demolition is a waste of resources	In these circumstances there is no policy support for this statement see paragraph 8.2
Visual impact on the recreation ground	I do not consider the scale and design of this proposal will have an adverse impact on the streetscene or Nightingale Avenue Recreation Ground across the road. See paragraphs 8.6 – 8.9
Overdevelopment of site	See paragraphs 8.6 – 8.7

More outbuildings will be required	See paragraph 8.22 and condition 12
The proposal will overload the existing shared sewer	This is not a matter for the consideration of the Planning Authority but a matter to be assessed by Building Control.
The proposal will significantly overshadow the rear garden of No. 43	See paragraphs 8.12 and 8.14
The second floor roof windows could overlook adjoining properties	As these are angled and 1.7 metres above the finished floor level of the second floor within the roofspace no overlooking impacts are envisaged.
The amount of glazing proposed will not pass building regulation and will let noise pass easily.	This is not a matter for the consideration of the Planning Authority but a matter to be assessed by Building Control.
Site excavation will cause a huge amount of disturbance	See paragraph 8.19 and conditions 3 - 6
Acoustic shielding between floors is not achievable	This is not a matter for the consideration of the Planning Authority but a matter to be assessed by Building Control.
Unwanted proposed boundaries will encroach or replace existing	This is not a matter for the Planning Authority but a civil matter under the Party Wall Act.
Water runoff will be excessive when compared to the existing situation.	See condition 7
Impact on neighbours wishing to sell their properties	This is not a matter for the consideration of the Planning Authority.

9.0 CONCLUSION

- 9.1 I am of the opinion that the proposal complies with the relevant policies and will not have a significant detrimental impact the character of the streetscene on neighbouring properties, highway safety or the amenity of future occupiers. I recommend that the application is approved subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

7. No development hereby permitted shall be commenced until surface water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding 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, details of the existing and proposed systems for discharge of surface water runoff including discharge rates and the proposed measures to prevent pollution of the receiving groundwater and/or surface waters; and
- b. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

No building 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. No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2012)

8. Before occupation of the dwelling, the access shall be provided in accordance with the approved drawings and shall be retained in accordance with these details and free of obstruction thereafter.

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

9. 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)

10. No development shall commence until full 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 agreed facilities shall be provided in accordance with the approved details before use of the development commences.

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

11. 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)

12. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouse; the construction of dormer windows/roof extensions; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling and to protect the character of the area. (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

13. The windows identified as having obscured glass on drawing number 17/1002/PL-04 (As Proposed Plans and Elevations) shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

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

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

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

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

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

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

Further information may be found here:

<https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>

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Application Number	18/0119/FUL	Agenda Item	
Date Received	23rd January 2018	Officer	Eloise Limmer
Target Date	20th March 2018		
Ward	East Chesterton		
Site	Pavilion Chesterton Recreation Ground Church Street Cambridge		
Proposal	Single storey extension to existing pavilion with external terrace.		
Applicant	Mr Ian Ross Hobson House 44 St Andrews Street Cambridge CB2 3AS		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The proposed extension to the pavilion would preserve the character of the conservation area. • The proposed extension to the pavilion would not have a significant adverse impact on the amenity of neighbouring occupiers. • The proposed extension to the pavilion is acceptable in terms of design.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is the sports pavilion situated on the eastern side of Chesterton recreation ground close to the pedestrian entrance into the recreation ground from Church Street. To the east of the site is a single storey public WC block and recycling facility. To the north are four recently constructed three storey residential dwellings (7-10 Church Street). To the west is a fenced children’s play area and skateboard ramp. To the south is the Grade I listed Parish Church of St Andrew that

sits within its Grade II listed churchyard. The recreation ground is a protected open space within the city and recorded on the Council's adopted Playing Pitch Strategy (2016). The site falls within Chesterton conservation area.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for a single storey extension to the existing pavilion with an external terrace. The existing building is 47m²; the new extension would provide 86m² of additional accommodation as well as 18m² of additional external covered storage. The proposed extension to the Pavilion would be mainly situated on the south-western end of the existing; overlooking the main sports facilities. The proposed facilities would include a new multi-purpose club room, an enlarged kitchen and internal and external storage facilities.
- 2.2 The extension would wrap around the existing building which currently measures 12m x 4.5m. The kitchen would project out 3.5m to the south-east and the external store would project out 3.5m to the north-west; both in line with the existing building. The club room would then extend 6.4m to the south-west and would be 10m in width. The internal store would extend from the club room projecting 2.5m to the northwest. New fencing would surround the site; the secure external covered storage area to the north-west of the existing building would be accessed via a gate between the Pavilion and the public WC.
- 2.3 A raised terrace to the south is also proposed; this would provide both stepped and ramped access to the building. It would be partially covered, mainly along the south-eastern elevation, by a flat roof supported by timber columns. It would provide outdoor seating to the south, projecting a further 4m from the extended pavilion. The edge of the terrace would go past the existing play area fence line; it is proposed that the play area fence line nearest the pavilion would be removed and finished to the edge of the new balcony. This would help to integrate the extended pavilion into the Recreation Ground.

2.4 The scheme has been amended to address officer concerns about the impact on the neighbouring properties. The following changes were made:

- New extension has been moved away from boundary fence to allow a 1m gap for maintenance and help reduce overlooking.
- Boiler vent and extract shown on North West elevation has been removed; the heating will be electric not gas and will therefore not require the vent and extract.
- End of external terrace has been moved further away from neighbouring properties and brought in line with the edge of the canopy over the club room doors to help address overlooking concerns.
- Main playground gates have been added to the Existing Site Plan for clarity.
- External terrace layout and access adjacent to the main playground gates has been simplified.
- Main playground gates have been moved out to line up with external terrace to improve access from the main path.
- Visible facades of existing changing room block will be overclad to match the new extension in order to create a more cohesive look.

2.5 Planning permission 14/0790/FUL for the development of Cambridge City Football Ground has a S106 developer contribution and condition for formal outdoor sports with funds allocated for the development of Chesterton Recreation Ground. This planning application has been worked up in consultation with local groups and representatives, the funds have been received by the City Council and now await the development and approval of an appropriate project for the funds to be released.

2.6 This application is being decided by Committee because the application involves the City Council as applicant and landowner and the development is not of a minor nature.

3.0 SITE HISTORY

Reference	Description	Outcome
C/82/0870	Erection of changing room	Approved
C/00/0129	Alterations and single storey extensions to existing changing pavilion to provide additional changing rooms, shower rooms and kitchen facilities	Approved subject to conditions

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012
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	National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cambridge City Council (2011) - Open Space and Recreation Strategy A Major Sports Facilities Strategy for the Cambridge Sub-Region (2006)
	<u>Area Guidelines</u> Chesterton and Ferry Lane Conservation Area Appraisal (2009)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the Highway Network

Urban Design and Conservation Team

- 6.2 The development proposed is acceptable subject to conditions. The existing single storey pavilion is of no particular architectural or historic interest and it is unfortunate that the applicant is not proposing to take the opportunity to demolish it and to start from scratch. Having said that, provided the materials and details are appropriate, the proposed extension is not considered to be harmful to the character or appearance of the conservation area and will not affect the setting of any of the listed buildings in the area.
- 6.3 The proposed cladding material is not traditionally found in the conservation area and there are concerns that they may not weather well in this highly visible location. The Conservation Team would encourage the applicant to consider natural materials rather than man-made for this prominent location and samples should be provided on site to ensure that any proposed cladding will work with the existing building.

Access Officer

- 6.4 Double doors will need to be asymmetrical with one leaf being at least 900mm and having an opening force of less than 20N.
- 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:
Objection:
- 7 Church Street

- 10 Church Street
- Turnwood (Church Street) Ltd

Support:

- 149 Coleridge Road
- 16 Eachard Road
- 2 Grayling Close
- 7 Guest Road
- 13 Hertford Street
- 16 Jermyn Close
- 67 Kendal Way
- 8 Kinross Road
- 1 Lanthorn Stile, Fulbourn
- 25 Magrath Avenue
- 51 Oxford Road
- 96 Scotland Road
- 10 Silverwood Close
- 6 Upper Gwydir Street
- 58 Windsor Road (Chair of Chesterton Eagles)x2

7.2 The representations can be summarised as follows:

Objections

7.3 *Scope:*

- The scope should be extended to include the public toilets and recycling area, this scheme is missing an opportunity to deliver full value to the community. S106 funds from the development of 7-10 Church Street could be used.
- The purpose of the proposed plans/building is to increase social and family activities in and around the buildings. This will lead to an increase in noise/disturbance and also to increase usage of the associated public toilets and recycling area both of which are in a very sorry state.

7.4 *Privacy:*

- There are direct sight lines into the gardens and lower ground floor kitchens of the 7-10 Church Street. The terrace is between 600mm and 800mm higher than existing ground

level and reduces the screening level of the existing fences so that unobstructed views are provided.

7.5 *Overshadowing:*

- The roof structure will have a significant negative visual impact and light shadow on some or all of 7-10 Church Street. The proposed building would be much higher than the existing pavilion and the ridge is close to 10 Church Street. The shadow study shows a significant effect on the morning light in 10 Church Street's garden from September to March.

7.6 *Overbearing:*

- The new substantial rear addition will appear extremely dominant and bulky on site and will extend along the entirety of the eastern boundary of the Church Street houses. The height is approximately 1.1m higher than the existing pavilion. It will disrupt the pleasant and open outlook currently enjoyed by residents. The existing pavilion is nestled within the trees and hidden from view.

7.7 *Boundary maintenance:*

- We would require an undertaking that a) nothing would be stored against our boundary fence, b) any damage to our boundary fence either during construction or afterwards be immediately repaired and made good by the applicant at their cost c) we are given a key to the new fence and gate shown between the changing rooms and public toilets to allow us to access and maintain our boundary fence.

7.8 *Materials/design:*

- Marley Eternit Cedral cladding has a very unpleasant textured plastic finish and the red roof tiles, while similar to the existing pavilion are also a poor choice and do nothing to enhance the conservation area. The materials do not borrow from or sympathise with any of their neighbours and do not reflect the generally excellent quality of materials around them. Higher quality materials would be more appropriate; timber cladding or red brick for walls and cedar shingles, clay tiles, or slate for the roof.

7.9 *Noise/smells:*

- The new pavilion shows a grille on the north-west elevation, depending on what this is used for it could disturb 7-10 Church Street and at the very least provides an ongoing maintenance issue.

7.10 *'Dead zone':*

- Currently most pedestrians and dog walkers walk around through the gap between the playground and the pavilion however with the playground fixing directly onto the pavilion and a raised terrace which will deter transit the path will change to create a dead zone.

7.11 *Information/Consultation:*

- Despite the proposed new pavilion having an impact on 7-10 Church Street as well as potentially the Dovecote only 10 Church Street was consulted.
- We feel that this application should be described as a new pavilion as the building will deliver an additional 104m² which is more than double the size of the existing changing block (47m²). This is a significant increase which cannot be described as subsidiary to the existing changing room block.

7.12 *Trees:*

- Certain trees within this conservation area were discussed in the application as being protected during/after construction, a number of existing trees immediately to the rear of our property received no specific mention. It should be a condition of any approval that all existing trees, some recently pruned back, receive equal protection.

7.13 Support

- A large number of the parents and supporters of Chesterton Eagles FC have responded in support this application. Chesterton Eagles is one of the only clubs in the region without a proper 'club house' facility and this is a long overdue and exciting development for the club and the local community.
- They consider that there will be no adverse effects on the surrounding area. The existing facilities are not suitable for

the needs of local people, there needs to be proper facilities for everyone. The extended building will become an asset to more local groups and activities.

- This is a modern but aesthetically tasteful improvement to the outdated and utilitarian existing building. The current building is so small little can be operated out of it, the kitchen facilities are poor and there is no proper storage.
- The terrace area would solve the ongoing issue of dog fouling in the space between the current building and play area which will be an improvement for the families and children that play around there.
- Cambridge has suffered huge growth in house building and it is high time that some of the S106 money given to the Council was invested into local improvements. This will encourage exercise and provide a good local facility for families and groups to use.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Disabled access
4. Residential amenity
5. Car and cycle parking
6. Third party representations

Principle of Development

8.2 This development is an extension of the existing facilities therefore Policy 3/14 (Extending Buildings) of the Cambridge Local Plan (2006) is pertinent. This states that the extension of existing buildings will be permitted if they:

- a. reflect or successfully contrast with their form, use of materials and architectural detailing;

- b. do not unreasonably overlook, overshadow or visually dominate neighbouring properties;
- c. retain sufficient amenity space, bin storage, vehicular access and car and cycle parking; and
- d. do not adversely affect listed buildings or their settings, the character or appearance of conservation areas, gardens of local interest, trees or important wildlife features.

It is considered that this application meets these criteria; the detail of this will be addressed throughout this report.

8.3 This development also represents an improvement of a leisure facility which is covered by Policy 6/2 (New Leisure Facilities) of the Cambridge Local Plan (2006). This states that development for the provision or improvement of a leisure facility will be permitted if:

- a. it improves the range, quality and accessibility of facilities;
- b. it is of an appropriate scale for the locality; and
- c. it would not have a negative impact upon the vitality and viability of the City Centre, including the evening economy.

It is considered that this application meets these criteria; the detail of this will be addressed throughout this report.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 3/14 and 6/2 of the Cambridge Local Plan (2006)

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

8.5 The existing Chesterton Recreation Ground Pavilion is a single storey detached brick structure providing two team changing rooms, referee's room, toilets, showers and a small kitchenette. It is situated adjacent to the single storey public WC and recycling facility close to the vehicle access gates and pedestrian access on Church Street. The recreation ground is a protected open space and is used for formal and informal sporting activities as well as local community events.

8.6 Access to the pavilion and public WCs is from a pedestrian entrance into the recreation ground off Church Street, along a carrstone footpath with heavy duty buff paving outside the entrances providing level access to both facilities. Car parking is all offsite and provided for by on street parking on Church Street

directly outside the recreation ground entrance in free short stay parking bays.

- 8.7 The proposal includes improvements to the landscaping in the vicinity. An amended and widened footpath will run alongside the extended pavilion. There will be ramped access to the buildings main entrance which will link with the new terrace allowing disabled access. New cycle storage would be provided to the south-east of the retained section of the pavilion building. The new kitchen is situated on the side of the building which allows service of both the indoor space and the external terrace via hatches.
- 8.8 The proposal includes increased provision of internal and external stores. There will be also be an external covered storage area for larger pieces of equipment. This area will be situated to the west of the retained pavilion. A new fenced area will also be introduced as part of this scheme; this would block the existing narrow passage between the boundary fence of 10 Church Street and the existing pavilion and WC buildings. The fence at the end of the rear gardens of 7-10 Church Street will be extended across to meet the side wall of the Pavilion to enclose this space. A gate would be placed between the WC and pavilion buildings; this ensures that the external covered store is secure.
- 8.9 There is a children's play area adjacent to the site. The existing play area fence line nearest to the Pavilion would be removed and finished to the edge of the new raised terrace. This is proposed to open the play area up more and integrate the extended pavilion into the recreation ground. It would also design out a small strip of grass that would otherwise be difficult to maintain.
- 8.10 The proposed pitched roof of the extension is higher than the existing block. It is an asymmetrical pitched roof design that provides maximum ceiling height over the key space, the multi-purpose club room, and then drops down over the more utilitarian rooms. This shape also adds some interest to the design and creates a more contemporary look.
- 8.11 The extension cannot be said to be subservient to the existing building as it is significantly larger and actually engulfs the southern end of the current pavilion. However, there is

restricted funding for improvements at this site and the retention of the existing building as part of the scheme is a sustainable solution.

8.12 The roof tiles are proposed to be red concrete tiles to match the existing. The existing brick structure and the extension would be clad in fibre cement weather boards. At this stage the applicant is proposing these to be black or dark grey in colour to ensure the appearance can be maintained as dark colours are less affected by graffiti and other markings. The Conservation Officer has suggested that natural materials should be considered as they are concerned that the suggested material might not weather well in this highly visible location. A condition is recommended seeking samples of the facing materials on site, and the final materials to be agreed with the Local Planning Authority before works are started. I am confident that materials that suit the requirements of the applicant while still preserving the character of the conservation area can be agreed. Subject to agreeing materials the proposed extension is not considered to be harmful to the character or appearance of the conservation area and will not affect the setting of any of the listed buildings in the area.

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

Disabled access

8.14 The ground level dips towards the south of the site. To ensure level access throughout the building a raised terrace has been proposed to the south and east of the site to compensate for the change of level on the exterior. There will be a ramp to allow disabled access to the terrace and pavilion building. The Access Officer has advised that the double doors will need to be asymmetrical with one leaf being at least 900mm and having an opening force of less than 20N.

8.15 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

10 Church Street

- 8.16 There are no windows on the elevation facing 10 Church Street therefore there will be no increase in overlooking from inside the building. The occupier was concerned about views from the raised terrace into their rear garden and ground and first floor rear rooms. I consider that the amended scheme which has moved the terrace towards the south of the site has mitigated this impact so the level of overlooking is now acceptable. The pavilion building itself will block most of the views from the terrace and any more oblique views are over long distances.
- 8.17 The application site is to the south east of 10 Church Street and there is concern from neighbours about the negative visual impact and light shadow on 7-10 Church Street. A shadow study was submitted as part of the application to show the impact on the neighbours' amenity space. It is claimed that the shadow study shows 'a significant effect on the morning light in 10 Church Street's garden from September to March'. However, 10 Church Street has a tall fence surrounding the garden which casts a significant shadow and it is considered that the increase in overshadowing compared to this existing situation is at an acceptable level. The limited impact is also only seen in the morning light in spring and autumn. It is not the whole period of March to September that is affected as the summer (June) morning light is unaffected.
- 8.18 In terms of overbearing, it is recognised that the extended pavilion is closer to the boundary and 1m higher at the ridge than the existing. However the eaves height closest to this boundary is 2.5m at most and the ridge is situated 6m from the boundary. This property has a very open outlook to the rear and it is not considered that the overbearing effect of the proposal would cause an unacceptable impact on the amenity of the occupiers.
- 8.19 The amended scheme has moved the building line away from the boundary with 10 Church Street to allow access for maintenance of the boundary fence. The space between the boundary fence and the pavilion is proposed to be closed off by

fencing as part of this application. The details regarding the use of the space, including leaning equipment against the fence, and access for maintenance for the occupiers of No.10 are not material planning considerations and should be discussed directly with the applicant.

8.20 The other properties in the new development (7-10 Church Street) are considered to be a significant distance from the application site and therefore the amenity of the occupiers will not be affected by this proposal.

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

Bin storage

8.22 No details of bin provision or storage have been provided and it is anticipated that the larger facility will require more bin provision than the existing situation. I am confident that the site can accommodate adequate provision but a condition is recommended to secure the details before the development commences.

Car and Cycle Parking

8.23 The existing car parking situation will be maintained, i.e. on-street parking on Church Street. The minimum provision set out in the Council's cycle parking guidance is 1 space for every 25 m² net floor area. This scheme has a floor area of 133m² which would require 6 cycle parking spaces; 8 cycle parking spaces are provided. A condition is recommended to secure this.

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 Several comments suggested that the scope of this scheme should be extended to include the adjacent public toilets and recycling area. However this project is constrained by the money available from the S106 agreement which is not enough to increase the scope in this way. The funds from 7-10 Church

Street's S106 Agreement have not been allocated to this scheme.

- 8.26 Comments regarding the material choice have been noted; the materials are recommended to be conditioned which will allow the Conservation Officer to see samples of the proposed materials in context on site before they are agreed. The final material choices will have to be agreed with the Local Planning Authority; this will ensure that the materials will preserve the character of the conservation area.
- 8.27 A condition is recommended to require a tree protection plan to be submitted before development commences; this will ensure that any trees potentially affected by the construction works are protected.
- 8.28 It was highlighted by some respondents that the initial neighbour consultation was not wide enough; this was remedied during the re-consultation in which all the residents of the 7-10 Church Street development were notified.

9.0 CONCLUSION

- 9.1 The proposed extension to the pavilion would not have a significant adverse impact on the amenity of the neighbouring occupiers. It is considered to be of appropriate scale and design and would preserve the character of the conservation area. It would provide improved facilities for the football club and would be a beneficial space for the wider community.

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. 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)

4. Before starting works, a sample of the facing materials to be used shall be provided on site to establish the visual relationship with the existing building. These materials shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s) shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

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 commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

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

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

Application Number	18/0076/FUL	Agenda Item	
Date Received	15th January 2018	Officer	Eloise Limmer
Target Date	12th March 2018		
Ward	Castle		
Site	Field House Conduit Head Road Cambridge CB3 0EY		
Proposal	Single storey and first floor side extensions with alterations to existing and erection of garden shed.		
Applicant	Mr Dennis Heal Field House, Conduit Head Road CAMBRIDGE CB3 0EY		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The proposed extensions would be subservient to the host dwelling and are acceptable in terms of design • The proposed extensions would preserve the character of the conservation area • The proposed extensions would not have a significant adverse impact on the amenity of neighbouring occupiers
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on the north-eastern side of Conduit Head Road, a residential cul-de-sac to the north of Madingley Road. It falls within the Conduit Head Road Conservation Area. The area is characterised by large detached houses set away from the road on large plots.
- 1.2 The main house is of two storeys in buff brick on a more-or-less square plan with a slate pyramid roof with a slate-hung central chimney stack. It also has single storey flat-roofed wings and a

mono-pitch roofed garage block. It is set within a large garden with mature trees and shrubbery.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for single storey and first floor side extensions with alterations to the existing house and erection of garden shed. A single storey extension is proposed to join the existing outbuildings, situated to the north-west of the site, to the main house. This extension would be 5.3m long and 3.7m wide. The main ground floor extension would be single storey and would wrap around the side and rear of the existing two storey house. It would project 2.2m to the rear (SE) and 4m to the side (SW). On the first floor an extension is proposed on top of the existing single storey element. This extension would take the form of a pitched roof element with a large dormer either side. It would be attached to the existing two storey element by a link that would be 2.1m x 1.8m. The main bedroom would be 4.9m x 6.1m with an ensuite element on the end that would be 2.9m x 2.9m. A wooden garden building that would be situated to the SW of the site is also proposed. This would be a flat roofed building 2.5m tall 5.6m long and 3.2m wide.
- 2.2 The proposal is intended to provide a lifetime home that will satisfy the criteria established by the Court of Protection for care of a profoundly disabled person
- 2.3 The proposal was amended to address the Conservation Officer's concerns about the impact on the original pyramidal roof of the host dwelling. The proposed first floor element was changed so there is a linking element to the first floor of the host dwelling rather than the roof abutting the original pyramidal roof.
- 2.4 This application was called into Planning Committee by Councillor Holt.
- 2.5 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Plans
 3. Aboricultural impacts assessment

3.0 SITE HISTORY

3.1 There is no relevant planning history

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/14 4/4 4/6 4/11

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>Area Guidelines</u> Conduit Head Road Conservation Area Appraisal (2009)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority.

Urban Design and Conservation Team

- 6.2 *Original:* There is no objection to the overall concept of the scheme or to the general layout, etc.. However the bedroom in the pitched roof extension rather collides with the important pyramid roof of the original house and loses some of its definition. There is no objection to the proposed garden building or to the various hard landscaping proposals. Most of the scheme is acceptable subject to Conditions relating to materials & details and subject to getting a minor redesign of the intersection of the roofs.
- 6.3 *Revised:* The revised elevations showing a link to the new roof space that does not cut into the original roof looks much better and retains that interesting pyramidal shape unaltered. Suggest

that this is now a broadly acceptable scheme but it does require the Conditions to ensure that the materials & detailing are well done [especially those of the dormers].

Drainage

- 6.4 The proposed works are unlikely to have a noticeable impact on the water table given their scale. Drainage details however should be provided to support the application and demonstrate how the proposed extension and paving will be drained sustainably. I would suggest the paving is graded away from neighbouring land so rainwater can be managed within the site.
- 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:

Original:

3 Bradrushe Fields

Revised:

3 Bradrushe Fields

2 Bradrushe Fields

The representations can be summarised as follows:

- 7.2 *Original:*

- They are highly sympathetic to the motivation for this application and do not have an objection to the principle of alterations but they have serious reservations about the scope and scale of the proposed alterations.
- *Conservation impact:* The proposed addition of a pitched roof extension to a single floor wing represents a major change in the design and appearance of the property.
- *Loss of privacy:* The existing footprint of the main house is approximately 2.4m from the boundary of the properties to the rear. In the proposed extension of the ground floor this distance is reduced to 1m. As a result the window and door of the extended ground floor will be only 1m from the

gardens of the properties to the rear resulting in a significant loss of privacy.

- *Environmental impact:* The proposed alterations appear to represent an increase in the area of the footprint of the property by more than 50%. The water table in this part of Cambridge is relatively shallow and there are concerns about the impact on drainage in the vicinity.
- *Ecological impact:* The ponds in the region around the property host a number of species of amphibians, including great crested newts. Given the scale of the proposed increase in the area of the footprint of the property, there is the potential to impact the amphibian life in the vicinity.

7.3 *Revised:*

- The pitched roof substantially changes the design and appearance of the property and the revisions to the plans do not address this issue. This turns an unobtrusive single storey extension into a large dominant aspect of the site.
- The addition of a full length second floor window between the existing and new roof will overlook their property. It will result in a further and major loss of privacy of their house and garden.
- The material used in any new extension should be consistent with the existing brickwork, even the same type of brick.
- The development is still excessively large, obtrusive and in a conservation area and area of Special Scientific Interest. It will be overbearing to their property, significantly reducing privacy and light and reducing the amenity of their garden.
- There are large trees close to the boundary. The proposed foundation work is likely to cut through root systems, potentially rendering the trees unstable and dangerous. Losing the trees would significantly reduce their privacy.

7.4 Councillor Holt has commented on this application and called it in to be considered by Planning Committee for the following reasons:

1. The proposal to add a second floor to the current extension. If there was a second floor of any significant dimension on the first floor extension it would overlook most of the garden and restrict light into the downstairs rooms of No 3 Bradrushe Fields giving, in my opinion, a completely overshadowed and overbearing effect.

2. Extending the kitchen towards the boundary fence. Again, at present the boundary seems very close given the orientation of the two properties - looking from No 3 downstairs rooms towards their garden the side of Field House already dominates the view at present - and to add on additional built space seems to add very little to Field House but remove substantial privacy from the garden of 3 Bradrushe Fields.
3. The addition of paving around the house. The area has springs and considerable protected wild-life (Great Crested newts) and to substantially cover an extensive area that may only be little used seems unnecessary. Perhaps it could be limited to only 2 sides of the house so as to avoid the potential threat that it makes to the roots of the silver birch trees at the corner of the garden of 3 Bradrushe Fields?

7.5 Councillor Holt has confirmed that she has no objection to the extension of the garage area as it seems that it would have very significantly less impact on the outside space of 3 Bradrushe Fields and could conveniently link to the extension and incorporate the proposed exercise room – rather than the kitchen extension. The only concern here is that it may contribute to a general over-development consideration of the total space in a conservation area. The need of the family to have ample and easily accessible ground floor space, accessible entrance space and autonomous room for carers is understood but it is thought that this could be achieved without such detrimental effect on the neighbours.

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.

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)

3. Disabled access
4. Residential amenity
5. Drainage
6. Ecology
7. Trees
8. Third party representations

Principle of Development

- 8.2 Policy 3/14 of the Cambridge Local Plan (2006) states that the extension of existing buildings will be permitted if they:
- a. reflect or successfully contrast with their form, use of materials and architectural detailing;
 - b. do not unreasonably overlook, overshadow or visually dominate neighbouring properties;
 - c. retain sufficient amenity space, bin storage, vehicular access and car and cycle parking; and
 - d. do not adversely affect listed buildings or their settings, the character or appearance of conservation areas, gardens of local interest, trees or important wildlife features.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 3/14 of the Cambridge Local Plan (2006) for the reasons that are discussed below.

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

- 8.4 On the ground floor, the existing outbuildings to the north west of the site will be converted into habitable rooms. A single storey extension is proposed to join these buildings to the main house. This extension would be 5.3m long and 3.7m wide. It is stepped away from the boundary compared to the existing buildings; situated between 0.85m-1.4m away from the boundary. There would be a bi-folding door facing the rear of the property. The front of the outbuilding closest to the main house would be brought forward 1.4m to be level with the front of the other outbuildings and the side wall of the main house. This NE single storey section would have a 3m tall flat roof, replacing the existing pitched roof that is 3.4m at its tallest point. This section would be constructed from brick to match the existing house.

- 8.5 The main ground floor extension would be single storey and would wrap around the side and rear of the existing two storey house. It would project 2.2m to the rear (SE) and 4m to the side (SW). There would be large bi-folding doors facing towards the main garden to the SW. This single storey extension would have a 3m tall flat roof and would be constructed from brick to match the existing house.
- 8.6 On the first floor an extension is proposed on top of the existing single storey element. This would be attached to the existing two storey elements by a link that would be 2.1m x 1.8m. The main bedroom would be 4.9m x 6.1m with an en-suite element on the end that would be 2.9m x 2.9m. This extension would take the form of a pitched roof element with a large dormer either side. The existing single storey element has a flat roof and is 2.7m tall; the maximum height of the pitched roof would be 6.2m. The dormers would be 2.2m in height and 4.9m in width. The pitched roof would be covered with black slate tiles to match the existing house, and the dormers would be covered with fibre cement cladding. Full details of the materials will be agreed via condition.
- 8.7 A wooden garden building that would be situated to the SW of the site is also proposed. This would be a flat roofed building 2.5m tall 5.6m long and 3.2m wide. The details about the materials will be conditioned, however, it is in the corner of the garden and shielded by trees so it will have little impact on the character of the main house or conservation area. There is also proposed to be porous paving around the perimeter of the property to allow wheelchair access around the outside of the dwelling.
- 8.8 Overall the scale and massing of the proposal is considered to be acceptable. The materials will be subject to condition to ensure that they preserve the character of the building and conservation area.
- 8.9 The Conservation Officer considers that the revised scheme is acceptable subject to conditions. Some of the additions will be visible from the street but it is considered that the proposal (subject to conditions relating to materials) would preserve the character of the building and the conservation area.

- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14, 4/11.

Disabled access

- 8.11 This proposal is intended to provide a lifetime home that will satisfy the criteria established by the Court of Protection for care of a profoundly disabled person. The proposal will make the entirety of the ground floor of the house wheelchair accessible.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

6 Conduit Head Road

- 8.13 6 Conduit Head Road is situated to the NE of the site. The proposed NE single storey section is situated close to the boundary. The existing outbuildings sit very close to the boundary. The proposed connecting section is stepped further away, between 0.85m and 1.4m, from the boundary but will bring development 3.7m closer to the boundary at this section than the existing situation. The existing outbuildings have a pitched roof with its 3.4m high ridge on the side closest to the boundary with No.6. The proposed single storey section has a 3m high flat roof. There will be two windows in the elevation facing the boundary with No.6, there are currently no windows in this elevation, this means that there will be an increase in the level of overlooking between the properties. There will also be a small increase in overshadowing and enclosure on a section of No.6's garden. However No.6 is situated in the middle of its generous plot and there is mature planting around the site, therefore it is considered that the impact of this additional single storey section would be minimal and is therefore acceptable.

2 Bradrushe Fields

- 8.14 The single storey extension would be 2.2m closer to the boundary than the existing two storey house and would extend 4m further along the boundary. It is accepted that this would

lead to a minor increase in overshadowing and overbearing of a section of No.2's garden. Field House is situated to the north west of No.2 and the extension closest to their boundary is single storey therefore the level of overshadowing this would create is unlikely to be significant. The new two storey element is situated to the NE of the existing house and is considered far enough away from No.2 to not cause an unacceptable impact. There are a number of windows on the ground floor in the proposal that face the rear boundary and a velux window at first floor. The overlooking from ground floor windows is not considered to cause an unacceptable impact. Field House is situated at the end of No.2's garden and therefore the minor overshadowing, overlooking and enclosing effects would mostly affect the end of the garden and would not have any significant impact on the dwellinghouse. The impact on this neighbour is therefore considered to be acceptable.

3 Bradrushe Fields

- 8.15 Loss of privacy – the new single storey element projects 2.2m closer to the boundary than the existing house and will be 1.5m from the rear boundary at its closest point. There are a number of windows on the ground floor in the proposal that face the rear boundary, however there are no new windows at first floor facing the rear. There are a number of large ground floor windows facing the rear boundary in the existing house, in the proposal there will be a window and a door facing the rear around 1.5m from the boundary. As these windows are only at ground floor window it is not considered that there will be significant overlooking from these windows and they are therefore acceptable.
- 8.16 New second floor window - In the proposed scheme no new windows will be introduced at first floor level facing the rear of the property. I have recommended a condition to remove permitted development rights for the insertion of any further first floor windows.
- 8.17 Overshadowing/overbearing – the application site is situated to the north-west of 3 Bradrushe Fields and is situated at the end of their rear garden.

Drainage

- 8.18 The Drainage Officer considers that the proposed works are unlikely to have a noticeable impact on the water table given their scale. Details of the drainage scheme will be sought via condition to demonstrate how the proposed extension and paving will be drained sustainably within the site boundary. The site does not fall within a Site of Special Scientific Interest.

Ecology

- 8.19 An ecology report has been submitted by the agent. Across the road approx. 20m from the site a pond is found in a neighbouring private garden. The Habitat Suitability Index (HSI) score was 0.41 indicating a pond of poor value for great crested newts, however records indicate that a population of great crested newt was present in the pond between 2014 and 2015. The habitats where the extensions will be built are of minimal use for great crested newt being hardstanding and amenity grassland. Therefore as the project doesn't include hedge or vegetation removal no impacts on any GCN present in the pond opposite the site are seen. There may be minor disturbance whilst works are occurring and the rapid risk assessment has suggested that without mitigation an offence could be likely. It should be possible to mitigate the risk with a mitigation plan. The Ecology Officer has been consulted on this report; when their comments are received they will be added to the amendment sheet.

Trees

- 8.20 The applicant has submitted an arboriculture impact assessment as part of the application. There are four large trees to the rear of the site in the neighbouring properties; three silver birches (T10/T11/T12) and a Himalayan Birch (T9). According to the report only T12 will potentially be affected by the building works as there is some incursion upon its Root Protection Area (RPA). The British Standard states that incursion should not exceed 20% of any existing unsurfaced ground within the RPA. The incursion shown is below 20% and the works are therefore very unlikely to affect any of the trees in the neighbouring properties the rear of the application site. I have recommended a condition for a tree protection plan to be in place before development commences.

8.21 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

Third Party Representations

8.22 The third party representations have been addressed in sections 8.13-8.20 above

9.0 CONCLUSION

9.1 The revised proposed extensions would not have a significant adverse impact on the amenity of the neighbouring occupiers. They are appropriate in scale and design and would read as subservient to the host dwelling and would preserve the character of the conservation area. The extensions would provide extra living space and make the ground floor spaces more accessible for wheelchair users.

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 brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

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

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

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

5. Prior to commencement of construction of the garden building full details of the materials and finishes of the exterior of the building shall be submitted to and approved in writing by the Local Planning Authority. The garden building shall thereafter be constructed only in accordance with the approved details.

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

6. Prior to construction of the link between the first floor of the original house and the pitched roof extension, full details shall be submitted to and approved in writing by the Local Planning Authority. The first floor link shall thereafter be constructed only in accordance with the approved details.

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

7. 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 (National Planning Policy Framework 2012).

8. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new first floor windows (other than those expressly authorised by this permission), shall be constructed in the north or east elevations without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4 and 3/14).

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. 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).

PLANNING COMMITTEE

25th April 2018

Application Number	17/2231/FUL	Agenda Item	
Date Received	28th December 2017	Officer	Rob Brereton
Target Date	22nd February 2018		
Ward	Petersfield		
Site	92 Norfolk Street Cambridge CB1 2LF		
Proposal	Rear roof extension to incorporate two dormer windows, alterations to the front façade and change of use of ground floor to provide two self-contained flats.		
Applicant	Mr And Mrs Patel C/o Agent		

SUMMARY	The development does not accord with the Development Plan for the following reasons:
	<ul style="list-style-type: none"> • Officers consider the proposed loss of this 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). • The application fails to consider the unit in the context of the Council’s approved Grafton Area of Major Change - Masterplan and Guidance SPD which may enhance the viability of the unit. • The proposed upper floor flat will have no access to external amenity space or adequate access to a bin store and would fail to provide a high quality living environment for future occupants.
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 92 is a two storey end-of terrace building on the northern side of Norfolk Street. The ground floor is currently in retail use (Class A1) and used as a newsagents. On the upper floors there is a 4 bedroom House in Multiple Occupation (small HMO Class C4). The shop has a modern uPVC shop front and the brickwork of the building has been painted white.
- 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 Rear roof extension to incorporate two dormer windows, alterations to the front façade and change of use of ground floor to provide two self-contained flats.
- 2.2 One two bedroom flat is proposed for the ground floor and another two bedroom flat is proposed within the first floor and roof extension. Works proposed to the front façade include removing the shopfront and inserting a new front door and ground floor window. The upper floor flat is proposed to have no outdoor amenity space and the ground floor flat is proposed to use the existing rear garden which is approximately 32 sq. m in area.
- 2.3 This application as originally submitted included a part single, part two storey rear extension. The application has been amended to exclude these. The locations of the proposed openings on the ground of the front façade have also been altered when compared to the originally submitted proposal.
- 2.4 The application is accompanied by the following supporting information:
1. Correspondence from letting agents including:
 - OneClickCommercial.co.uk
 - Hilton Smythe
 - E M & F Group

- Carter Jonas
 - Kings Business Transfer
 - Robinson Layer
2. A cover letter
 3. Plans
 4. Agents response to third parties
 5. Amended plans

Summary of the applicant's supporting statement

- 2.5 The applicant and agent contacted several commercial agents in relation to potential marketing and likely rental values of the ground floor retail unit. These included Hilton Smythe, E M & F Group, Carter Jonas, Kings Business Transfer, Christie & Co. and Robinson Layer. The responses gave likely rental yields and quoted for undertaking a marketing exercise. The planning agent believes from the figures provided that a continued retail use will not provide a sufficient return for his client. No formal marketing was taken up as a result. The agent states that the applicants are not in a position to sell this retail unit as they own the four bedroom HMO above and the revenue from both is their only source of income. The agent also states that the HMO rental income cross subsidises the retail unit.
- 2.6 One commercial agent has informally marketed the retail unit. 'One Click Commercial' outlined their marketing campaign in a brief letter dated 30th November 2017. They advertised the unit for a 6 month period and stated there were no enquires. They gave the reasons for this as follows:
1. The turnover of the existing shop was very low.
 2. The property is not close to district centre and therefore footfall is low.
 3. There is extensive competition in the area with Tesco Express on East Road, other budget stores at the Beehive Centre and the parade of shops which includes a convenience store on Norfolk Street.

They concluded that a change of use from retail to residential would secure a higher return than a commercial tenant. The agent believes that there is no benefit to undertaking a formal marketing campaign stating the following:

I do not believe that a formal marketing campaign over a number of months would bring in any result which would materially differ from the advice provided by all of these experienced local commercial agents and the marketing exercise undertaken by One Click.

The agent adds that the area of the unit at circa 45 sq. metres is not large enough to allow a retail business to be viable and concluded that his assessment amounts to exceptional circumstances that would justify the change of use.

3.0 SITE HISTORY

Reference	Description	Outcome
09/0846/FUL	Installation of single VSAT satellite dish to side (west wall) of building, dish to be positioned to face south.	Refused
C/72/0641	Erection of Shopfront	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

<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</p>
<p>Supplementary Planning Guidance</p>	<p>Cambridge City Council (May 2007) – Sustainable Design and Construction:</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

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

For the application considered in this report, 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	Mill Road Area Conservation Area Appraisal (2011)
	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 Management)

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

Conservation team

- 6.2 The proposal as amended has an acceptable front elevation, however, the roof dormer, while reduced in depth so that the lower roof slope is visible, still covers the whole width of the roof and will be too large and a very dominant feature to the rear of Norfolk Street as viewed from Edward Street.

Planning Policy

National Planning Practice Guidance

- 6.3 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

- 6.4 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

- 6.5 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.

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

- 6.6 The conversion of 92 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.

7.0 REPRESENTATIONS

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

- No. 18 Norfolk Terrace
- No. 2 St. Matthews Street
- No. 4 St. Matthews Street
- No. 6 St. Matthews Street
- No. 6A St. Matthews Street
- No. 7 Upper Gwydir Street

- 7.2 The representations to the initial scheme can be summarised as follows:

- Properties on Matthews Street back onto Norfolk Street and have small patios approximately 4 metres deep. The proposed additional height to the rear of 92 Norfolk Street

would reduce sunlight to the east and impact the outlook from these patios.

7.3 The scheme was then amended to remove one/two storey rear extension and neighbours were re-notified. Further letters of representation were received and their concerns can be summarised as follows:

- This is the only newsagent in the neighbourhood. It has always been well supported by the community and will be a real loss of a facility.
- This area is already one of the most highly populated in Cambridge and it is conceivable that a saturation point has been reached for family homes being turned into flats.
- Parking is a huge issue in the area and although there are only plans to issue visitors parking this proposal 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.

7.4 The letter of representation supporting the amended proposal can be summarised as follows:

- The business has suffered since the opening of a Tesco Express at the top of the road.
- The owner in a position where he is compelled to continue trading under those circumstances or forced to attempt a sale simply to fulfil arbitrary criteria is unfair and counterproductive.
- The proposed dormers are clearly not increasing the ridge height and it is hard to see how this could affect neighbouring properties.
- The proposed front elevation would be an improvement on the current façade and the overall streetscene.
- Housing is required in Cambridge City

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

- 7.6 The application has been called in by Councillor Blencowe for determination by the Planning Committee. Councillor Blencowe makes the following comments:

I have been taking a keen interest in this application as it has clear similarities to the Norfolk St Deli application that I called to committee last year. I understood that design modifications had been made to meet neighbour and conservation concerns so was hopeful that things were looking positive. I am now led to believe that after discussions with Toby as senior planner that indications of support for the application are no longer positive. Though I appreciate that this is late in the process I would request that if Officers are minded to refuse this that it comes to planning committee as I believe that both the change of use and modified design are now acceptable under current planning policy and that committee should deliberate the merits of the application. Please note that should the decision be issued without regard to my request that I would simply have to advise the applicant to resubmit and then call it in straightaway, which would be unhelpfully time consuming for all concerned.

- 7.7 The agent's response to consultee comments and third party comments can be summarised as follows:

- In response to third party objections all previously proposed first floor extensions have been removed.
- In response to Conservation's consultee response the shopfront has been amended to mirror surrounding residential dwellings.

- 7.8 A petition has also been received raised by the applicants with 91 signatories in support of the change of use from retail to residential. The petition states the following:

- We fully support the owners decision to change the use to residential
- We are customers at this small convenience store which has been running for decades and it is obvious that trade has severely declined and the shop appears to be struggling to keep up with competition in the area due to its size and location.

- There are a variety of shops close by that attend to our needs and it is therefore inconceivable that any other business at this location would prosper
- The shop is at the end of terraced houses and it makes perfect sense to convert the shop into residential as it will blend seamlessly in with neighbouring properties
- We don't want another empty boarded-up shop which hurts the beautiful street scene at Norfolk Street

7.9 The agent further adds that the applicants have decided to cease trading from 29th July 2018 regardless of the outcome of the application.

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 the loss of retail use
- Principle of residential use
- Context of site, design and external spaces
- Residential amenity
- Refuse
- Highway safety, Car and cycle parking

Principle of the loss of retail use

8.2 The current use of the ground floor of this application property is a newsagents trading as 'News and More'. It is a retail unit (Class A1) and the site is situated in the Norfolk Street Local Centre in close proximity to the Grafton Shopping Centre.

Assessment of submitted evidence

8.3 The applicants have submitted copies of correspondence between the applicants and various commercial agents. The content comprises the following:

- Advised likely rental incomes
- Advised lease duration
- Quotes for successful letting fees

- Applicant's request for opinion on whether unit would attract rents normally hoped to be achieved
 - Response that a higher rent could be achieved from a hot food/café operator and the highest value would be to convert to residential
 - Quotes for marketing costs
- 8.4 The correspondence also includes a single page letter from One Click Commercial in relation to informal marketing that did take place and stating that despite them being hopeful of successful marketing no interest was received. The reasons for this are given earlier in this report. The informal marketing exercise was done on a no-sale-no-fee basis and the letter suggests the applicants may find another agent to take this forward although marketing fees are likely to be applicable.
- 8.5 The correspondence includes a quote for marketing the premises from Kings Business Transfer. In addition to providing their fees they state:
- 'In anticipation of receiving your instructions to market the business and property for sale, we have already cross-matched the details with our extensive database of qualified buyers who are actively seeking to purchase similar businesses, and can report a positive response given the initial details available.'*
- 8.6 I note the comments that it would be more profitable for a hot food/café operator to be found and that the highest value could be realised for a residential use but one cannot conclude from this indication of more profitable uses that the existing retail use is unviable.
- 8.7 I do not agree with the agent's assertion that this correspondence indicates that there is little or no point in formally marketing the premises. In my opinion the evidence submitted does not indicate that this retail unit, which is currently operating and does not have a history of vacancy, is unviable. It suggests to me that a formal marketing campaign needs to be undertaken before such a conclusion could be arrived at.

Policy background regarding conversion of retail use to residential units

8.8 Cambridge Local Plan (2006) 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.

8.9 The A1 unit is currently operating and does not have a history of vacancy. In my opinion it makes a contribution to the vitality and viability of the Local Centre to help meet the day-to-day needs of local residents. This proposal therefore does not accord with this policy. The supporting text to this policy, at paragraph 6.25, 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.

8.10 Policy 72 of 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 emerging policy gives useful guidance as to how an applicant would make a very special circumstances case using marketing to determine a retail units viability.

8.11 This policy dictates 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 paragraph 23 of 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 has precedence. This policy states:

Developers should note the following generic requirements of any marketing requirement for a facility or site and the specific requirements for specific uses/sites:

- a. *details shall be provided of the company/person who carried out the marketing exercise;*
- b. *the marketing process should last for at least 12 months, unless a focused marketing strategy has been pre-agreed in writing with the local planning authority, in which case only six months is required;*
- c. *the facility/site should be marketed for the existing or most recent use and not under a generic 'all options' use;*
- d. *the marketing exercise should be sufficiently thorough and use all available forms of advertising media and therefore include as a minimum:*
 1. *a 'for sale/for rent' signboard;*
 2. *advertisements in the local press;*
 3. *advertisements in appropriate trade/charity/leisure magazines/journals;*
 4. *advertisements on appropriate trade/charity/leisure websites;*
 5. *advertisements through national and local estate agents (including their websites); and*
 6. *a targeted mail shot or email to an agreed list of potential purchasers.*

8.12 The policy provides a methodology for marketing. In this regard, in relation to the informal marketing that has taken place, a 6 month marketing campaign was not agreed in writing with the planning authority prior to the submission of this application and no dates were provided as to when the marketing took place. Therefore, I consider the subject marketing campaign does not accord with the criterion 'b' of this policy. It is not clear from the letter provided that any of the 6 points associated with criterion 'd' have been complied with. I also note the agent states in his covering letter that this was not a formal marketing campaign. I am therefore of the opinion that having regard to this emerging policy, the evidence put forward to seek to demonstrate that there are exceptional circumstances is not sufficient in scope or detail and the proposed change of use is, in my opinion, contrary to this emerging policy which is informed by paragraph 23 of the NPPF.

8.13 The Grafton Area of Major Change - Masterplan and Guidance SPD (2018) aims to bring substantial long-term investment in the Fitzroy/Burleigh Street/ Grafton Area. It is anticipated that

this investment will benefit retail uses on Norfolk Street and East Road as it will provide opportunities for public realm and streetscape improvements as well as enhanced footfall and subsequent improved vitality and viability of the area. The exceptional circumstances case submitted with this application has not had regard to this potential. It is imperative to take into account that once retail units are lost to housing they will almost certainly be lost permanently.

Principle of residential use

8.14 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 use the existing land use – being retail and the fact that it is continued within the local centre means that policy 6/7 is engaged.

8.15 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 110m²;*
- B) The likely impact upon on-street parking would be unacceptable;*
- C) The living accommodation provided would be unsatisfactory;*
- D) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and*
- E) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.*

8.16 The property with the extensions proposed would be approximately 131 square metres in gross internal floor area and therefore complies with part A, all other points of this policy will be address in the paragraphs below.

Context of site, design and external spaces

8.17 The proposed alterations to the shop frontage are considered to be acceptable by the Urban Design and Conservation Team. They state brick arches should be added above the front to ensure the proposed front façade would be in keeping with surrounding properties. Having been to site I noted there are many variations in this regard. I am therefore of the opinion the proposed works to the front façade would preserve the character and appearance of the Conservation Area.

8.18 The Conservation Officer states regarding the proposed dormer on the rear roof slope:

The roof dormer has been reduced in depth so that the lower roof slope is visible however it still covers the whole width of the roof and will be a very dominant feature to the rear of Norfolk Street as viewed from Edward Street. The proportions are better but as this will be the first dormer in the terrace and needs to set a good standard of design, currently it is still too large.

8.19 I note to the rear of the subject property is Saxon House on Edward Street. This property has a dormer very similar in form and scale to the proposal which was approved in 2012. I consider that while the proposed dormer is almost full width, its indentation from the eaves line and use of mainly pitched roofs give it an acceptable appearance that would not detrimentally impact the character of Conservation Area. I am therefore of the opinion the proposed dormer is acceptable in its current form and does not require further amendments.

8.20 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

8.21 The proposed alterations to the fenestration of the building and addition of a larger replacement dormer would not introduce any harmful overlooking impacts upon neighbouring properties. I consider the bulk of the dormer is minor in scale and no

detrimental overshadowing or overbearing impacts are envisaged.

- 8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 4/13 and 5/2.

Impact on amenity of future occupiers

- 8.23 The habitable rooms of the proposed dwelling would have acceptable outlooks. The two bedroom ground floor flat would be approximately 64 square metres in area and the other two bedroom flat on the upper floors would be approximately 66 square metres. This is just under the 70sqm sought by the *Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015*. However as this is a conversion of an existing property and the proposed flats are only marginally smaller I consider this would provide a satisfactory high quality living environment.
- 8.24 The rear courtyard area at approximately 32 sq. m would provide a satisfactory amount of private outdoor amenity space for the future occupants of the ground floor flat. The proposed two bedroom flat on the first floor and within the roofspace would not have any outdoor amenity space. A two bedroom flat would most likely be occupied by a small family whom in my opinion would require private amenity space. I do not consider it appropriate that the occupiers of this flat would have to rely on nearby local parks for outdoor amenity space, the nearest of which is Petersfield Play Area/Rec approximately 300 metres away. This in my opinion is an unacceptable arrangement for a two bedroom flat and is a recommended reason for refusal.
- 8.25 In my opinion this amended proposal does not provide an appropriate standard of residential amenity space for future occupiers of the upper flat, and I consider that in this respect it is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 4/13.

Refuse

- 8.26 The location of bin storage is not clear on the proposed plans. I note there is sufficient room in the rear garden to locate a bin store, however the upper floor flat does not have access to this rear garden unless the future occupants walk around the corner to the rear access for a distance of approximately 55 metres. Should Members be minded to approve the application it would be necessary to revise the layout so that part of the rear amenity space could be given over to cycle and bin storage for the upper floor flat. This could be secured by condition. However, I consider this is not an acceptable arrangement for a two bedroom property, which may be occupied by a small family, to have to walk 55 metres to access bin and cycle stores. This is a further recommended reason for refusal.
- 8.27 In my opinion the proposal is contrary with Cambridge Local Plan (2006) policy 3/12 and the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide (February 2012).

Highway safety, car and cycle parking

- 8.28 No works to the public highway are proposed and the Highway Authority has raised no objection to the application.
- 8.29 The site is situated in the controlled parking zone and no off-street parking is proposed. The site is sustainable in 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 as the main means of travel. In my opinion, the impact upon on-street parking would be negligible. While no cycle parking is proposed it could be accommodated in the rear court yard and if this application were to be approved this could be controlled by condition.

9.0 CONCLUSION

- 9.1 No formal marketing campaign has been undertaken as part of this application. The evidence submitted does not demonstrate that the retail use, which is currently trading and does not have a history of vacancy, is unviable. One commercial agent has indicated that there is potential interest should the unit be

marketed. The proposal will result in the permanent loss of this retail unit which will harm the vitality and viability of this Local Centre. No exceptional circumstances have been demonstrated and the change of use is therefore contrary to Local Plan policies aimed at protecting Class A1 retail units from changes of use. Additionally, the applicants have not considered the likely enhanced viability that investment in the Grafton Centre is anticipated to bring.

The proposed upper floor 2-bedroom flat would fail to provide a high quality living environment to its occupants due to the absence of any external amenity space and any bin store would be located an unacceptable distance away.

10.0 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 adequate 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), paragraph 23 of the NPPF and policy 72 in the emerging Cambridge Local Plan (2014).
2. The conversion of No. 92 Norfolk Street from retail to residential would further fragment the unique character and identity of this Local Centre. The Grafton Centre immediately to the west of Norfolk Street is anticipated to receive significant investment following the Council's approval of the Grafton Area of Major Change - Masterplan and Guidance in Feb 2018. The application fails to consider the unit in this context or demonstrate that its viability would not be enhanced as a result. As such the loss of the unit is contrary to Policy 6/7 of the Cambridge Local Plan (2006), Paragraph 23 of the National Planning Policy Framework (2012) and National Planning Practice Guidance (2014).
3. The development would fail to provide a high quality living environment for the future residents of the two bedroom flat

within the first floor and roof space as it fails to provide a satisfactory level of external amenity space or acceptable access to an outdoor bin store. As such, the proposal is contrary to Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/11 and 4/13.

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Application Number	17/2250/FUL	Agenda Item	
Date Received	11th January 2018	Officer	Rob Brereton
Target Date	8th March 2018		
Ward	Queen Ediths		
Site	20 Kinnaird Way Cambridge CB1 8SN		
Proposal	Demolition of an existing garage and erection of a single new dwelling (and associated development).		
Applicant	Mr Dan Goldstein c/o Cheffins Planning and Development		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> The development would have an acceptable impact on the character of the area. The development would not have a significant adverse impact on residential amenity. The development would not have a significant adverse impact on highway and pedestrian safety.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 20 is a two storey detached house on the junction of Kinnaird Way and Maners Way. The subject site is within the rear garden of the main dwellinghouse and accessed off Maners Way. Currently within the subject site is a single storey garage which has a dropped kerb access. The area is predominantly residential and characterised by mainly detached two storey dwellings.
- 1.2 The site is not within a Conservation Area and falls outside the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the demolition of an existing garage and erection of a single new dwelling (and associated development).
- 2.2 The proposed two storey dwellinghouse has two bedrooms on the first floor and a living room and kitchen on the ground floor. The first floor is contained within the roofspace of the property's saw-tooth roof profile. The ridge height of this roof is 7 metres while the eaves height varies between 5.1 metres and 4.15 metres. The main two storey element of the property is 8.8 metres deep and 6.4 metres wide, while the single storey porch element located on the side elevation is 4.9 metres deep by 3.2 metres wide. This porch element has a gable ended pitched roof.
- 2.3 The scheme has been amended to remove the wood burning stove and obscurely glaze and add timber louvers to the first floor rear elevation of the double height stairwell glazing.

3.0 SITE HISTORY

Reference No.	Description	Outcome
C/91/0271	Extension to dwelling (first floor side extension including reconstruction of existing garage).	Approved
C/68/0669	Erection of a double garage and internal alterations to house	Approved

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 Technical housing standards – nationally described space standard by the Department for Communities and Local Government (2015)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection on highway safety grounds but the Highway Authority notes that parking for the existing property will be displaced onto the street as part of this proposal.

Environmental Health

- 6.2 Object to the proposed log burner and the location of its flue. If the log burner is removed a condition is recommended to limit construction hours.

Landscape Design

- 6.3 No objection. A condition is recommended to ensure the driveway materials are permeable.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- No. 1 Maners Way
- No. 3 Maners Way

7.2 The representations can be summarised as follows:

- The proposed design will cause a significant loss of evening light to the rear garden of No. 1 Maners Way. This will cause considerable overshadowing impacting amenity of the occupiers of this property.
- The height of the elevation is 50cm above the roofline of No. 1 Maners Way.
- The proposal will block all light to the window of the main family bathroom of No. 1 Maners Way.
- The addition of this dwelling will create an overbearing sense of enclosure on No. 1 Maners Way as the site is extremely squashed and the building will be very close to their property. The visualisations provided are completely unrealistic and suggest that there are plenty of green fields around it. There are many houses already present.
- The proposals say that they will be using brickwork render and timber cladding. However, the plans show the use of angled zinc cladding. This zinc cladding is very dark and entirely out of character to the area.
- There is concern the proposal may creep beyond what is set out in the plans.

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

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The surrounding area is predominantly residential and it is therefore my view that the proposal complies with policy 5/1 of the Local Plan.
- 8.3 Policy 3/10 of the Cambridge Local Plan (2006) states residential development will not be permitted if it [the relevant extracts are listed below]:
- Has a significant impact on the amenities of neighbouring properties;
 - Provides an inadequate amount of amenity space/vehicular access for the proposed and existing properties;
 - Or detracts from the character of the area.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1. The relevant criteria of policy 3/10 are considered in further detail below.

Context of site, design and external spaces

Response to context

- 8.5 Architecture on both Kinnaird Way and Maners Way is quite varied and no definitive style is prominent. However, this proposed dwelling would contrast as it is much more contemporary than the surrounding dwellings with features such as a saw-tooth roof and the use of zinc cladding. I note that the roof design contains the first floor and has a low eaves height which gives the property a more subservient form. The ridge height would be 0.5 metres taller than No. 1 Maners Way and the front façade of the proposal is 1 metre further forward than the building line of No. 1 Maners Way. I consider this acceptable as these dimensions do not exceed the building form and height of No. 20 Kinnaird Way and the building line of properties are not uniform on Maners Way. I also note existing trees fronting onto Maners Way will be retained as part of this application. These in my opinion soften this dwellings appearance. I am therefore of the opinion this proposal provides an effective contrasting design which is not overly prominent

and therefore a successful addition to the streetscene. To ensure this is a high quality scheme material samples will be sought by condition.

- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

Overlooking

- 8.7 The proposal has been amended to obscurely glaze and add timber louvers to the first floor rear elevation of the double height stairwell glazing. This has in my opinion removed any potential for overlooking the rear garden of No. 22 Kinnaird Way. The other proposed first floor windows either face the streetscene in Maners Way or are rooflights which are 1.7 metres above finished floor height. I therefore consider this proposal will not create any detrimental overlooking impacts.

Overshadowing / Enclosure

- 8.8 The neighbour closest to the proposal is located 1.9 metres to the south to the side elevation of No. 1 Maners Way. The proposed dwelling would be 7 metres to the ridge and 5.2 metres to the eaves closest to the boundary with this property. The proposed dwelling does not extend further than the rear elevation of this neighbouring property but does extend 1 metre beyond the front façade. No. 1 Maners Way has no windows to habitable rooms in its side elevation facing the proposal. Whilst I acknowledge there is a bathroom window in this elevation, which also provides light to the hallway area, loss of light to non-habitable rooms such as bathrooms and landings are not considered a detrimental impact under BRE guidance.
- 8.9 Further information in the shape of a shadow study was provided to help assess overshadowing and enclosure impacts to the rear amenity spaces of neighbouring properties. This shadow study entitled *Project 17-498 Sun Study: Residential Dwelling, Kinnaird Way, Cambridge* by Gary Johns Architects illustrates the existing situation versus the proposed at hourly

intervals on the 21st March (vernal equinox). This approach accords with BRE guidance.

- 8.10 This study indicates that the rear garden of No. 22 Kinnaird Way to the east would lose some daylight in the middle of their rear garden from 3pm to 5pm. However, I consider this level of overshadowing is not significant enough to warrant refusing this application and I note the main one and a half storey bulk is 3.25 metres away from the boundary with this property.
- 8.11 No. 1 Maners Way is located to the south and the shadow study provided indicates that this neighbour's rear garden will not be detrimentally overshadowed by the proposal. I also note the main two storey bulk of the dwelling is located 4.2 metres in front of the rear two storey elevation of No. 1 Maners Way, therefore the side elevation of this property will shield the majority of overshadowing impacts to this neighbour's rear garden.
- 8.12 The rear garden of No. 20 Kinnaird Way would lose some southern light when compared to the existing situation. This impact would be to the very end of this neighbour's garden, which in my opinion is not their primary amenity space. I consider because of the combination of the short period of time this impact would occur and the location of the impact at the very end of the garden this overshadowing impact is not significant enough to warrant refusing this application.
- 8.13 All other neighbouring properties are considered a sufficient distance away to dispel any potential detrimental overshadowing and enclosure impacts.

Amenity space for No. 20 Kinnaird Way

- 8.14 The proposed subdivision still leaves No. 20 Kinnaird Way with a substantial rear garden. This amenity space is considered sufficient in size for the occupiers of this detached dwelling at 12 metres deep and 15 metre wide.

Noise

- 8.15 I do not consider that the proposed dwelling will have a detrimental impact on the neighbour's using their amenity spaces given that this land is currently used for parking vehicles

and as garden space. The proposal will retain the same access adjoining the side boundary fence of No. 1 Maners Way. I therefore consider vehicle movements into the proposed single car parking space would not create anymore disturbance than the existing situation. With regard to potential noise disturbance during construction, I have recommended a condition as suggested by the Environmental Health Officer.

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

Amenity for future occupiers of the site

- 8.17 Future occupiers of this 2 bedroom property would have the benefit of two primary amenity spaces. One is a courtyard to the rear and the other a lawned area to the front. I consider the combination of the two give this proposal an adequate amount of amenity space for a two bedroom property. It is important the amenity space to the front is enclosed by hedging from the streetscene from Maners Way, to ensure it is private and a high quality space. I therefore recommend a condition regarding boundary treatment. I also recommend Permitted Development rights are removed to ensure these amenity spaces are not further encroached upon in the future without first being considered by a planning application. The first floor windows of No. 20 Kinnaird Way are 20 metres away from the side boundary fence of the proposal. I consider this a sufficient distance to dispel any potential overlooking impacts of this proposed property's amenity spaces.
- 8.18 All rooms in the proposed dwelling have a good outlook and the indoor amenity spaces of the lounge and the kitchen are of an appropriate size for a two bedroom dwelling and both are naturally well lit.
- 8.19 I consider the interior of the dwelling at a floor area of approximately 94 sq. m should provide a sufficient high quality of living space. The floor area of this proposal well exceeds that recommended by the *technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015* for a two-storey two bedroom dwelling.

8.20 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

Refuse Arrangements

8.21 The bin store indicated on the plans is located in an acceptable position and complies with the RECAP Waste Management Design Guide

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

Car and Cycle Parking

8.23 The Highway Authority has no objection to this application in terms of highway safety but notes existing off street parking will be lost as part of this scheme. Whilst I accept that the demolition of the existing garage will remove the ability for No. 20 Kinnaird Way to park off the street to the rear I noted that this property does have an off street parking space to the front. I consider this an acceptable arrangement for a property in this location. While this development may lead to greater car parking pressure on surrounding streets I do not consider the impact would be great enough to adversely impact on the amenity of neighbouring properties to such an extent as to warrant refusal. The proposed dwelling also has one parking space which is considered acceptable for a two bedroom house in this location.

8.24 Two cycle parking spaces are indicated to be provided for this property. While I note this amount of parking accords with the minimum standards of the Local Plan (2006), I do not consider that the quality of the store is sufficient to comply with this policy. I therefore recommend a condition requiring further details of cycle storage as there is plenty of room on the site for a more useable store.

8.25 The Landscape Officer has recommended that a condition be added requiring the driveway to be constructed from a permeable surface. Given that the application proposes to use the existing driveway, rather than to construct as new one, I do

not consider it would be reasonable to impose such a restriction.

8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

8.27 Third Party Representations

Concern	Response
Overshadowing/enclosure of No. 1 Maners Way	See paragraph 8.8 – 8.13
Height is out of keeping	See paragraph 8.5
Visualisations give inaccurate depiction of surrounding properties	These are just for illustrative purposes and would not be signed off as part of consent. I have been to site and I am aware of the application sites surroundings.
Cladding is out of character	See paragraph 8.5
Building may not be built to plans	Recommended condition 2 would ensure if this application is approved and not built to plans enforcement proceedings may follow.

9.0 CONCLUSION

9.1 In conclusion this contemporary two storey dwelling will enhance the streetscene and have an acceptable impact on adjoining neighbours. It is also considered the sub-division of the plot would leave an acceptable level of amenity space for both the occupiers of the proposal and No. 20 Kinnaird Way. The development would also not result in harmful highway or pedestrian safety impacts.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments on the northern and western boundaries that are to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

7. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouse; the construction of dormer windows/roof extensions and first floor windows in the rear and side elevations; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling and to protect the character of the area. (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

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

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property. (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

9. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

10. Before first occupation of the dwelling, hereby permitted, the first floor rear elevation windows to the stairwell shall either be fitted with obscured glass and external timber louvers as shown within drawing number G010 Rev C, or shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The treatment to this window shall be maintained in accordance with these details thereafter.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

Application Number	17/1615/FUL	Agenda Item	
Date Received	19th September 2017	Officer	Mary Collins
Target Date	14th November 2017		
Ward	Queen Ediths		
Site	156-158 Mowbray Road Cambridge CB1 7TG		
Proposal	Demolition of existing dwellings and outbuildings and construction of 2X2 bed semi-detached dwellings, 5X1 bed apartments including bin and cycle store		
Applicant	Mr T Mendham c/o Swann Edwards Architecture		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The proposal provides extra housing within the city and this use is compatible with adjoining uses and would respect the amenities of occupiers of adjoining residential properties • The development would have a positive impact on its setting in terms of siting, massing, design and materials • It would create a successful place with an attractive built frontage • The residential units would have adequate outdoor amenity space and internal floor space. • The proposal provides a safe and accessible vehicular access and off street parking
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is situated on the western side of Mowbray Road which is a classified road. The site is currently occupied by a semi-detached pair of residential dwellings Nos. 156 and

158 Mowbray Road. Adjoining the application site to the south is the semi-detached pair of dwellings Nos. 152-154. To the northern side to the side is the drive and access route to a detached property to the rear of the application site at No. 160 Mowbray Road and beyond this access road are the rear gardens to the properties at Nos. 312-324 Cherry Hinton Road.

- 1.2 This part of Mowbray Road is characterised by pairs of semi-detached dwellings of the same age and style with hipped roofs.
- 1.3 The site falls within the controlled parking zone. There are no other constraints.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the construction of two, two bed semi-detached dwellings and five, one bed dwellings in two blocks following the demolition of the existing dwellings.
- 2.2 The block at the front of the application site would front the street and its footprint would be 9 metres deep by 11.5 metres wide. It would have a pitched roof, the height to the ridge would be 9.5 metres and 5.1 metres to eaves level. It would comprise two, one bed roomed flats on both ground and first floor and a one bed roomed flat at second floor. Units 1, 2 5 and 6 have an internal floor area of 36.1m² whilst Unit 7 has an internal floor area of 63.2m².
- 2.3 The block to the rear would have a footprint of approximately 6.8 metres by 13 metres. It is two storey with a canted first floor façade and a flat roof with dormer windows to the front and rear elevations. This would comprise two, two bed roomed properties each with an internal floor area of 67.8m².
- 2.4 The existing vehicular access would be used to serve the parking spaces to the units to the rear.
- 2.5 A detached store to the rear would provide refuse bin storage and cycle storage for the occupiers of the flats. This would have a flat green roof and brick side. Units 3 and 4 would have their own cycle stores situated within their rear private amenity space.

2.6 The existing parking area to the front would be removed and would be landscaped and enclosed behind a low wall.

2.7 The application is accompanied by the following supporting information:

1. Design Statement
2. Drawings
3. Flood Risk Assessment and Drainage Strategy

3.0 SITE HISTORY

None

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The proposal removes the facility for vehicles to turn within the site to enter and leave in forward gear.
- Mowbray 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.
 - Vehicles may be tempted to use the footway to turn, inconveniencing and endangering pedestrians.
 - This issue is compounded by the inability of vehicles to pass each other off the public highway when accessing the two properties to the rear of the site, which may result in vehicles stopping suddenly on the public highway, or reversing back onto the highway to allow a vehicle to egress.
 - Vehicles reversing across the highway would impact upon highway safety and interfere with vehicular flows.

Highway Authority recommends that this proposal be **REFUSED** planning permission.

Revised plans

6.2 *Additional comment*

The proposed parking spaces and layout of parking now allows the vehicles entering and leaving the site to turn to do so in forward gear.

Recommend conditions and informatives if permission granted.

Environmental Health

- 6.3 The impacts of noise are a material consideration for any new build property. The habitable rooms facing onto Mowbray Road may be significantly impacted by traffic noise by day and night. As such, we will require a standard traffic noise assessment which will then guide the design of the glazing and ventilation system serving the new building.

Standard noise insulation condition is recommended.

Drainage - Suds

- 6.4 The surface water flood risk is not adequately considered in the email from Geoff Beel Consultancy dated 26/10/2017. According to the Environment Agency's available mapping, the site is identified at risk of surface water to depths of 900 mm. The assessment needs to consider the effect of the surface water flooding on the proposed dwellings and the flood risk elsewhere as a result of the proposed development. The footprints of the existing and proposed buildings should be compared to ensure that the surface water flood risk will not be increased elsewhere as a result of water being displaced off site by the proposed development.

Awaiting comments on revised Flood Risk Assessment and Drainage Strategy.

Urban Design team

- 6.5 The overall approach of creating a development that appears as a domestic 2 storey semi-detached form along the frontage and to the rear introduces 1.5 storey building that is much more subordinate is supported in urban design terms. The proposed car parking along the frontage appears tight and is creating an inadequate depth for a meaningful landscape privacy strip/buffer area for bedroom of the ground floor units. The proposed scale and massing is considered appropriate to the site's context. The two storey pitch roof form along the frontage reflects the domestic scale and character of the Mowbray Road and to the rear of the site, the scale appropriately reduces to subordinate 1.5 storeys. The materials indicated on the elevations are considered acceptable and should be conditioned to ensure good detailing.

Revised plans

- 6.6 The dormer windows on Units 3 and 4 have been amended by increasing the cheeks to minimise potential overlooking into No. 154 Mowbray Road.

The cycle and refuse store has been further reduced to accommodate cycle for the units in the front block. This has improved the entrance quality for Unit 4. Perforated bricks have been removed from the side of the cycle/refuse store to minimise disturbance to the units.

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

7.0 REPRESENTATIONS

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

- 160 Mowbray Road
- 306 Cherry Hinton Road
- 308 Cherry Hinton Road
- 314 Cherry Hinton Road
- 316 Cherry Hinton Road
- 318 Cherry Hinton Road
- 320 Cherry Hinton Road
- 322 Cherry Hinton Road
- 324 Cherry Hinton Road
- 222 Queen Ediths Way
- 2B Cavendish Avenue

7.2 The representations can be summarised as follows:

Request that the building is set back slightly further from the road. The parking spaces at the front do not look particularly generous, with the probable result being that vehicles will overhang the pavement.

Unnecessary over-development of the available space. We feel that this will negatively impact the character of the neighbourhood, since it shifts the focus away from family housing. The existing family houses seem perfectly fine, in keeping with the character of the area, and do not need to be knocked down. The proposed replacement units look small and cramped by comparison.

- The parking shown on the proposed plans is clearly inadequate - there are only 5 parking spaces for 7 units, and there is no on-street parking available along Mowbray Road. Shortfall will lead to residents parking along the driveway adjacent to the north side of the plot, which serves as the only route of access both to 160 Mowbray Road (in daily use), and to the garages at the rear of 312-324 Cherry Hinton Road.
- In any case, during and after any building period, full access would need to be maintained along the drive leading to 160 Mowbray Road at all times, and should building work result in any damage to the drive (which the owners of 160 Mowbray paid to have improved), full repairs would have to be made.
- Unit 7 is at a higher level than any currently occupied room on the plot, and its rear-facing windows potentially provide a line of sight into the kitchen/dining and utility areas of 160 Mowbray Road, impacting privacy. This is even more of an issue for the rear windows on units 3 and 4.

In addition to line of sight, the extra height of units 3 and 4 compared to the existing outbuildings would reduce sunlight reaching 160 Mowbray Road, especially in winter. Since this is a passivhaus building, it is vital that as much sunlight as possible continues to enter through the windows so that the house can be heated via solar gain

If it is at all possible, planning officers should request that the building is set back slightly further from the road. The parking spaces at the front do not look particularly generous, with the probable result being that vehicles will overhang the pavement.

Revised plans

160 Mowbray Road

- 7.3 No change has been made to the window to the rear of units 3 and 4 and this will be in direct line of sight. There now only seem to be 2 parking spaces for 7 units, where are residents supposed to park

Would be easier to remove units 3 and 4 from the plan and provide sufficient parking instead.

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

8.0 ASSESSMENT

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

- Principle of development
- Context of site, design and external spaces
- Residential amenity
- Highway safety
- Drainage
- Third Party Representations

Principle of development

8.2 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 instance the application site is situated within a residential area and is compatible.

Context of site, design and external spaces

8.3 The overall appearance of the front block is as a domestic two storey semi-detached form along the frontage. To the rear the proposal introduces 1.5 storey building that is much more subordinate and this is supported in urban design terms. The front unit has a similar width to the adjacent semi-detached pair of dwellings and a pitched roof. It reflects the design of the front elevation of the adjacent pair of dwellings with a central two storey gable feature.

8.4 The proposed front block would be built in line with the front elevation of the adjacent pair of dwellings and maintains the strong building line seen on this side of Mowbray Road. The building would have a pitched roof and its ridge would be aligned with the ridges of other albeit hipped roofs to the semi-

detached pairs of dwellings. The proposed scale and massing is considered appropriate to the site's context.

- 8.5 The building would be higher than the adjacent residential development however the development would occupy the last plot on this section of Mowbray Road and its marginal higher form would not be detrimental to the existing pattern of development or street scene.
- 8.6 The original planning submission showed car parking to the front of the application site. In my opinion there was inadequate depth for these parking spaces to be provided so cars could park clear of the pavement and to provide an adequate buffer to ground floor windows without moving the proposed building back and out of line with the established building line. There is also a mature lime tree in the grass verge to the front of the application site which is an important tree with high amenity value and I had concerns that cars driving over the grass verge to access their parking spaces would detrimentally impact on the roots of this tree.
- 8.7 Amended plans were received removing all car parking from the front of the building and showing the proposed building maintained in line with the established building line and set behind a landscaped front garden with a low brick boundary wall. This treatment would allow the front elevation of the building to be appreciated and in conjunction with the street tree would result in an attractive frontage to the street.
- 8.8 I will address the issue of car parking later in this report.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

160 Mowbray Road

- 8.10 Adjoining the application site to the west is the detached property at No. 160 Mowbray Road which is a passivhaus building which requires as much sunlight as possible so that the house can be heated via solar gain.

- 8.11 There is currently an outbuilding in the rear garden of the application site with a pitched roof close to the boundary with this property which is approximately 3-4 metres high to ridge height. The proposed pair of dwellings although marginally taller than the existing outbuilding would be inset further away from the boundary by approximately 3.7 metres at closest point, eaves height 3 metres.
- 8.12 The depth of the rear gardens has been increased and this has increased the separation between this property and the proposed pair of dwellings (Units 3 and 4). I am of the opinion that the proposal would not be overbearing on the boundary or create detrimental overshadowing and result in a detrimental loss of day or sunlight reaching this property.
- 8.13 There are windows in the rear roofslope however these would serve bathrooms and would be fitted with obscure glazing and restricted in their opening to provide ventilation only. A condition is recommended to ensure that there would not a detrimental loss of privacy to this property through overlooking.
- 8.14 With regard to overlooking into this property from Unit 7, it is considered that due to the intervening proposed building at Unit 3 and 4 that there would not be a line of sight into the kitchen/dining and utility areas of No. 160 Mowbray Road from this unit and in any case the distance separating the two buildings is considered to be sufficient to ensure that a detrimental loss of privacy would not arise as a result of the development.

154 Mowbray Road

- 8.15 This property lies to the south of the application site. The proposed block (Units 1, 2, 5, 6 and 7) would be constructed in line with the front elevation of this property and would marginally project beyond its rear elevation. However due to the separation between the front block and the boundary by at least 3 metres - the width of the driveway and the inset of this property by approximately 2 metres from the boundary, it is considered that a detrimental loss of light, overshadowing or overbearing would not occur as a result of the application.

- 8.16 As regards privacy, there are windows in the side elevation facing the side elevation of this property. A window to serve a shower room would be provided on both the ground floor and the first floor. Again, these would be fitted with obscure glazing and restricted in their opening to provide ventilation only. A condition to ensure that there would not be a detrimental loss of privacy to this property through overlooking is recommended.
- 8.17 The balcony areas in this block are inset in from the edge of the building and would have 1.7 metre high privacy screens to either side which would direct views rearwards rather than sideways and deflect them away from the adjoining garden. As such I am of the opinion that there would not be a detrimental loss of privacy through overlooking into this adjoining garden.
- 8.18 With regard to the impact of Units 3 and 4, bedrooms windows in the front elevation would face the rear elevation of this property. There would be no direct inter-looking between windows and there is considered to be adequate distance between the properties. However, to prevent a loss of privacy through overlooking into the bottom section of the garden, the cheeks of the dormers have been increased to tunnel views forwards.
- 8.19 The movements of two cars along the side of the property to access the parking spaces is not considered to create additional nuisance up and beyond that which could arise in the current situation on site.

Properties at Nos. 312 – 324 Cherry Hinton Road

- 8.20 With regard to potential overlooking into neighbouring gardens and loss of privacy, there is sufficient distance between the rear private amenity areas to these properties and the proposed block of flats. Owing to the relationship of the proposed windows and balconies to the rear gardens at 90 degrees to each other and with the 1.7 metre high privacy screens to either side directing views rearwards rather than sideways, views would be deflected away from the adjoining gardens. Any views from the balcony into the gardens would be screened by outbuildings in the rear gardens of these properties. To ensure that the screens to the balconies are retained in perpetuity, a condition is recommended.

- 8.21 To ensure that the amenity of neighbouring properties is protected, I recommend that permitted development rights are removed in respect of alterations and extensions and extension to the roofs of the pair of semi-detached dwellings.
- 8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13.

Amenity of future occupants

- 8.23 Outdoor amenity space is provided to the rear of Units 1 and 2 and this would be fully enclosed with defensive planting to the rear to separate it from the parking area beyond. The outdoor space is
- 8.24 The units in the two and a half storey block have balcony areas to the rear. The balcony areas are approximately 2 metres deep by 3 metres wide and are considered adequate for outdoor amenity space. The flat on the second floor would have two balcony areas each 1 metre deep by 2 metres wide.
- 8.25 Units 3 and 4 would have private amenity space to the rear. Gardens would be approximately 5 metres deep by 8 metres wide and would face west. The gardens are considered to provide adequate outdoor space.
- 8.26 I am of the opinion that adequate outdoor amenity space is provided and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.
- 8.27 To ensure that this level of outdoor amenity space is retained, I recommend a condition restricting the erection of outbuildings (removal of permitted development rights Class E) without the specific grant of planning permission.
- 8.28 The Council has no adopted internal space standards; however using the national Technical Housing Standards (2015) as a material consideration and guideline to assess the quality of the internal living accommodation, in my opinion the units provide good standard of accommodation.
- 8.29 The proposed semi-detached dwellings have an internal floorspace of 67.8m². For a two storey, two bedroom property,

as proposed here, the Technical Housing Standard ranges from 70m² if occupied by three people to 79m² with 4 occupants. I consider that 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.

- 8.30 The proposed one bed flats (Units 1, 2, 5 and 6) have an internal floorspace of 36.1m². If occupied by one person and if these units have a shower room, the Technical Housing Standard for these is for a minimum internal floor area of 37m². Again I consider this is broadly consistent with the levels quoted in the standards and emerging Local Plan Policy.
- 8.31 These bedrooms meet the standards to provide one bedspace for a single person as it has a floor area of at least 7.5m² and is at least 2.15m wide. The proposed bedroom would be 2.5 metres wide with a floor area of 8.75m². In order to provide two bedspaces, a double (or twin bedroom) should have a floor area of at least 11.5m².
- 8.32 I am therefore of the opinion that the proposed bedrooms in Units 1, 2, 5 and 6) are sufficient for single occupancy only. The proposed one bed flat on the second floor (Unit 7) would have 65.2m² and meets the standards.

Car and Cycle Parking

- 8.33 The original planning submission showed car parking to the front of the application site and parking to the rear. In my opinion there was inadequate space to the front of the property to provide each property in the front block with a parking space and there was inadequate depth available to provide the 3 parking spaces shown without overhanging the public footpath.
- 8.34 As such I was of the opinion that car parking on the application site could be reduced to only provide for the two, two bedroom properties at one car parking space per dwelling. Car parking standards are maximum and I am of the opinion that in this instance due to the proximity to public transport that this would be acceptable. The Highways Officer is content with the removal of these spaces as this would improve highway safety.

- 8.35 Cycle parking has been provided in a secure and lockable store for the occupiers of the flats and with individual storage for each house.
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Highway Safety

- 8.37 The proposal would remove the existing car parking spaces used at the front of the property and this would improve highway safety in this part of Mowbray Road as there would no longer be cars reversing out on to this busy road near to the traffic lights and junction with Cherry Hinton Road.
- 8.38 With regard to the single car width of the access to the parking spaces to the rear with only one car able to use the drive at one time, a passing space has been provided to the front of the application site to allow a car to pull into this area if it meets another car. This would mean cars would be less likely to have to reverse on to the highway to allow a vehicle to egress. To ensure that the passing place is available and maintained and kept free of obstruction in the future, a condition would be attached to ensure it is provided before occupation and retained as such thereafter.
- 8.39 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Drainage

- 8.40 The application site is within Flood Zone 1 and does not exceed a hectare in area however the proposed development is identified at risk of surface water flooding in the Environment Agency's Surface Water Flood Map. The applicant has provided an updated Flood Risk Assessment and Drainage Strategy and has requested that a condition is imposed which would ensure that the development is carried out in accordance with these documents. Comments on the updated information are awaited from the Council's Drainage Officer and will be reported to the planning committee through the committee amendment sheet.

Third Party Representations

- 8.41 Concern has been raised that the access road to the property at No. 160 Mowbray Road which also serves the garages to the rear of properties in Cherry Hinton Road would be used for the parking of vehicles in the construction period and would be used as overspill parking for the proposed development. As this is a private access road there would be restrictions that the owners of this access road could apply to prevent this and as such this would be outside the scope of this planning application. All other comments raised have been addressed in the main body of the report.

9.0 CONCLUSION

- 9.1 The proposal would provide additional units on the site. The design responds to the site constraints, in terms of providing a well-designed residential frontage onto Mowbray Road and a development which reflects the existing pattern of development. It would provide a safer vehicular access and respects the amenity of adjoining residential properties. It would provide a good level of amenity for the future occupants. For these reasons, in my opinion the proposal would be acceptable and the recommendation is for approval.

10.0 RECOMMENDATION

APPROVE, subject to the following conditions:

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

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

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

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

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

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

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

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

5. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. The landscaped area to the front of the development hereby permitted shown on drawing no. 12 revision B including the front boundary wall shall be retained as a landscaped garden area and shall at no time be used for the parking of motor vehicles.

Reason: To ensure that the amenity of ground floor occupants is protected and in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/13)

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

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

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

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

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

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

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

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

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

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

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

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

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

13. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan 2006 policy 8/2)

14. 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)

15. The manoeuvring area shall be provided as shown on the drawings prior to the first occupation of the dwellings hereby permitted and shall be retained free of obstruction at all times.

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

16. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction in perpetuity.

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

17. 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)

18. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

19. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

20. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

21. The windows on the west elevation at first floor level to Units 3 and 4 hereby permitted shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall be fixed and non-openable. No further windows or openings shall be inserted on the west elevation without the specific grant of planning permission.

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

22. The windows on the side elevations of the building shown on drawing 10 revision C (Units 1, 2, 5, 6 and 7) shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall be fixed and non-openable. No further windows or openings shall be inserted on the side elevations without the specific grant of planning permission.

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

23. Prior to occupation of the development hereby permitted, the covered, secured parking of bicycles and bin storage for use in connection with the development hereby permitted shall be provided in accordance with the approved details and shall be retained thereafter.

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

24. The 1.7 metre high timber screens to the balconies to the rear elevation of Units 1, 2, 5, 6 and 7 at first floor level shall be constructed in accordance with the approved plans prior to the first occupation of the development and shall be retained thereafter.

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

INFORMATIVE: Accompanying informative to Traffic Management Plan condition.

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

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

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

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

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

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

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