



Cambridge City Council Planning

Date: Wednesday, 4 July 2018

Time: 12.30 pm

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

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

Agenda

1 Order of Agenda

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

- **Part One**
Major Planning Applications
There are no major applications
- **Part Two**
Minor/Other Planning Applications
Start time: 12.30pm
- **Part Three**
General and Enforcement Items
There are no items

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 2: Minor/Other Planning Applications (12.30pm)		
5	17/2157/FUL - 54-58 Chesterton Road	(Pages 29 - 64)
6	18/0164/FUL - Land To The North Of Cherry Hinton Caravan And Motorhome Club	(Pages 65 - 82)
7	18/0597/FUL - 107 Argyle Road	(Pages 83 - 92)
8	18/0169/S73 - Westcott House	(Pages 93 - 148)
9	17/2183/FUL - Land Rear Of Queens Meadow	(Pages 149 - 176)
10	18/0454/FUL - 53 Kings Hedges Road	(Pages 177 - 196)
11	18/0446/FUL - 33 Redfern Close	(Pages 197 - 210)

Planning Members: Smart (Chair), Blencowe (Vice-Chair), Hart, Hipkin, McQueen, Nethsingha, Page-Croft, Sinnott, Thornburrow and Tunnacliffe

Alternates: Baigent, Gillespie and Holt

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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

6 June 2018

10.00 am - 3.40 pm

Present:

Planning Committee Members: Councillors Blencowe (Vice-Chair, in the Chair), Baigent, Hart, Hipkin, Holt, McQueen, Nethsingha, Sinnott, Thornburrow and Tunnacliffe

Officers:

Interim Planning Delivery Manager: Eileen Paterson

Principal Planner: Nigel Blazeby

Principal Planner: Lorraine Casey

Planner: Eloise Limmer

Senior Planning Officer: Lewis Tomlinson

Arboricultural Officer: Joanna Davies

Planner: Rob Brereton

Planner: Mairead O'Sullivan

Environmental Protection Officer: Ben Walther

Legal Advisor: Rebecca Williams

Committee Manager: Toni Birkin

Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL**18/94/Plan Apologies**

Apologies were received from Councillors Smart and Page-Croft. Councillors Baigent and Holt attended as Alternates.

18/95/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	18/98/Plan & 18/101/Plan	Personal: Made objections to application prior to being nominated to sit on Planning Committee. Did not fetter discretion.
Councillor Baigent	18/103/Plan	Personal: Friend of objectors.

		Left the room and took no part in the decision.
Councillor Thornburrow	18/106/Plan	Personal: Lived at 24 High Street 20 years ago.

18/96/Plan Minutes

The minutes of the meetings held on 28 March and 25 April 2018 were approved as a correct record and signed by the Chair.

18/97/Plan 17/2196/FUL - Hinton Grange Nursing Home, 55 Bullen Close

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing buildings and redevelopment of the site to provide a replacement care home (Use Class C2) arranged over three storeys together with associated car parking, landscaping and amenity space

The Planner updated her report by referring to the amendment sheet. This in turn was revised at committee (as shown in bold and struck through text):

Pre-Committee Amendments to Recommendation: The wording of the travel plan condition has been amended from 'prior to occupation' to 'within 6 months of first occupation of the building' as the Travel Plan cannot be finalised until staff are in place and have been interviewed.

15. Within 6 month of the first occupation of the building, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking. The Travel Plan shall be implemented as approved upon the occupation of the development and monitored in accordance with details to be agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2006, policies 8/2, 8/3 and 8/4).

The Committee received a representation in objection to the application from a resident of Bullen Close.

The representation covered the following issues:

- i. The nursing home backs onto her property. The application would replace a garden with a carpark where the two properties adjoin.
- ii. Expressed concerns about:
 - a. Light, noise and emission pollution from the car park.
 - b. The lack of a solid barrier between her property and the large unmonitored car park. This would create security issues.
 - c. Loss of privacy and overlooking.
- iii. Requested (if planning permission were granted):
 - a. A secure traffic planning condition.
 - b. Controls over lighting in the car park etc to mitigate the impact on neighbouring properties.
 - c. Redesigning (garden) screening so that neighbours' properties are not overlooked.

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

Councillor Herbert (Coleridge Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Referred to his representation on P58 of the Officer's report.
- ii. Expressed specific concern regarding:
 - a. Increased height and scale of building would dominate neighbouring properties on Cherry Hinton Road and Bullen Close.
 1. Suggested the new building would be 6m from the boundary not 14m as per the Officer's report.
 2. Neighbours felt this was an overdevelopment of site and had general security concerns. The number of nursing home residents would increase to 64.
 3. There appeared to be confusion in the Officer's report about the impact of the application on 428 and 430 Cherry Hinton Road.
 - b. Security of neighbouring property (43 Bullen Close).

1. Screening would be removed so people could access 43 Bullen Close through the nursing home's large unattended carpark. Requested a solid boundary wall and security camera be installed as part of planning conditions.
- c. The need to protect trees on the nursing home property, particularly during building work.
 1. Requested condition 7 be amended to protect new and existing trees.
- d. The impact of the application on existing nursing home residents. The Officer's report only referred to new residents.
 1. Queried why the existing building would be demolished instead of renovated.
 2. Queried what information had been given to existing residents about timescales and where they will be moved to. Information had not been forthcoming from Care UK who managed the nursing home.

The Planner responded to points made in the representations:

- i. The security of 43 Bullen Close could be addressed through Condition 6 which relates to boundary treatment. A security camera could not be requested.
- ii. The Planning Department required details of lighting to be submitted before occupation of the building through condition 14.
- iii. Condition 7 contained an error. It should refer to new and existing trees. The Planner summarised revised wording for the Committee.
- iv. The new building would be 14m from the boundary. The 'T' shaped part of it would be 6m from the boundary.
- v. The new building would provide 63 bedrooms and increase from the existing 58 bedrooms.

Councillor Thornburrow proposed amendments to the Officer's recommendation to include a condition requiring tree protection during construction.

Councillor Blencowe proposed amendments to the Officer's recommendation to include conditions requiring:

- i. A carpark management and monitoring plan.
- ii. A construction traffic management plan.

The amendments were **carried nem con**.

The Committee:

Resolved (by 8 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; plus amendments to conditions 7 and 15, three new conditions regarding construction traffic management, car park management and monitoring and tree protection.

7. If within 5 years of implementation of the permission, any tree or shrub show on Drawing PL03 Rev E is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally shown on the plan shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.

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

15. Within 6 month of the first occupation of the building, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking. The Travel Plan shall be implemented as approved and monitored in accordance with details to be agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2006, policies 8/2, 8/3 and 8/4).

22. No demolition or construction shall commence on site until a traffic management plan has been agreed in writing by the Local Planning Authority. Works shall thereafter be in accordance with the approved details.

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

- 23 Prior to the occupation of the replacement care home a Car Park Management and Monitoring strategy shall be submitted to and approved in writing by the Local Planning Authority. Management and monitoring of the car park shall thereafter be in accordance with the approved details.

Reason: to ensure the car park is management in a way which would not adversely impact on the amenity of 43 Bullen Close (Cambridge Local Plan 2006 policy 3/7).

- 24 Prior to the commencement of development a site visit will be arranged with the City Council's Tree Officer to agree on tree protection measure for the protection of the retained trees on site, as shown in Drawing PL03 Rev E, during construction. 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).

18/98/Plan 18/0190/FUL - 307 Mill Road

The Committee received an application for full planning permission.

The Committee proposed an additional condition requiring the provision of natural light via a high level or roof window to the smaller bedroom of plot 8. Wording of the condition was delegated to officers.

This amendment was **carried unanimously**.

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 plus an additional condition requiring a high level window to be incorporated into the bedroom of unit 8.

- 21 Prior to the commencement of above ground works a plan shall be submitted for written agreement by the Local Planning Authority for the inclusion of a high level or roof window to serve the bedroom of plot 8. Works shall thereafter be in accordance with the approved details.

Reason: To ensure that plot 8 would provide a high quality living environment for future occupiers (Cambridge Local Plan policies 3/7 and 3/10).

18/99/Plan 17/1107/FUL - Cambridge Brewhouse, Malcolm Place

The Committee received an application for full planning permission.

The application sought approval for change of use from ancillary residential storage to ancillary storage for public house (retrospective).

The Committee noted the amendment sheet.

Gavin Cooper (Applicant's Agent) addressed the Committee in support of the application.

Councillor Bick (Market Ward Councillor) addressed the Committee about the application and made the following comments:

- i. The site of the business unit alongside social housing was uncomfortable.
- ii. Over time the business had expanded.
- iii. Environmental Health had been involved to resolve noise and odour issues.
- iv. Questioned the applicants assertion that they were good neighbours.
- v. Highlighted a number of retrospective planning applications.
- vi. Stated that neighbours had suggested that the additional storage was evidence that the business was operating beyond the micro-brewery level and was supplying for off-site consumption, in contravention of existing planning regulations.

Ben Walther, Environmental Protection Officer, addressed the Committee regarding Environmental Health visits to the site. He stated that the source of the resident's noise complaint could not be identified but was satisfied it did not emanate from the ancillary storage area.

The Committee proposed an additional condition, as suggested by the applicant's agent, requiring the use of trolleys to move barrels around the site to reduce the noise.

This amendment was **carried unanimously**.

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 with an amendment to Condition 3.

3. Wooden trolleys shall be used for the transfer of barrels between the public house and the storage area. Transfer of barrels between the public house and the storage area shall only occur between 09:00hrs and 18:30hrs

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

18/100/Plan18/0183/FUL - 65 Mill Road

The Committee received an application for full planning permission.

The application sought approval for first floor rear extension and change of use to 6 bed (7 person) HMO.

The Committee:

Resolved (by 9 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.

18/101/Plan18/0575/FUL - 84 Cromwell Road

The Committee received an application for full planning permission.

The application sought approval for roof extension incorporating hip to gable extension and front and rear dormers, external insulation with rendered finish.

The Committee discussed the relationship between the proposed extension and the existing street scape.

The Committee:

Resolved (by 6 votes to 3) to reject the officer recommendation to approve the application.

Resolved (by 8 votes to 2) to refuse the application contrary to the officer recommendation for the following reason:

The proposed rear roof extension, by virtue of its increased ridge height, design and materials would unbalance the terrace of properties and appear dominant and incongruous in the streetscene, particularly when viewed between the gap in the houses from the south of the site. The increased height of the building would also harm the uniform quality of the roof heights on the terrace. The proposal would be contrary to policies 3/4, 3/7, and 3/14 of the Cambridge Local Plan (2006).

18/102/Plan18/0275/FUL - 18 Mill Road

The Committee received an application for change of use.

The application sought approval for change of use of the first and second floors and part of the ground floor at No. 18 Mill Road to create 2 studio apartments and the provision of a new door accessing the ground floor.

The Committee:

Resolved (by 8 votes to 2) 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.

18/103/PlanTPO 06/2018 - 22 Garden Walk

The Committee received an application to confirm, not to confirm, or confirm subject to modifications the Tree Preservation Order **06/2018** that relates to 22 Garden Walk.

The Committee received a representation in objection to the application from a resident of Garden Walk who made the following comments:

- i. The size of the tree is out of keeping with the area.
- ii. The tree was not a protected species.
- iii. Shadow, seeding and leaf fall cause problems for neighbours.
- iv. Proximity to nearby buildings would result in damage.
- v. Bulk of tree was problematic.
- vi. Not worthy of preservation.

The Committee:

Unanimously resolved to accept the officer recommendation and grant permission to confirm the TPO that was the subject of the application.

18/104/PlanTPO 02/2018 - Hilda Street

The Committee received an application to confirm, not to confirm, or confirm subject to modifications the Tree Preservation Order **02/2018** that relates to a Hilda Street.

The correction detailed in the amendment sheet were noted.

The Committee:

Resolved (by 9 votes to 1) to accept the officer recommendation and grant permission to confirm the TPO that was the subject of the application.

18/105/PlanTPO 05/2018 - Hinton Grange

The Committee received an application to confirm, not to confirm, or confirm subject to modifications the Tree Preservation Order **05/2018** that relates to a Hinton Grange.

Councillor Blencowe read out a statement from a local resident in support of the TPO.

The Arboricultural Officer confirmed that the TPO related to 5 trees. The Committee expressed concerns that the sixth tree included in the visual information was not included in the TPO.

The Committee requested that the Arboricultural Officer investigate the possibility of a TPO for the remaining tree.

The Committee:

Unanimously resolved to accept the officer recommendation and grant permission to confirm the TPO that was the subject of the application.

18/106/PlanTWA 17/412/TTPO - High Street, Trumpington

A tree work application, 17/412/TTPO, was received proposing the removal and replacement of an Ash tree located in the rear garden of 24 High Street, Trumpington. The application was made because the tree is considered to be too close to the property and is too tall and full of ivy to effectively manage.

The Committee received an application for the removal of the tree subject to conditions requiring replacement planting.

The Committee received a representation in objection to the application from a resident of Trumpington who made the following comments:

- i. The tree is in the grounds of an important house of historical interest.
- ii. The property was built on the site of an old orchard.
- iii. The Ash tree is very visible from the street.
- iv. The tree provided wildlife habitat to support the biodiversity of the area.
- v. The tree was in need of care and attention but could live for many more years.
- vi. Removal would be detrimental to the area and to other trees.

The Committee:

Resolved (by 8 votes to 1) to accept the officer recommendation and grant permission to fell the tree that was the subject of the application subject to conditions requiring replacement planting.

The meeting ended at 3.40 pm

CHAIR

Application Number	17/2157/FUL	Agenda Item	
Date Received	22nd December 2017	Officer	Lewis Tomlinson
Target Date	16th February 2018		
Ward	West Chesterton		
Site Proposal	54 - 58 Chesterton Road Cambridge CB4 1EW Demolition of former HSBC bank building and redevelopment of site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and professional) - in the alternative, with 8no. apartments cycle parking, and associated infrastructure.		
Applicant	M Rickard Cats & Animal Charity		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The design and scale of the development is of a high quality and as such would make a positive contribution to the area. • The proposed development would not have any adverse impact on the residential amenity of adjoining neighbours.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No.54 – 58 Chesterton Road is a two storey building located on the corner of the junction of Chesterton Road and Trafalgar Road. The majority of the site was previously occupied by the HSBC bank. To the rear of the site is a small car parking area.
- 1.2 The retail units fronting Chesterton Road form part of a parade of commercial units that are within the area designated as a ‘District and Local Centre’. The southern boundary of the site abuts the edge of the Conservation Area (De Freville no.11).

The site is also located within a Controlled Parking Zone and within Mitcham's Corner Opportunity Area.

2.0 THE PROPOSAL

- 2.1 The proposal is for the demolition of the former HSBC bank building and redevelopment of the site to provide a mixed use development consisting of 2 x ground floor commercial units and 8 residential flats (2 x 2b & 6 x 1b). The proposal would not provide any car parking spaces but does provide 10 cycle parking spaces for the residential element and a further 2 cycle parking spaces for the commercial units.
- 2.2 The commercial units would be accessed from Chesterton Road with a side access for bin and cycle storage. The residential units would be accessed from Trafalgar Road. The layout of the site tapers and as such the building line is staggered as it faces Trafalgar Road. Three studio units would be provided at ground floor level. Three larger units (2x1 bed and 1x2 bed) would be provided at first floor level continuing over the retail units below. The residential unit at first floor facing onto Chesterton Road would have an external terrace wrapping around the corner of the building. Two units would be provided at second floor level (1x1bed and 1x2-bed), the 2-bed unit (flat 6) facing Trafalgar Road being split level with a bedroom on the first floor. The second floor units would be contained within the roof pitch, with flat 6 stepped back from a parapet and provided with an external terrace. The rear of site is shown to accommodate an internal cycle store and bin area.
- 2.3 The frontage onto Chesterton Road is traditionally designed with dormers inserted into the front roof slope with a traditional pitch. The frontage onto Trafalgar Road would be more contemporary in appearance, with larger glazed openings, with some flat roofed and lower pitched elements.
- 2.4 The application is accompanied by the following supporting information:
- Design Statement
 - Planning Statement
 - Contaminated land Desk Study
 - Sunlight and daylight assessment
 - Application drawings

2.5 Amended plans have been received which show the following revisions:

- Alterations to the front retail units
- Pitched roof dormers replacing flat roof dormers
- Juliette balcony for flat 8
- Corner window to flat 4 amended to be obscured glazing and solid timber panel to the northern section

3.0 SITE HISTORY

Reference	Description	Outcome
06/1074/ADV	Installation of fascia signs (halo lit text) and one projecting sign (internally illuminated)	Refused
06/1079/FUL	Alterations to shopfront, including recladding and installation of two ATMs and erection of fire escape stair to rear.	Refused
12/0354/ADV	Installation of fifteen signs (two internally illuminated fascia signs, one internally illuminated projecting sign, eight non-illuminated information signs and four non-illuminated car parking signs)	Approved
C/97/0776	Installation of 2 no. halo illuminated fascia signs.	Approved
C/95/0307	installation of air conditioning unit to bank (positioned on rear single storey flat roof)	Approved
C/94/0853	installation of new ramp to main entrance of bank (ramp on public pavement).	Approved
C/93/4277	provision of lettering to north and east elevations (halo illuminated), 1 no. projecting sign (illuminated), 1 no. nameplate and 1 no. car park sign.	Approved
C/89/0657	installation of 1 no. cash dispenser.	Approved
C/85/0066	provision of cash dispenser	Approved

C/70/0681	Alterations and extensions to existing Bank at 58, to incorporate adjoining premises of no. 54 Chesterton Road	Approved
C/70/0145	Alterations and extension to form Bank premises with staff accommodation on first floor	Approved
C/66/0144	Erection of temporary bank - Chesterton Road	Approved
C/64/0581	Internal reconstruction and provision of single storey extension forming strong room	Approved

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012
	National Planning Policy Framework – Planning Practice Guidance March 2014

	<p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>The Cambridge Shopfront Design Guide (1997)</p> <p>Roof Extensions Design Guide (2003)</p>
	<p><u>Area Guidelines</u></p> <p>De Freville Conservation Area Appraisal (2009)</p> <p>Mitcham’s Corner Area Strategic Planning and Development Brief (2003)</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.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

10th January 2018

- 6.1 Following implementation of any permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. 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.

Otherwise 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 and informatives requested below into any permission that the Planning Authority is minded to grant in regard to this application.

Recommends the following conditions: no unbound material within 6m; preventing surface water run off; reinstatement of footway and kerb; Traffic Management Plan; various informatives.

20th April 2018

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

Drainage Officer

- 6.3 Supports subject to imposition of surface water condition and implementation condition.

Environmental Health

7th February 2018

- 6.4 No objection subject to conditions regarding: plant noise insulation; construction hours; construction collection/delivery hours; construction noise and vibration; piling; dust; noise insulation scheme; contaminated land and various informatives.

3rd May 2018

- 6.5 No comments or recommended conditions to make regarding the amendments

Planning Policy Team

- 6.6 The Planning Policy Team objected to the application due to the proposed use class of one of the units as D1 or B1(a). Policy 6/7 states that additional development within use classes A1, A2, A3, A4 and A5 will be permitted in District Centres if it will serve the local community and is of an appropriate nature and scale to the centre. Although there would not have been a loss of an A1 use proposed within the application, an additional ground floor unit is being proposed, it is therefore considered contradictory to the policy to include D1 or B1(a) uses within this application. In addition, the policy states that the change of use outside the A use class will not be permitted unless there are exceptional circumstances; this had not been demonstrated within this application. *The application was then amended to remove this element and to just include the A1/A2 elements which overcame the objection.*

Urban Design and Conservation Team

9th February 2018

- 6.7 No objection subject to revisions and conditions regarding materials and details of the external finishes.

4th May 2018

6.8 Requested the shop front units to be the same. The applicant amended the plans to show this.

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 Cllr Mike Sargeant has objected to the application on the following grounds:

- Loss of light, loss of outlook and loss of privacy to No.2 Trafalgar Road
- The density of the development is out of keeping as the adjacent parade of shops have significant space to the rear of the building.

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

- 42 Chesterton Road
- 82 Chesterton Road
- 13 Ferry Path
- 23 Ferry Path
- 25 Ferry Path
- 20 High Street, Lode
- 2 Trafalgar Road
- 19 Trafalgar Road
- 30 Trafalgar Road
- 32 Trafalgar Road

7.3 The representations can be summarised as follows:

- No parking will encourage parking issues
- Out of keeping with the character of the area
- Increased issues that have been created by the Aparthotel
- Height and bulk
- Overdevelopment
- Loss of light to surrounding properties

- Overlooking of private courtyards and windows of 52a/52
- Loss of light to living room/dining area of No.2 Trafalgar Road
- Overlooking of main bedroom and sitting room of No.2 Trafalgar Road from 1st floor corner window
- Overbearing
- Deliveries
- Bins
- Insufficient cycle parking
- Disturbance/nuisance cause by construction
- No proposed green space
- No disabled access or parking
- Student accommodation

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.

7.5 Local residents submitted a petition for a Development Control Forum (DCF) raising concerns with the scale and massing of the proposed building to the boundary, the increase in traffic and parking and impact on residential amenity. The DCF was held on 8th March 2018 and the minutes are attached as Appendix 1 to this report. Following the DCF the applicant submitted revised plans taking on board the concerns raised by local residents for consideration. The revised plans were re-consulted upon.

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 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 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.
- 8.4 The proposal includes two units with a proposed use class of A1 and A2. Policy 6/7 states that additional development within use classes A1, A2, A3, A4 and A5 will be permitted in District Centres if it will serve the local community and is of an appropriate nature and scale to the centre. The units are considered to be of an appropriate scale and in keeping with the adjacent units situated on Chesterton Road and therefore complies with Policy 6/7.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with the NPPF and Local Plan policies 5/1 & 6/7 subject to other material planning considerations discussed below.

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

- 8.6 The site currently consists of a two storey end of terrace building, which previously was a HSBC bank branch with a flat/office above and a car park to the rear. The site is situated in a prominent location within Chesterton Road and marks the entrance to Trafalgar Road. To the rear of the buildings fronting Chesterton Road there is variety of single storey and two storey extensions, outbuildings/garages and private courtyards. The area is characterised by high density development. The

courtyards provide storage for bins and cycles but do not provide high quality amenity areas.

- 8.7 The proposed building would be broken up into two separate sections: A three storey element to the front of the site with two ground floor retail units fronting Chesterton Road with residential above and to the rear, and a two storey element to the rear of the building. The proposed scale and massing of the building would reflect the height and scale of the adjacent buildings to the west that front Chesterton Road. The 2.5 storey scale would appear in keeping with the character of the surrounding area especially as the three storey element is set in from the elevations. As previously discussed, the land to the rear of the buildings fronting Chesterton Road is characterised by buildings and courtyards that is used for storage and access. The rear residential element would be mainly two storey which would result in the building appearing subservient to the Chesterton Road frontage. Due to the character of the area and the two storey element to the rear, the proposed development would in my view not be an overdevelopment of the site.
- 8.8 The proposal would result in active frontages onto Chesterton Road and also on Trafalgar Road, which would provide increased natural surveillance onto Trafalgar Road. This particular section of Trafalgar Road would also be enhanced by the soft landscaped buffer that defines the ground floor unit thresholds. The proposal would not include public amenity space but would include private amenity areas for the 2b flats. Due to the tight constraints of the site, and close proximity to Midsummer Common and Jesus Green, the proposal is considered acceptable in terms of amenity.
- 8.9 The proposed use of brick, zinc cladding and slate roof are supported and considered appropriate for the area and the site. The Urban Design and Conservation Team were consulted as part of the application and have raised no objection subject to the inclusion of conditions. These conditions are considered necessary to ensure the proposed building is finished to a high standard that is compatible with its surroundings.
- 8.10 The proposed site would be a car free development, however given its direct links to Chesterton Road and close proximity to the city centre, there is a presumption in favour of walking, cycling and public transport. Secure cycle parking is integrated

into the rear of the building. This is assessed further in the following sections in the report.

- 8.11 Whilst the majority of the site is not within the conservation area, it directly abuts it to the south and its development would impact upon the setting of the conservation area. My view is that the scale and design of the proposal are compatible with the setting of the Conservation Area and would result in no harm.
- 8.12 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

Impact on amenity of neighbouring occupiers

1 Trafalgar Road

- 8.13 Due to the orientation and siting of the proposed development in comparison to No.1 Trafalgar Road, the proposal would not have a significant impact in regards of overbearing, overlooking or overshadowing.

2 Trafalgar Road

- 8.14 The proposed first floor living room corner window on Flat 4 is labeled as opaque glass on the proposed elevation facing east. A condition is recommended to ensure that the part of the window facing east would be obscured. Subject to this being carried out, the proposed first floor living room corner window on Flat 4 would not overlook No.2 Trafalgar Road. A Daylight & Sunlight Assessment in accordance with BRE criteria was carried out in regards to the windows on the front elevation of No.2 Trafalgar Road which concluded the proposal would not have an adverse impact in regards to loss of light. Officers acknowledge that the proposal would have an impact upon No.2 due to the close proximity. However, the proposed height of the part of the building nearest to No.2 Trafalgar Road would be two storeys and the site is set within an high density urban context where it is commonplace for two storey or more terraced properties to be separated only by a single lane road. For the reasons outlined above, it is my view that the proposal

would not have a significant overbearing impact upon No.2 Trafalgar Road.

2a Trafalgar Road

- 8.15 The existing building is parallel to the buildings on the opposite side of Trafalgar Road. It is 2 storeys and constructed from a dark brick. It is built directly onto the pavement edge and partially obscures the outlook from no. 2a. The proposed building would be set back from the pavement edge. It would be constructed from a lighter tone material. The roofline of the proposed building would be orientated away from the buildings on Trafalgar Road in a north westerly direction.
- 8.16 There are multiple windows on the front (west) elevation of No.2a Trafalgar Road. The ground floor window on the front elevation serves a kitchen and the most northerly first floor window on the front elevation serves a hallway/stairway landing. The most southerly first floor window on the front elevation serves a bedroom. The proposed first floor bedroom window on Flat 5 on the east facing elevation which would be opposite the bedroom window on No.2a would have a solid timber panel on the northern section of the window. This would result in views being directed towards the gap between 2a and 2 Trafalgar Road and therefore would not result in a significant level of overlooking. I recommend a condition to ensure large scale details of the slatted finish and its coverage in relation to no.2a are submitted for approval prior to the use of the unit in question. I also recommend condition # to ensure that a landscaping scheme for planters is installed within the terrace above to provide some buffering and privacy from its external use. A Daylight & Sunlight Assessment in accordance with BRE criteria was carried out in regards to the windows on the front elevation of No.2a Trafalgar Road which concluded the proposal would not have an adverse impact in regards to loss of light. I recognise that views from the affected windows would be enclosed as a result of the development, but given the pre-existing situation and that the site is set within a high density urban context where it is commonplace for two storey or more terraced properties to be within close proximity to each other, I regard the impact to be acceptable. The proposal would therefore not have a significant adverse impact on No.2a Trafalgar Road.

52/52a Chesterton Road

- 8.17 The proposed building would be built up to the rear boundary of the site and the proposed windows on the west elevation facing towards 52/52a Chesterton Road would be high level windows or roof lights. Therefore the proposal would not overlook the adjacent windows or courtyards of properties 52/52a Chesterton Road. There is a door that serves as a flat entrance and a first floor window on the east facing elevation that serves a bathroom, therefore the proposed development would not have an adverse impact upon No.52/52a Chesterton Road.
- 8.18 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Wider area

- 8.19 The Environmental Health Team has recommended conditions to control plant noise insulation, construction hours, construction collection/delivery hours, construction noise and vibration, piling, dust and contaminated land in order to protect the residential amenity of the wider area during construction. I accept this advice and have recommended conditions accordingly. I have considered the impact of additional demand for car parking spaces on residential amenity in the 'car parking' section below.
- 8.20 For these reasons, in my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12 and 4/13.

Amenity for future occupiers of the site

- 8.21 The floor space of the proposed units is provided in the table below. It is to be noted that the Council has no adopted space standards, and therefore does not have a policy requirement. That being said, half of the flats exceed the National Space Standards, and half of the flats are marginally below the recommended size. In my opinion, the units would provide a high quality internal living environment for the future occupants.

Unit	Type	Floor space (sqm)	NSS (sqm)
Flat 1	1B Studio	35.00	39
Flat 2	1B Studio	37.50	39
Flat 3	1B Studio	40.00	39
Flat 4	1B 1P	52.75	39
Flat 5	1B 2P	48.75	50
Flat 6	2B 4P	77.75	70
Flat 7	2B 3P	56.75	61
Flat 8	1B 1P	58.50	39

8.22 Flats 6 & 7 (which are the 2b flats) have private terraces, measuring approximately 20sqm. These are the only flats that would have private amenity areas however all the other units are 1b flats. These 1b flats are likely to be occupied by individuals or couples and whilst it is not desirable, it would not warrant a refusal of the application. It is also to be noted that the site is within walking distance of Midsummer Common and Jesus Green. As the application includes residential units fronting Chesterton Road, it is unlikely that recommended internal noise levels will be achieved with windows open. Therefore the Environmental Health Officer has recommended the inclusion of a noise insulation condition.

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 Cambridgeshire and Peterborough Waste Partnership (RECAP) Waste Management Design Guide recommends that this type of residential development should provide 340 litres per each 2 room unit and 440 litres for each 3 room unit. Therefore the recommended total capacity for the proposed development would be 2,920 litres. The proposed refuse capacity complies with the RECAP recommendation. The residential bin storage would be located to the rear of the development within a large store that also houses the cycle parking. The commercial bin storage would be provided for the retail units within the separate rear access to the retail units.

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

Highway Safety

8.26 The Highway Authority was consulted as part of the application and does not consider there would be any adverse impact upon highway safety but has indicated that the proposal has the potential to create additional parking demand upon unrestricted streets. This is dealt with in the below car parking section.

8.27 The Highway Authority has recommended the inclusion of an unbound material condition, no drainage onto the highway condition and a condition stating the footway and kerb must be reinstated. All these conditions are considered reasonable and necessary. Various neighbors have raised concerns regarding potential disturbance and displacement during the construction stage. The Local Highway Authority has recommended a Traffic Management Plan that will deal with the logistics of the phases of demolition and construction. This condition is considered necessary due to the tight constraints of the site.

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

Car and Cycle Parking

8.29 The site falls within Zone C of the Controlled Parking Zones. The Highway Authority has advised that the future residents of the proposed development will not qualify for Resident's Permits (other visit permits) within the existing Residents Parking Scheme operating on surrounding streets. I have recommended an informative to advise of this.

8.30 No car parking spaces are proposed as part of this application. The Council has maximum parking standards outlined in Appendix C of the Cambridge Local Plan (2006). Cambridge City Council promotes lower levels of private parking particularly where good transport accessibility exists. This site is located in a particularly sustainable location on Chesterton Road. Chesterton Road has many shops and services, and the city centre is within walking/cycling distance. For the reasons stated above, officers therefore consider that the proposal would not

warrant a refusal based upon the lack of car parking. The level of provision accords with our adopted standards.

- 8.31 10 cycle parking spaces are proposed for the flats. This cycle parking would be located to the rear of the development within a large store. This level of cycle parking would comply with policy. 2 additional cycle parking spaces would be provided for the retail units within the separate rear access to the retail units.
- 8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Drainage

- 8.33 The Drainage Officer was consulted as part of the application and has raised no objection subject to the imposition of a surface water condition and implementation condition.

Third Party Representations

- 8.34 I have dealt with the substantive third party representations in the preceding paragraphs and those remaining issues are dealt with in the table below.

Concern	Response
Increase issues that have been created by the Aparthotel	The problem with taxi's coming and going at the aparthotel is noted. This proposal is for residential flats/retail units and not an aparthotel.
Deliveries	The application states the retail units will make use of the bays on Chesterton Road for deliveries in the same way the surrounding existing shops do. Deliveries during construction stage will be managed through the Traffic Management Condition.

No disabled access or parking	While no disabled parking is provided on site, there are pay and display bays within 100m of the site on Chesterton Road. Disability Access will be covered under part M of the Building Regulations.
Student accommodation	This proposal is for residential flats/retail units and not purpose built student accommodation.

9.0 CONCLUSION

- 9.1 The proposal as amended would have an acceptable impact on the amenity of the occupiers of adjoining properties and future occupants and no detrimental impacts are envisaged to the streetscene by the proposal.

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

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

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

5. No development shall commence until full details of the external features such as the dormers and balconies have been submitted to and approved in writing by the Local Planning Authority. The development should be implemented in accordance with the approved details.

Reason: To ensure that the details of development are acceptable (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14).

6. Prior to the occupation of Flat 5, large scale details of the slatted finish to the first floor bedroom window on Flat 5 on the east facing elevation shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

7. Prior to occupation of Flat 5, a landscaping scheme for planters on the terrace shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

8. Prior to occupation, a hard & soft landscaping scheme, including full details of surface and boundary treatments, shall be submitted to and approved in writing by the LPA. Landscape works shall thereafter be constructed only in accordance with the approved details.

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

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

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

10. 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).

11. 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).

12. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

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

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

14. 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).

15. If previously unidentified contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and an appropriate remediation and validation/reporting scheme agreed with the LPA. Remedial actions shall then be implemented in line with the agreed remediation scheme and a validation report will be provided to the LPA for consideration.

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

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

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

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

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

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

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

19. No development hereby permitted shall be commenced until surface water drainage works in accordance with the submitted Structa LLP drainage strategy have been submitted to and approved in writing by the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding off site for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - b) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
 - c) Include supporting evidence of agreement with Anglian Water to discharge to the surface water sewer

Reason: In the interests of surface water management.

20. 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: In the interests of surface water management.

21. The redundant vehicle crossover of the footway must be returned to normal footway and kerb prior to occupation.

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

22. Notwithstanding the approved drawings, the first floor window serving Flat 4 on the east facing part of the elevation 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 flat 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: Condition 8 relates to shopfronts whether designed and installed by the landlord or by tenants.

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

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

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

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

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

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

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

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

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

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

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

INFORMATIVE: The applicant should note that the future residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

INFORMATIVE: In relation to the surface water drainage conditions: All new or altered external surfaces within the site boundary should be of permeable construction. The rate of runoff from the brownfield site should be no greater than 5 l/s.

DEVELOPMENT CONTROL FORUM

8 March 2018
10.00 - 11.00 am

Present

Planning Committee Members: Councillors Blencowe, Holt and Smart

Officers:

Principal Planner Nigel Blazeby
Senior Planner: Michael Hammond
Committee Manager: Sarah Steed

For Applicant:

Nick Green (Architect)
Anthony Dean (Agent for Charity Owner)

For Petitioners:

1 Petitioner

FOR THE INFORMATION OF THE COUNCIL

18/8/DCF Introduction by Chair to the Forum

The Chair outlined the role and purpose of the Development Control Forum. He stated no decisions would be taken at the meeting.

18/9/DCF Apologies for Absence

Apologies were received from Councillor Hipkin.

18/10/DCF Declarations of Interest

Name	Item	Interest
Cllr Holt	18/10/DCF	Has known the Petitioner for a long time.

18/11/DCF 17/2157/FUL - 54-58 Chesterton Road Cambridge CB4 1EW

Application No: 17/2157/FUL

Site Address: 54-58 Chesterton Road Cambridge CB4 1EW

Description: Demolition of former HSBC bank building and redevelopment of site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and professional) - in the alternative, with 8no. apartments cycle parking, and associated infrastructure

Applicant: M Rickard Cats & Animal Charity

Agent: Saunders Boston Architects

Address: 119 Newmarket Road Cambridge CB5 8HA

Lead Petitioner: Resident of Trafalgar Road

Case Officer: Michael Hammond

Text of Petition:

The grounds for asking for a Forum on this application are as follows:

1. That the scale and massing of the proposed new building is disproportionate to the two storey residential Victorian neighbourhood, especially within the De Freville Conservation Area.
2. It will dominate its immediate neighbours.
3. That the development will have a negative impact on transport, both pedestrian and vehicular in the road, increasing the likelihood of pedestrian accidents.
4. Residents are already fearful of using the road as cars regularly drive down the pavement.

Do you think there are changes that could be made to overcome your concerns?

Yes

1. It is recognised that the site might benefit from development not least to remove the existing higgledy-piggledy building and turn it into something more in keeping with the Conservation Area and to provide additional family-orientated accommodation.
2. That the plan should keep the new building within the existing footprint of the bank building, allowing the car park to be either left as a car park or developed as an amenity.
3. That the roof line of the new building should not extend beyond the existing roof line of the bank.

Case by Applicant

Mr Green made the following points:

- 1) The site was on Chesterton Road and was the former HSBC bank.

- 2) The site had been in the ownership of the Owner since the 1950s and understood it had been a bank since that time.
- 3) The application had taken a long time, the applicants had used the pre-application process and a lot of consultation had been undertaken with Planning Officers, the public, the Police, Highways and Archaeologists.
- 4) The scheme proposed the demolition of the existing building and a new building in its place. The basement would be retained, there would be retail on the ground floor and 1 bed and 2 bed flats upstairs in accordance with the emerging local plan.
- 5) No private space would be provided but the development was in a location with amenity space close by ie: Midsummer Common.
- 6) The context of the area was that there were large buildings at the front.
- 7) The principles of development needed to address the significant corner and provide frontages from Chesterton Road. The building diminished in scale to the rear but provided active frontages onto Trafalgar Road with retail units at the front.
- 8) Consultations had been undertaken with highways who had said the development was acceptable. The Planning Policy Team had said that the development was acceptable subject to minor revisions on the application.
- 9) Further work had been undertaken in relation to 2 and 2a Trafalgar Road. Daylight and sunlight assessments had been carried out and it was considered that the BRE guidance was met.
- 10) A further shadow assessment had been carried out which showed a slight increase in shadow at the equinox and summer solstice but considered this was not a significant impact.
- 11) Proposed a revision to overcome the overlooking issue by the provision of a Juliet balcony and the removal of a window for flat 4.
- 12) This was a contextually appropriate scheme generally supported by consultees. Further works had been undertaken including sunlight and daylight assessments.

Case by the Petitioner

The Petitioner spoke on behalf of residents and made the following points:

- 13) Had concerns regarding traffic cutting through from Chesterton Road to Trafalgar Road to Victoria Road.

- 14) A traffic review said that there was no significant impact on highways but he did not understand this.
- 15) Two shops were proposed as part of the development which would further impact on the demand in the area and he was not persuaded that deliveries for shops would use the lay by.
- 16) Expressed concerns with bins and the fact that these can get left in the middle of the road.
- 17) He recorded the street for a week between 5-8pm and this highlighted the number of times people parked vehicles on the pavement and on both sides of the street which forced pedestrians to walk in the middle of the road. Local feeling was that this issue was getting worse.
- 18) The overlooking issue would be resolved if the window from flat 4 was removed.
- 19) Had concerns about shadowing and expressed concerns about how accurate the diagrams were.
- 20) Had concerns about property 52 Chesterton Road and did not think that a sunlight assessment had been carried out. There was also an issue regarding overlooking from the west elevation and questioned the windows.
- 21) Height creep in the area was an issue.
- 22) Referred to the Nelson Court development which had received awards and looked good from the front but did not look so good from the back.

Case Officer's Comments:

- 23) The application was received on 22 December 2017, 45 people were consulted and a site notice was published on 19 January 2018.
- 24) Subsequent to this, 10 representations were received and objections were raised by Councillor Sargeant. Objections related to:
 - the character, design and appearance of the development,
 - the fact that the development was out of scale with the surrounding area,
 - the lack of green amenity space,
 - the overbearing impact on residential amenity,

- noise disturbance if the development was used for student accommodation,
 - concerns regarding access, fire access and bin collections from Trafalgar Road,
 - highway safety implications for pedestrians.
- 25) Policy consultations had been undertaken with statutory consultees.
- Highways raised no objections
 - Environmental Health raised no objections
 - Planning Policy had requested that the description of the development was revised and subject to this had no objections.
 - Urban Design was supportive subject to amendments of the application.
- 26) The Case Officer was waiting for amendments to be submitted by the Applicant. A daylight and sunlight assessment had been received and the case officer would be consulting with neighbours on this assessment and all other amendments.

Members' Questions and Comments:

Members raised the following questions:

- 27) Expressed concerns about parking
- 28) Asked what the net loss of parking provision would be.
- 29) Asked if 1 retail unit had been considered as this would have less deliveries and less demand for parking.
- 30) Questioned the size of the units in the development.
- 31) Questioned where the deliveries for the retail units would park.
- 32) Expressed concerns regarding overlooking.
- 33) Questioned what amenity space the development provided.
- 34) Asked if the Petitioner was aware that the City Council had a maximum parking policy which included car free developments.
- 35) Questioned disabled access.
- 36) Questioned whether front box dormers were appropriate
- 37) Questioned where refuse for commercial units would be provided.

The Applicant's Agent and the Owner answered as follows in response to Members questions:

- 38) It was a car free development. As the development comprised 1 and 2 bed flats they did not anticipate that residents would have

- cars and bicycle parking provision was at the rear of the development.
- 39) There was a separate bicycle and bin service area for the retail units at the front.
 - 40) Currently there were 4 parking spaces and these would be lost under the proposed development.
 - 41) The retail element had been kept small to be attractive to a small business retailer.
 - 42) Wanted flexibility regarding the retail units these could be 1 or 2 units, the market would decide on the size of the unit but the current application was for 2 units..
 - 43) Confirmed that the size of the units within the development were in the spirit of the emerging local plans.
 - 44) Confirmed that the deliveries for the retail units should use the lay-by.
 - 45) Proposed to replace dormer windows with 3 pitched roof dormers but stated that Officers had not been provided with these proposals yet. The overlooking issue would be resolved with the removal of the window at flat 4.
 - 46) The 2 bed flats would have a terrace but the 1 bed flats would not have any individual amenity space as it was considered there was sufficient provision close by ie: at Midsummer Common and Jesus Green and this was in line with other applications in the City.
 - 47) Commented in relation to the overlooking issue that frosted glass could be an option to address this.

The Petitioner answered as follows in response to Members questions:

- 48) Had no problem with development but it needed to be in keeping with the area.
- 49) The development should stay within the existing footprint.
- 50) The development included 8 flats up, went up a level and extended to the rear this raised concerns.
- 51) The Nelson's Court was meant to be residential development but was part hotel this raised concerns regarding this development.
- 52) There was a succession of taxis between 7-8am and 4-6pm which raised concerns.

Summing up by the Applicant's Agent

- 53) Commented that comparisons had been made between the proposed development and Nelsons Court but this development was different as the Owner was not proposing to make student or

part hotel accommodation. This was a long term plan by the Owner which was evident by the larger size flats.

- 54) This was a car free development and the County Council had confirmed that parking permits would not be provided.
- 55) Could appreciate the existing concerns regarding parking but the proposed development would not impact on the area.
- 56) Bin storage was in compliance with policy.
- 57) Had worked with Officers to modify the scheme to respond to the concerns raised regarding the scale of the development.

Summing up by the Petitioners

- 58) Commented that the remit of the development was to maximise return for the Owner.
- 59) Bins were collected 5 days a week and were left in the street. The earliest collection was at 5.18am in the morning and this was immediately outside his window.
- 60) Questioned if this was the right development for the area.

Final Comments of the Chair

- 61) The Chair observed the following:
 - Notes of the Development Control Forum would be made available to relevant parties.
 - Application to be considered at a future Planning Committee.

The meeting ended at 11.00 am

CHAIR

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Application Number	18/0164/FUL	Agenda Item	
Date Received	1st February 2018	Officer	Charlotte Burton
Target Date	29th March 2018		
Ward	Cherry Hinton		
Site	Land To The North Of Cherry Hinton Caravan And Motorhome Club		
Proposal	Relocation of agricultural access onto Limekiln Road.		
Applicant	Blanton Ventures Ltd and Neston Court Ltd		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The agricultural access would be acceptable in terms of highway safety, impact on trees and wildlife, and impact on residential amenity.</p> <p style="padding-left: 40px;">The access would not significantly harm the semi-rural character of Limekiln Road.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises a field to the rear of properties on the southern side of Queen Edith’s Way and includes a wedge connecting to the western side of Limekiln Road. This wedge forms part of the development site which has permission for one detached four bedroom property (17/0260/FUL) and is associated with the wider development of a further three detached properties further north within the former quarry to the rear of No. 268 Queen Edith’s Way (16/1919/FUL).
- 1.2 The site of the proposed access currently consists of scrub and trees which are covered by a group tree preservation order. The site is not within a conservation area and is not within the Cambridge Green Belt. The adjacent land to the south forms part of the Cambridge Caravan and Motorhome Site, which is

within the Green Belt and is a Site of Special Scientific Interest (SSSI) and Local Nature Reserve. There is a current planning application for the creation of a secondary access point for the caravan site which is pending determination (17/1416/FUL).

2.0 THE PROPOSAL

- 2.1 The proposal is for the creation of an access from Lime Kiln Road into the agricultural field to be used for agricultural purposes. This is to replace the previous access to the field which was located within the development site to the north. The purpose is to retain access into the field for maintenance and operational purposes.
- 2.2 The access would be 5.5m wide and would extend into the site for approximately 10m (as amended during the course of the application) where it would be gated. It would be surfaced with buff coloured crushed aggregate. Vehicle visibility splays would be provided in both directions along Limekiln Road.

3.0 SITE HISTORY

- 3.1 The relevant site history comprises:

Reference	Description	Outcome
17/060/FUL	Erection of one 4 x bed dwelling along with access, car and cycle parking and associated landscaping, Land Rear Of 268 Queen Edith's Way	Approved subject to conditions
16/1919/FUL	Erection of 3. No four bed houses, internal access road, car and cycle parking, hard and soft landscaping, Land Rear Of 268 Queen Edith's Way	Approved subject to conditions
15/0596/FUL	Erection of 3No. five bed houses, internal access road, car and cycle parking and hard and soft landscaping, Land Rear Of 268 Queen Edith's Way	Allowed at appeal

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 3/2 3/3 3/4 3/7 3/11 4/3 4/4 4/6 4/13 4/15 8/2

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).

	Cambridge Landscape and Character Assessment (2003)
	Cambridge City Nature Conservation Strategy (2006)
	Criteria for the Designation of Wildlife Sites (2005)
	Cambridge City Wildlife Sites Register (2005)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Initial comment 02.02.2018

- 6.1 The width must be increased at the access to 5.5 metres to allow easier manoeuvring off and onto the carriageway, and the distance to the gate increased to 10 metres from the channel line of the carriageway

Comment on revised drawings

- 6.2 Previous comments have been resolved. The proposed access is suitable for use as an agricultural access, subject to conditions on no unbound material, removal of permitted development rights for gates, construction specification, adequate drainage measures, visibility splays, restoration of redundant kerb and access width.

Environmental Health

- 6.3 The site is part of an area formerly used as gravel pit extraction. However, the proposed scheme does not include any enclosed structures or use of soft landscaping, therefore information relating to contaminated land is not required. No objection subject to standard construction hours condition.

Sustainable Drainage Engineer

- 6.4 Acceptable subject to all new or altered surfaces should be of permeable construction.

Biodiversity Officer

Initial comment 23.02.18

- 6.5 A Phase 1 habitat and Protected Species Scoping survey of the site and surroundings is required.

Comment on information submitted 29.03.18

- 6.6 No objection subject to condition to prevent external lighting and nesting bird informative.

Landscape Officer

Initial comment 16.02.18

- 6.7 Limekiln Road forms an important edge to Cambridge as it is the boundary between settlement and rural countryside. Disintegration of this edge has been resisted in the past and the latest development was required to enhance it in order to strengthen this edge as a buffer. The boundaries of the site are

covered by group TPOs which exist for the purpose of protecting the vulnerable buffer.

The area identified for access is instrumental in providing landscape buffering and ecological connectivity for the new development within the back land at 268 Queen Edith's Way. Although the intended use as described would be low in incidence, there is no way to reduce the impact of an access at this point. It would cause harm to the green edge of Limekiln Road and remove required buffering for the approved development.

A tree survey and Arboricultural Implications Assessment are required to understand the impact on existing trees.

Additional comment 19.03.2018

- 6.8 The submitted tree survey extract does not identify the Group of trees or existing hedge along Limekiln Road which will have to be removed to enable the access. If reference is made to the tree survey accompanying application 17/0260/FUL from which the extract submitted was taken this aligns with G004 and H001. There is also as yet unimplemented planting to consider from the same application 17/0260/FUL which further strengthen the Limekiln Boundary and which would have to be removed to allow the access.

The access is immediately adjacent to the property approved for application 17/0260/FUL. There is an impact to the amenity of this home due to the change in the boundary relationships. The 10m clear access moves the perceived boundary to the top of the retaining wall and the building itself rather than the surrounding hedges, trees and vegetation. Whilst it is unclear where the garden boundary exists for the dwelling, we have assumed it lies in the same alignment as the house's southern wall and the retaining wall rather than encroaching onto any of the land at the top of the bank.

Tree Officer

Initial comment 28.03.18

- 6.9 No objection subject to conditions for Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). Minor impact

on trees root protection areas immediately adjacent to the site, which should be protected during construction.

Additional comment 05.04.2018

- 6.10 No adverse impact on significant trees within the visibility splays and from the use of the access into the field on trees within the field.
- 6.11 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 137 Queen Edith's Way
- 220 Queen Edith's Way
- 222 Queen Edith's Way
- 234 Queen Edith's Way x2
- 236 Queen Edith's Way
- 240 Queen Edith's Way
- 242 Queen Edith's Way
- 244 Queen Edith's Way
- 249 Queen Edith's Way
- 260 Queen Edith's Way
- 266 Queen Edith's Way

7.2 The representations can be summarised as follows:

- Highway safety concerns relating to proposed use by agricultural vehicles. Unsuitable for large vehicles, turning would be dangerous.
- Impact on SSSI and protected trees.
- There is no demonstrable need for agricultural access as the paddock has not recently been used for agricultural or horticultural purposes. The application is disingenuous and the applicant is seeking access in order to develop the field. Such development would harm the area, the environment, the local highway network and highway safety, and residential amenity.

- The type and frequency of access will be significantly different from what the applicant claims. Consequently the conclusion by the Highways Department that there will be no material effect on the traffic flow on Limekiln Road is incorrect.
- Notification of the application should have been sent more widely.

7.3 The application has been called in to planning committee by Councilor Ashton on the grounds raised in the third party comments.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Highway safety
5. Third party representations

Principle of Development

8.2 The site is not within the Green Belt and creating a new agricultural access is acceptable in this location in principle. Third parties have raised concerns that the proposed agricultural use is disingenuous as the applicant has no intention to use the field for agricultural purposes and therefore has no requirement for the access. Third parties believe that the access would be used to develop the field in the future. The Council must assess the application on the basis that it has been submitted. I have no information that the applicant intends to use the access for any purpose other than the agricultural use applied for. The assessment below is on the basis of agricultural use, in particular the assessment of highway safety. Consent for this use would not allow or set a precedent for an access to be used for another purpose, which

would have to be assessed on its own merits. I have recommended a condition to restrict the use to the agricultural use.

Context of site, design and external spaces

- 8.3 Limekiln Road forms an important edge to Cambridge and a transition between settlement and rural countryside. The existing site is treed with scrub vegetation and contributions to the green edge. The trees are protected by a group tree preservation order. The approved residential development to the north is also material when considering the landscape impact.
- 8.4 The Landscape Officer has objected to the proposal on the basis that it would cause harm to the green edge of Limekiln Road and remove buffering for the approved residential development that is required to make this acceptable. The Tree Officer supports the proposal which would not require the removal of protected trees or have a significant impact on these (see below), so the proposal would not have a significant impact on the green edge, in my opinion. The access would be viewed alongside the tarmacked access into the caravan and motorhome site to the south-west, so there is a precedent for minor accesses and the proposal would not be out of character. For these reasons, I disagree that the proposal would harm the green edge.
- 8.5 As stated by the Landscape Officer, the residential development to the north needs to be taken into consideration. The Landscape Officer notes that this development was required to enhance the landscaping in order to strengthen the edges and provide a buffer to the development. A landscaping scheme for the residential development has been approved through conditions. This shows additional tree and shrub planting along the Limekiln Road frontage. One new tree has also been approved in the south east corner within the group of protected trees. This tree would be outside the visibility splay and could be provided. The proposal would create a gap in the approved continuous shrub frontage along Limekiln Road. However, it would not open up significant views towards the residential units, in my opinion. The access may require some changes to the planting scheme along the boundary in order to provide the visibility splays which would need to be agreed by re-

discharging this condition, however in my opinion, an alternative arrangement could provide acceptable buffering.

- 8.6 The applicant has not submitted details on the proposed drawings showing the height and materials of the fencing and gates. I envisage this would have a functional, agricultural character which would be appropriate for the use and the context. However, these details need to be agreed by the Council. I have recommended a condition for details of the boundary treatment to be submitted. This would also include the new southern boundary of Plot 4.
- 8.7 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Residential Amenity

- 8.8 The access would not have a significant impact on the properties along Queen Edith's Way in terms of noise and disturbance from its use in association with agricultural uses as it would be located a significant distance from these properties and the nature of the use would be similar to the existing use. For the same reasons, the proposal would also not have a significant impact on the amenity of occupants/users of the caravan site as the permanent residential building for the site manager and the pitches for holiday use.
- 8.9 The impact of the proposal on the amenity of the future occupants of the residential development to the north is a material consideration, in terms of the impact of noise and disturbance and the loss of amenity space. The access would be on land that would be within the garden area of the southernmost approved unit (plot 4). A new boundary would be created to the south of plot 4 with part of the area approved as garden being retained for the agricultural access. This would reduce the area of amenity space for the occupants of this property. Plot 4 would be a 4-bed detached property. As approved, the property would have a large garden wrapping around the south and west of the dwelling. The proposed access would remove the part of the garden to the south. The retained area of garden to the west would be similar in size to the other family dwellings approved within the wider development to the north. In my opinion, this would provide an acceptable level of residential amenity for the future occupants.

- 8.10 The southern elevation of plot 4 would be blank with no windows facing towards the access. The property would have a large first floor window on the eastern elevation serving a living room. As the property would be partially sunken, the access would be approximately level with the first floor internal floor level. There would be a short section of projecting wall which would provide some screening, however, the access would allow some views into the first floor living room. I am satisfied that the agricultural use of the access is unlikely to be intensive and therefore this arrangement would not result in a significant loss of privacy for the future occupants. An alternative and more intensive use may have a greater impact.
- 8.11 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.

Highway Safety

- 8.12 The Highways Authority raised concerns with the original submission regarding the width of the access and the set back of the gates from the highway in order to allow vehicles to pull in or wait off the public highway. Revised plans were submitted during the course of the application which increased the width of the access to 5.5m and set back the gates to 10m from the highway boundary. The Highways Authority has confirmed that the revised plans are acceptable for the proposed agricultural use. I have discussed with the Highways Authority whether the additional access proposed on the caravan site would alter the acceptability of the proposal and the officer has advised me that this would not have an impact given the proposed agricultural use of the current proposal.
- 8.13 The Highways Authority has recommended a condition for no unbound material to be used within 10m of the highway boundary for highway safety purposes. The applicant has proposed a crushed aggregate surface which would be unacceptable. I have amended the recommended construction conditions to require details of the surface construction to be submitted for approval. This should be in accordance with the County Council construction specification and should include adequate drainage measures to prevent surface water run-off onto the public highway. I have recommended the other

requested conditions, with the exception of the restoration of the redundant kerb, which in my opinion is not a reasonable condition.

- 8.14 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Trees

- 8.15 The site includes a group tree preservation order covering trees to the south of the proposed access. The proposed access would be within the root protection area of these trees. The Tree Officer has visited the site and reviewed the application, and has advised that the foot print of the proposed access would have only a minor impact on the root protection area. I have discussed the principle of an unbound surface with the Tree Officer rather than the crushed aggregate surface proposed. The Tree Officer has advised that this could be acceptable. The visibility splays would not impact on important trees along Limekiln Road and providing an access into the field in this location would not harm trees adjacent to the field through the use of the access.
- 8.16 The Tree Officer has recommended a condition for tree protection measures to be submitted for approval prior to the commencement of development in order to protect the trees during the construction due to the constraints of the site. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Ecology

- 8.17 The site is adjacent to a SSSI and Local Nature Reserve covering the caravan club site to the south. The applicant has submitted a recent ecology survey that was undertaken in association with the previous applications for residential development on the land to the north, which includes the application site. The survey states that the site for the proposed access is not well-developed grassland and therefore is of lesser ecological importance. The Biodiversity Officer supports the proposal subject to a condition to prevent external lighting which could harm foraging bats, and I accept this advice.

Third Party Representations

8.18 I have addressed the third party concerns as follows:

Representation	Response
<p>Highway safety concerns relating to proposed use by agricultural vehicles. Unsuitable for large vehicles, turning would be dangerous.</p>	<p>The Highways Authority has reviewed the application and has advised me that the access would be suitable for the proposed agricultural use. I accept the Highways Authority's advice on this and as such have no reasonable grounds to recommend refusal.</p>
<p>Impact on SSSI and protected trees.</p>	<p>The Ecology Officer and the Tree Officer support the proposal subject to conditions, and I accept their advice. The proposal would not have a significant impact on the local environment.</p>
<p>There is no demonstrable need for agricultural access as the paddock has not recently been used for agricultural or horticultural purposes. The application is disingenuous and the applicant is seeking access in order to develop the field. Such development would harm the area, the environment, the local highway network and highway safety, and residential amenity.</p>	<p>The application has been assessed on the basis of the information submitted, which is for an agricultural use. The impact on the local environment, the highway network and residential amenity is acceptable for this use. An access serving other uses (including residential development) has not been considered and, in my opinion, could have a significantly different impact which has not been assessed under the current application. For this reason, I have recommended a condition to restrict the use. Should the applicant wish to use the access for another purpose or to serve a development site, a new</p>

	application would be required and would need to be assessed.
The type and frequency of access will be significantly different from what the applicant claims. Consequently the conclusion by the Highways Department that there will be no material effect on the traffic flow on Limekiln Road is incorrect.	I am satisfied with the Highways Authority's assessment of the access and accept their advice. As above, if the applicant wishes to use the access for another purpose, an application would be required which the local planning authority would consult the Highways Authority on.
Notification of the application should have been sent more widely.	I am content that the consultation with local residents has been carried out in accordance with our requirements. Site notices were posted at the junction of Limekiln Road and Queen Edith's Way.

9.0 CONCLUSION

- 9.1 I acknowledge the concerns raised in third party representations with regard to the proposed agricultural use and the potential that the applicant may use this to provide access for residential development in the future. However the local planning authority must assess the application on the basis of the use applied for and the information submitted. An agricultural access would be entirely appropriate within the location. I accept the advice of consultees that the impact on the highway network, trees and wildlife would be acceptable for the proposed use. I am satisfied that the use can be controlled through condition and any variation to this use would require an application to the local planning authority for the impact to be assessed at this stage. For this reason, the recommendation is for approval subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. The access hereby approved shall be used solely in association with the agricultural use of the field (land within the red line on the approved Location Plan) and for no other purpose.

Reason: The application has been assessed on the basis of agricultural use only and other uses may not be acceptable.

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

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

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

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

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

Reason: To protect important trees (Cambridge Local Plan 2006 policy 4/4).

6. Prior to the commencement of development, details of the boundaries (including gates) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure boundaries are appropriate to the character of the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/11).

7. Prior to the commencement of development and notwithstanding the approved drawings, details of the proposed surface for the access hereby permitted shall be submitted to and approved in writing by the local planning authority. This shall include:
- a) Details of the vehicular access where it crosses the public highway which shall be in accordance with the Cambridgeshire County Council construction specification.
 - b) Adequate drainage measures to prevent surface water run-off onto the adjacent public highway.
 - c) No unbound material shall be used in the surface finish of the driveway within 10 metres of the highway boundary of the site.
 - d) A cross-section showing the construction materials.

Development shall be carried out in accordance with the approved details prior to commencement of use of the access and retained as such thereafter.

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

8. Prior to the commencement of the first use of the agricultural access hereby permitted, the access shall be provided with a width of 5.5 metres for a minimum distance of ten metres from the highway boundary. Thereafter this area shall be retained free of obstruction.

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

9. Prior to the commencement of the first use of the agricultural access hereby permitted, the visibility splays shall be provided as shown on the approved drawings. Thereafter, this area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

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

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

11. Prior to the installation of external lights, a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the method of lighting (including details of the type of lights, orientation/angle of the luminaries, the headgear cowling, the spacing and height of lighting columns), the extent/levels of illumination over the site and on adjacent land and measures to be taken to contain light within the curtilage of the site. Thereafter the external lighting shall be in accordance with the approved details.

Reason: To prevent detriment to foraging bats (Cambridge Local Plan 2006 policy 4/15).

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

Application Number	18/0597/FUL	Agenda Item	
Date Received	16th April 2018	Officer	Lewis Tomlinson
Target Date	11th June 2018		
Ward	Romsey		
Site	107 Argyle Street Cambridge CB1 3LS		
Proposal	Retrospective planning permission for raised ground levels in rear garden and rear boundary fence in excess of permitted development parameters.		
Applicant	Mr Stephen Turvill 107 Argyle Street Cambridge CB1 3LS		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The proposal would not have a significant adverse impact upon the character of the area. • The proposal 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 semi-detached single storey property on the eastern part of Argyle Street. Romsey Terrace is situated directly to the east (rear) of the property and Romsey Mews is situated directly to the south of the property. This is a predominantly residential area characterised by properties of different scale, size and design. There are no site constraints.

2.0 THE PROPOSAL

2.1 This application seeks retrospective full planning permission for the increase in ground levels of between 300 and 343mm within the rear garden of the property and the installation of a timber slated fence of variable height above an existing brick wall on

the south and east sides of the garden. The fence has been installed to its maximum height and is mainly complete apart from some minor finishing work. The application has been submitted following a site visit by the Enforcement Team.

2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans

3.0 SITE HISTORY

3.1 None relevant

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/14

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)

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 has no comment to make upon this application.

7.0 REPRESENTATIONS

7.1 Councillor Anna Smith has commented on this application and called it in to be considered by Planning Committee for the following reasons:

1. The rise in the ground level
2. Increase in the height of the fence resulting in overshadowing
3. Damage to the boundary wall, shrubs and trees
4. The rendering has resulted in an echo causing a rise in noise levels.

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

- 3 Romsey Mews
- 30 Romsey Terrace
- 32 Romsey Terrace x2

7.3 A petition was submitted by 5 Romsey Mews on behalf of local residents.

7.4 The representations can be summarised as follows:

- Incorrect information on the application form
- Canopy discharging water onto the path at Romsey Mews also overhanging the boundary
- Incorrect height stated
- Elevated noise level
- Loss of light to Romsey Mews cul-de-sac path and loss of light to ground floor windows at Romsey Mews.
- No.32 Romsey Mews can see into the rear garden and extension of 107 Argyle Street from their first floor bedroom window.
- Damage to the wall

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

8.0 ASSESSMENT

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

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

Context of site, design and external spaces

8.2 The ground levels in the rear garden have been raised and a slated timber fence has been installed which rises above the top of the existing brick wall. The slated fence is visible from surrounding properties.

8.3 There are limited views of the fence from the wider public realm. Views from Romsey Terrace are largely obscured by No.30 Romsey Terrace, though it is visible from no.32. There are views from Romsey Mews and from a path which leads to them which is mainly used those occupiers. There are partial views of the front elevation of the property from Argyle Street.

8.4 I acknowledge the appearance of the fence is of a different material in comparison to the existing brick wall, however, I do not consider its appearance to be unduly harmful. It is contemporary in appearance and whilst of a contrasting colour, wider public views of the fence are limited. No significant harm arises.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.6 Neighbours have raised concerns that the fence overshadows the private path leading to Romsey Mews and this is resulting in the path and brick wall being damp. The length of fence facing Romsey Mews is on its northern side. The path is partially landscaped and an attractive feature of the entrance to the Mews. However, being on the northern side of the path, any

overshadowing caused by its presence is likely to be limited. I do not agree with the third party representations that the presence of the fence causes harmful overshadowing to this external area. Any damage caused as a result of increased damp, either by the fence or in combination with the raised garden level, is a civil matter.

- 8.7 There are ground floor and first floor windows of properties in Romsey Mews facing the fence. The fence is located a minimum of 5m away on the northern side and is of variable height with the plans showing an increase of 596mm above the brick wall in the south western corner of the host property's garden.
- 8.8 From my inspection of the site and from viewing the fence from Romsey Mews, I am of the view that any loss of light or increased enclosure as a result of its installation to these properties is likely to be minimal and certainly not of a degree to merit a refusal of planning permission.
- 8.9 No.32 Romsey Terrace is located approximately 12m from the rear boundary of No.107 Argyle Street. The occupants of No.32 Romsey Mews have commented that they can now see into the rear garden and bi-fold glass doors of 107 Argyle Street from their first floor bedroom window and that the raising of the ground level has exacerbated the impact. The bi-fold glass doors are not part of the application. Overlooking is commonplace within a high density area such as this and whilst the objection is noted, my view is that the relationship and issue of privacy is not a harmful one within the existing context.
- 8.10 Neighbours have commented that that raising of the ground level and the installation of the bi-fold glass doors has created conditions resulting in an elevated noise level from the property and that the timber slating does little to alleviate this. Bi-fold doors typically allow for internal spaces to properties to be opened up more fully to their gardens and this may have created a greater degree of noise emanating from inside the property than before. However, the bi-fold doors are not part of the application and the property is being used for residential purposes. If noise continues to be an issue, this may be a matter for Environmental Health to consider in terms of noise nuisance rather than for planning.

- 8.11 The rear garden of No.30 Romsey Terrace runs along the rear wall of 107 Argyle Street. At the time of my site visit, there was a substantial hedge/bush that ran along this boundary. I am of the opinion that the proposal does not result in a significant impact upon No.30 Romsey Terrace.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/14 and 4/13 in terms of residential amenity impact.

Third Party Representations

- 8.13 I have dealt with the substantive third party representations in the preceding paragraphs. Those remaining issues are dealt with in the table below.

Concern	Response
Incorrect information on the application form	Noted. I have taken the comments into account, but from my observations and from the plans submitted, this does not alter my recommendation. It does not invalidate the application.
Canopy discharging water onto the path at Romsey Mews also overhanging the boundary	The canopy is not included as part of this application. A further application has been requested to be submitted for the canopy and this will have to be considered separately.
Incorrect and misleading height stated within application.	I have assessed the fence from inside the property and from the outside. The height does fluctuate because of changing ground levels but my view is that its presence is acceptable.
Damage to the boundary wall.	This is a civil matter.

Removal of trees/hedges and incorrect ticking of box in application form	Noted. This does not significantly alter my recommendation. The removal of the hedges is a civil matter.
Identity of installer	Not material.
Trespassing and damage to third party property	Not material (civil matter).
Poor workmanship	Noted but this is not a matter that can be controlled through planning.
Damp proofing & shingle	Noted. These are not significant planning matters and partially civil matters between property owners.
Quality of application	Noted. I have visited the site and viewed it from Romsey Mews and various neighbouring properties. I have formed my own opinion on its acceptability.
Height over Permitted Development	Noted.
Character of applicant and lack of consultation	Not material.

9.0 CONCLUSION

- 9.1 Views from the street scene and wider area of the proposed fence are limited. Whilst the fence is of a different material, brighter and a newer finish in comparison to the existing brick wall, I have concluded that the actual harm arising from its presence is very limited and not significant enough to warrant a refusal of planning permission. If members were concerned with its visual presence, it would not be unreasonable to require it to be painted/stained black on its outward face, but my view is that this is not necessary. Due to the scale and positioning of the fence, it is considered that it does not have an adverse impact upon the residential amenity of the neighbouring properties.

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.

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Application Number	18/0169/S73	Agenda Item	
Date Received	6th February 2018	Officer	Sav Patel
Target Date	3rd April 2018		
Ward	Market		
Site Proposal	Westcott House Jesus Lane Cambridge CB5 8BP S73 to vary conditions 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 18, 20, 21, 22, 23, 24, 29 of ref: 15/1217/FUL (Proposed extension to house additional library space and new teaching / tutorial accommodation to the south side of Westcott House. Proposal incorporates a basement, ground and first floor with a new college entrance off the refurbished Manor Street Car park access.) to amend the timings of discharge of these conditions.		
Applicant	c/o Agent Bidwells LLP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal to revise the wording of the conditions applied to the original planning permission 15/1217/FUL is acceptable and would not prejudice or have a detrimental impact on the quality of the approved development; - The revised wording of the conditions would also not compromise the protection to the residential amenity of the local residents.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 Westcott House is the theological college for Cambridge University, sited within an island created by Jesus Lane to the north, Malcolm Street to the west, King Street to the south and Manor Street to the east. The main pedestrian and

administrative entrance is via the north through buildings adjacent (west) of the Grade I listed All Saints Church on Jesus Lane. The Westcott House Old Court courtyard is enclosed by Grade II listed buildings. Its oldest buildings are situated in the north-west corner; on the west side the original cloisters have been extended upwards to three storeys over time; to the south are the existing Westcott College Library and Chapel. The college also has a New Court to the east enclosed by a modern two-storey apartment block parallel to Manor Street.

- 1.2 Vehicular access to the college is from Manor Street, just to the north of the access to the car park at the King Street shops and flats; here there is room for c.20 parking spaces, informally parked, although there is no clear entrance to the college in this part of the site and visitors have to traverse New Court and Old Court to reach the site's offices. The application site is actually the land adjacent and to the south of the college's chapel, a Grade II listed building. The land is currently used for a cycle store shed, some of the informal area of parking, and the area behind the cycle shed next to the chapel's south elevation.
- 1.3 The southern boundary of Westcott House is a buff coloured 1.8m high brick wall, of no heritage value. Next to this wall inside the Westcott House car park are two substantial trees, a 15m sycamore tree to the west next to the cycle store, and a 11m lime tree to the east within the car park. Further west but outside the college boundary is a mid-height laburnum tree, growing adjacent to the boundary wall. All trees are protected by virtue of being within the conservation area.
- 1.4 The area is bounded predominantly by residential uses; to the west, the back of three-storey terraces on Malcolm Street, and to the south the residents of Malcolm Place. The site is within the Central Conservation Area and the rest of the College site is a designated Special Area of Advert Control in the Cambridge Local Plan (2006). The site falls within a controlled parking zone.
- 1.5 The Malcolm Place flats form part of a five-storey block which, because of a downwards south-north slope along Manor Street, appears smaller. The whole block has ground floor parking with the King Street parade of shops above that (at ground level to King Street), and above that is a three-storey block of flats arranged in two east-west rows, each with a terrace of south-

facing front gardens. These flats are accessed from a first-floor podium via steps up from King Street either adjacent to the Brewhouse pub or through an arch between the shops of King Street. The rear of flats 18-47 directly overlook the southern side of Westcott House, either the chapel (west) or car park (east). West of the flats is a surface car park courtyard and the recently-constructed rear terrace to the Brewhouse pub adjacent to and below some of the flats, overlooking the Malcolm Place car park. Some cars also park between the north wall of the King Street block and the southern boundary wall of Westcott House.

2.0 THE PROPOSAL

- 2.1 The proposal is to revise the wording of 19 pre-commencement/pre-specific works conditions that were applied to the original planning permission ref: 15/1217/FUL. The current conditions require a significant amount of detailed information to be submitted up front before any development is carried out. The applicant is therefore seeking to revise the wording of some of the conditions to enable the information to be submitted at a more appropriate stage and to allow for a phased led development.
- 2.2 I set out in the below table to try and show the approved wording of the conditions against the proposed. I have underlined the main changes.

Condition	From:	To:
3 Archaeology	No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority...	No demolition/development shall take place <u>within each phase until a written scheme of investigation (WSI) for that phase has been submitted to and approved by the local planning authority in writing...</u>

<p>4 External materials</p>	<p>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.</p>	<p>No development shall take place <u>within each phase</u> until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted <u>for that phase</u> have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.</p>
<p>5 Brick or stonework</p>	<p>Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development</p>	<p>Before starting any brick or stone work <u>within each phase</u>, a sample panel of the facing materials to be used <u>in the development shall be erected on site to establish the</u> detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of that phase of development, shall be maintained throughout the development.</p>

<p>6 Construction of a roof;</p>	<p>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</p>	<p>No roofs shall be constructed <u>within each phase</u> until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, <u>for that phase have been submitted to the local planning authority as samples and approved in writing.</u> The roof(s) of the development shall thereafter be constructed only in accordance with the approved details.</p>
<p>7 Rainwater;</p>	<p>No rainwater goods shall be installed until full details of the means of rainwater collection and disposal have been submitted to and approved in writing by the local planning authority. Rainwater goods shall thereafter be installed only in accordance with the approved details.</p>	<p>No rainwater goods <u>within each phase</u> shall be installed until full details of the means of rainwater collection and disposal for that phase have been submitted to and approved in writing by the local planning authority. Rainwater goods shall thereafter be installed only in accordance with the approved details.</p>
<p>10 Demolition and construction noise, and vibration impact report;</p>	<p>Prior to the commencement of the development hereby approved (including any preconstruction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact</p>	<p>No development shall take place <u>within each phase</u> until a report regarding the demolition / construction noise and vibration impact associated with this development, <u>for that phase,</u> has been submitted for approval by the local authority.</p>

	associated with this development, for approval by the local authority.	
11 Measures to minimise the spread of airborne dust;	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.	No development shall commence <u>within each phase</u> until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period <u>for that phase</u> has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.
12 Details of boundary treatment;	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.	No development shall take place <u>within each phase</u> 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 for that phase.
13 Details of entrance gates, landscaping and hedge planting to be provided along Manor Street	No development shall commence until there has been submitted to and approved in writing by the local planning authority a plan detailing the entrance gates, landscaping and hedge planting to be provided along Manor Street and	<u>The works to take place along Manor Street comprising the entrance gates, landscaping and hedge planting hereby approved shall not take place</u> until there has been submitted to and approved in writing by

	in combination with the entrance details shown in plan PA09-P-121 Rev A...	the local planning authority a plan detailing the entrance gates, landscaping and hedge planting to be provided along Manor Street and in combination with the entrance details shown in plan PA09-P-121 Rev A...
14 Hard and soft landscape works;	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.	No development shall take place <u>within each phase</u> until full details of both hard and soft landscape works <u>for that phase</u> have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.
15 Soft landscape works;	No development shall commence until details of soft landscape works have been submitted to and approved in writing by the local planning authority.	No development <u>within each phase</u> shall commence until details of soft landscape <u>works for that phase</u> have been submitted to and approved in writing by the local planning authority.
16 Landscape maintenance plan;	No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule	No development shall take place <u>within each phase</u> until a schedule of landscape maintenance for a minimum period of five <u>years for that phase</u> has been submitted to and approved in writing by

	shall include details of the arrangements for its implementation	the local planning authority. The schedule shall include details of the arrangements for its implementation.
18 Details of tree protection	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).	<u>No development shall take place within each phase until details of the specification and position of</u> fencing, or any other measures to be taken for the protection of any trees from damage during the course of the development <u>for that phase</u> have been 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 the development (including demolition).
20 A scheme for surface water drainage;	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.	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. <u>The approved details shall be fully implemented on site in accordance with the</u>

		<u>timescale and phasing specified in the scheme and shall be retained thereafter.</u>
21 Details of residents' cycle storage;	No development shall commence until details of facilities for the covered, secured parking of residents and staff bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing.	No development shall commence until details of facilities for the covered, secured parking of residents and staff bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. <u>The development shall be completed in accordance with the approved programme of delivery and details, the facilities shall be made available for use upon the earlier of either the first occupation of the new bedroom accommodation or the first use of the new resource centre, and shall be retained as such thereafter.</u>
24 Plant insulation	Before the development hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and	<u>Prior to bringing into use/ occupation of each phase, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant for that phase shall be submitted to</u>

	approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.	<u>and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.</u>
29 Details of planting screens around first floor roof terrace;	No development shall commence until details of the planting screens to be provided around the first floor roof terrace hereby permitted have first been submitted to and approved in writing by the local planning authority.	<u>Prior to the construction of the first-floor roof terrace hereby permitted, as shown on drawing No. X (insert relevant first-floor plan here) details of the planting screens to be provided around the first floor roof terrace hereby permitted have first been submitted to and approved in writing by the local planning authority.</u>

- 2.3 I have set out in full the proposed revised conditions in the assessment section of my report. Please note that the 'reason' for each condition (unless where specified) is not proposed to be changed from that originally stated in the decision notice.
- 2.4 None of the permitted Listed Building Consent (15/1218/LBC) conditions are proposed to be revised.
- 2.5 The application is accompanied by the following supporting information:
1. Cover letter from Bidwells;
 2. Conditions table
 3. Decision notice for planning permission ref:15/1217/FUL
 4. Site location plan
- 2.6 The applicant did engage with Officers at pre-application stage to seek views on the revised wording of the conditions that have

been applied to be revised. Officers provided alternative wording where necessary.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1217/FUL	Proposed extension to house additional library space and new teaching / tutorial accommodation to the south side of Westcott House. Proposal incorporates a basement, ground and first floor with a new college entrance off the refurbished Manor Street Car park access.	APPROVED
15/1218/LBC	Listed building consent for proposed extension to house additional library space and new teaching / tutorial accommodation to the south side of Westcott House. Proposal incorporates a basement, ground and first floor with a new college entrance off the refurbished Manor Street Car park access.	APPROVED
13/0184/LBC	Rebuild boundary wall to provide bin enclosure. Existing vehicular access gates replaced with a separate pedestrian gate, all electronically operated.	APPROVED
10/0006/LBC	Installation of handrails to Grade II Listed Buildings.	APPROVED

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/6 3/7 4/4 4/10 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
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006)

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 Highway Authority has no comments to make on this application.

Urban Design and Conservation team

- 6.2 No material conservation issues with the proposal.

Environmental Health

- 6.3 With regards to condition 24 which concerns plant noise, it will be imperative that the combined rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with **all phases** of the application site, be less than or equal to the existing background level (L_{90}) at the **boundary of the premises** subject to this application and having regard to noise sensitive premises.

- 6.4 Subject to the above, no further comments or recommended conditions are proposed.

Head of Streets and Open Spaces (Landscape Team)

- 6.5 The rewording of the landscape conditions are acceptable.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.6 The proposed revised wording to condition 20 says “The approved details shall be fully implemented on site in accordance with the timescale and phasing specified in the scheme and shall be retained thereafter.” No information has been provided about the timescale and phasing of the scheme. Clarification is required about the timescale and phasing to identify what this would mean in terms of the construction of the drainage system in relation to the occupation of the new building and first use of the new car park.

Head of Streets and Open Spaces (Nature Conservation Officer)

6.7 No change to the proposed ecology enhancement condition.

Historic England

6.8 Do not wish to offer any comments and suggest the views of the conservation and archaeological specialists are sought.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.9 If the developer wishes to submit separate written scheme of investigation (WSI) for each phase then this is something that can occur. However, there are concerns with the amount of time it will take to produce separate briefs and to assess and approve the separate WSIs.

6.10 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:

- 17 Malcolm Place;
- 20 Malcolm Place;
- 32 Manor Place (King Street Neighbourhood Association)

7.2 The representations can be summarised as follows:

- The proposal would deface a listed building and not respect the neighbourhood and result in the loss of mature trees which support birds and wildlife and counteract pollution;
- The development is unacceptably close to the flats at 18-49 Malcolm Place and result in loss of privacy and light;
- Concerns with the noise and dust impact from excavating the basement and would set an unwelcome precedent for new basements;
- Disagree with the justification for revising the conditions, as they were as a result of substantial opposition and as such

- the details are neither unnecessary, nor unreasonable nor redundant;
- Not supported by adequate reasoning;
- Condition 3 (archaeology) –
 - o WSI should comprise the whole site;
 - o Archaeological programme of work should include fully certified organisation and fully qualified archaeologists;
 - o The programme of works approved by the Council shall allow for delays in case of unexpected finds;
- Condition 6 (Roofing details)
 - o Not clear by reference to sixteenth century has been made;
 - o The reason has been omitted;
- Condition 7 (Rainwater goods) –
 - o The reason has been omitted;
- Condition 10 (Demolition/Construction noise, vibration and piling)
 - o Clarify is required on the phased approach;

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 This Section 73 application is to vary 19 of the conditions that were applied to planning permission ref: 15/1217/FUL. This is not an opportunity to revisit or reconsider the principle or merits of the approved development. Therefore, the only matter for consideration is acceptability of the revised wording of the conditions.

8.2 It should also be noted here that the regulations on the use of planning conditions have been revised under The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and come into force on 1 October 2018. The main change to the regulation requires local planning authorities to give written notice to applicant/developers of a planning application on the proposed use of pre-commencement conditions. The notice must include the full wording of the proposed pre-commencement conditions; full reasons for the condition and being for pre-commencement; and a notice period of 10 working days to respond. The main purpose of this is to try and speed

up the process from planning permission being granted to the development starting on site.

- 8.3 From the consultation responses and representations received and from my inspection of the site and the surroundings, I set out below my assessment of the proposed changes to the wording of each of the conditions.
- 8.4 I have attached a copy of the decision notice for planning permission ref: 15/1217/FUL in appendix 2 for information.

Condition 3 – Archaeology

- 8.5 The original condition contained the standard wording for archaeology that seeks a full site investigation and completion report to be carried out prior to development taking place. As the applicant is now seeking to undertake the approved development in a phase manner, the following revised condition is sought:

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

- *The statement of significance and research objectives;*
- *The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works*
- *The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.*

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

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

- 8.6 As part of the applicant's proposal to implement the development in a phase manner, the applicant is proposing to carry out WSIs for each phase of the development.
- 8.7 I have consulted with the Historic Environment Team at the County Council and they have not raised any in principle objections to the revised wording. They have however raised an issue with regards to the phased approach to develop the site. A phased approach would result in separate site briefs being carried for each phase and would need to be assessed and approved. This could be a time consuming process which the applicant would need to factor into their programme/timetable for the site.
- 8.8 The applicant is aware of the time implications the phased approach engenders.

Condition 4 (Sample of materials); Condition 5 (Brick or stone sample panel); Condition 6 (Roofing details); and Condition 7 (Rainwater goods)

- 8.9 The original conditions contained the standard wording that the Council uses. The applicant seeks to revise the standard wording to take account of the phased approach. The following revised conditions are sought:
- 8.10 Condition 4 (Sample of materials)

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

Reason: To ensure that the appearance of the external surfaces is appropriate and to avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/12, 3/14 and 4/11)

8.11 Condition 5 (Brick sample panel)

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

Reason: In the interests of visual amenity, to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development, and to avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

8.12 Condition 6 (Roofing details)

No roofs shall be constructed within each phase until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, for that phase have been submitted to the local planning authority as samples and approved in writing. The roof(s) of the development 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)

8.13 Condition 7 (Rainwater goods)

No rainwater goods within each phase shall be installed until full details of the means of rainwater collection and disposal for that phase have been submitted to and approved in writing by the local planning authority. Rainwater goods shall thereafter be installed only in accordance with the approved details. Discharge of this condition may require the submission of materials samples as well as large-scale drawings.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

- 8.14 I have consulted with the Urban Design and Conservation Team on the revised conditions and they have not raised any concerns with the proposed changes. The revised wording to accommodate a phased approach is acceptable, as it specifically requires materials to be agreed within each phase before any development is carried out. I am satisfied that the Council would retain sufficient controls to enable the development to be carried out in a phased manner.

Condition 10 (Demolition/Construction noise and vibration) and Condition 11 (Dust)

- 8.15 The Council's standard conditions were used for the above conditions which required details to be submitted and approved prior to any development. To enable the applicant to carry out the development in a phase manner, the following revised conditions are sought:

- 8.16 Condition 10 (Demolition/Construction noise and vibration)

No development shall take place within each phase until a report regarding the demolition / construction noise and vibration impact associated with this development, for that phase, has been submitted 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. The development of that phase shall be carried out in accordance with the approved details.

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

- 8.17 Condition 11 (Dust)

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

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

- 8.18 I have consulted with the Environmental Services Team and they have not raised any concerns with the revised wording as it retains sufficient control over noise and vibration, and dust mitigation for each phase of the development. I am therefore satisfied that the revised wording is acceptable.

Condition 12 (Boundary treatment); Condition 13 (Entrances and boundaries); Condition 14 (Hard and soft landscaping); Condition 15 (Soft landscape works); Condition 16 (Landscape works maintenance) and Condition 18 (Tree protection) are all landscape related conditions.

- 8.19 These conditions are all landscape related and do not, in my view, need to be provided up front for the approved development and there is no good reason why the details for these cannot be provided and agreed for each phase, separately. However, careful attention will need to be paid to ensure each phase of the development is consistent with the connecting phases. The following revised conditions are sought:

- 8.20 Condition 12 (Boundary treatment)

No development shall take place within each phase 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 for that phase. 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. The development shall be carried out in accordance with the approved details.

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

- 8.21 Condition 13 (Entrance gates and boundaries)

The works to take place along Manor Street comprising the entrance gates, landscaping and hedge planting hereby

approved shall not take place until there has been submitted to and approved in writing by the local planning authority a plan detailing the entrance gates, landscaping and hedge planting to be provided along Manor Street and in combination with the entrance details shown in plan PA09-P-121 Rev A, such details to include brick and mortar types and bonding, and the proposed planting of the reinforced beech hedge behind, and the form of art to be included within the architectural detail of the gate and railings.

Reason: To ensure an appropriate boundary treatment is implemented, to enhance the appearance of the conservation area, provide an appropriate setting to the listed building, and promote public art within the designs. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/12).

8.22 Condition 14 (Hard and soft landscaping)

No development shall take place within each phase until full details of both hard and soft landscape works for that phase 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:

- (i) Details of the underground planting medium for the pleached hornbeam trees, which shall not include the use of a concrete ring for root containment, but which shall provide use of a continuous trench for planting. Where the trench runs under hard paving/parking areas, the surface parking/hard paving shall be supported with a belowground structure to prevent compaction of the rooting area;*
- (ii) Details of the planting design and precise locations of the trees in relation to New Court and car park positions;*
- (iii) Proposed finished levels or contours;*
- (iv) Means of enclosure;*
- (v) Car parking layouts, other vehicle and pedestrian access and circulation areas;*
- (vi) Hard surfacing materials;*
- (vii) Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);*
- (viii) Proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports);*

- (ix) *Retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.*

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

8.23 Condition 15 (Soft landscape works)

No development within each phase shall commence until details of soft landscape works for that phase have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

8.24 Condition 16 (Landscape works maintenance)

No development shall take place within each phase until a schedule of landscape maintenance for a minimum period of five years for that phase has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

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

8.25 Condition 18 (Tree protection)

No development shall take place within each phase until 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 the development for that phase have been 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 the 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)

8.26 The Landscape Officer has not raised any concerns with the revised conditions. I am satisfied that the revised wording is acceptable.

Condition 20 (Surface water drainage)

8.27 The applicant has proposed the following revised condition:

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 of the development 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 + a 40% 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.*
- 3) *A timetable and phasing programme for each phase.*

The approved details shall be fully implemented on site in accordance with the timescale and phasing specified in the scheme and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2012 Paragraph 103).

8.28 The Drainage Officer raised concerns with the revised wording due to there not being a timetable and/or phasing programme to link the implementation of the development of each phase to. I have therefore agreed with the applicant to insert point 3 (underlined above) which, in my view would overcome the Drainage Officer's concern.

Condition 21 (Covered cycle parking for residents and staff) and Condition 22 (Visitor cycle parking)

8.29 The applicant has proposed the following revised conditions:

8.30 Condition 21 (Covered cycle parking for residents and staff)

No development shall commence until details of facilities for the covered, secured parking of residents and staff bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The proposed facilities shall be based on the approved details seen within the cycle store details in Figure 2 of page 5 of the Planning Response document dated October 2015, and

the store shall be fitted with residents and staff-only secure access. The details shall include a programme and timetable of delivery and means of cladding the north elevation of the King Street building and infilling the internal south wall of the garage area within the same building, to a high quality of design with materials to be agreed.

The development shall be completed in accordance with the approved programme of delivery and details, the facilities shall be made available for use upon the earlier of either the first occupation of the new bedroom accommodation or the first use of the new resource centre, and shall be retained as such thereafter.

8.31 Condition 22 (Visitor cycle parking)

No development shall commence until details of facilities for the parking of visitor's bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The details shall include a programme and timetable of delivery and be based on the proposed visitor cycle storage numbers and locations shown in the landscape plan PA09/P/120/RevA. The development shall be completed in accordance with the subsequently approved details, and these shall be made available for use on commencement of the use of the resource centre, and shall be retained as such thereafter.

8.32 The revised wording of the conditions is acceptable as it requires the details to be submitted to and approved prior to commencement of development but in accordance with a programme of delivery which links to the phasing of development. This is an acceptable revision of the original condition.

Condition 24 (Plant insulation)

8.33 The applicant has proposed the following revised condition:

Prior to bringing into use/ occupation of each phase, a scheme for the insulation of the any new plant in order to minimise the level of noise emanating from the plant for that phase shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully

implemented before the use hereby permitted is commenced. Full details of the plant will be required prior to use/occupation of the buildings associated with this application, including calculations to prove the plant noise limits are achieved and any necessary acoustic insulation of affected rooms if necessary.

8.34 The Environmental Services Team has raised concerns with the wording of this condition in terms of ensuring the combined noise levels from all plant associated with all phases is less than or equal existing background levels at the site boundaries.

8.35 In order to address the Environmental Services Team's concerns, I have recommended the following condition:

8.36 *Prior to the installation of any plant, an acoustic assessment for all the plant and equipment associated with the development hereby approved shall be submitted to and approved in writing by the local planning authority. It is required that the collective sound rating level (in accordance with BS4142:2014) from all plant, equipment and vents associated with this application (in all phases) shall be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.*

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site. (Cambridge Local Plan 2006 policy 3/7, 3/12).

8.37 I have consulted with the Environmental Services Officer on the wording of the above condition but have not yet received a response. I will therefore update the amendment sheet with their response or orally report it in my presentation to members.

Condition 29 (Planting screens)

8.38 The wording of this condition was agreed by members at December 2012 Planning Committee. The applicant has proposed to revise the wording as follows:

Prior to the construction of the first-floor roof terrace hereby permitted, as shown on drawing No.PA09-P-105 rev B details of the planting screens to be provided around the first floor roof terrace hereby permitted have first been submitted to and

approved in writing by the local planning authority. The proposals shall be capable of providing appropriate screening to the south and west and shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme; and a maintenance schedule.

- 8.39 For the reasons given below I proposed the following amended wording:

Prior to the construction of the first-floor roof terrace hereby permitted, as shown on drawing No. PA09-P-105 rev B, details of the planting screens to be provided around the first floor roof terrace shall be submitted to and approved in writing by the local planning authority. The proposals shall be capable of providing appropriate screening to the south and west and shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme; and a maintenance schedule. The planting screens shall be implemented in accordance with the approved details and prior to the use of the roof terrace.

- 8.40 The current wording of the condition only requires the plant screens information to be submitted and approved by the local planning authority. It does not however require the plant screens to be implemented. The last sentence (underlined) has been added to ensure the approved details are implemented in accordance with the approved details and prior to the use of the terrace. In my view, this revised wording would justify the reason for the condition.
- 8.41 Apart from the above planning conditions, all other conditions relating to planning permission ref: 15/1217/FUL are to remain as originally written. This also applies to the related Listed Building Consent application ref: 15/1218/LBC. None of the LBC conditions are proposed to be revised/reworded.

Third Party Representations

8.42 I set out below my response to the third party representations raised regarding the proposal to revise the conditions:

Representations	Response
The proposal would deface a listed building and not respect the neighbourhood and result in the loss of mature trees which support birds and wildlife and counteract pollution;	Planning permission and listed building consent has already been granted for the development. This application does not seek to amend the approved scheme.
The development is unacceptably close to the flats at 18-49 Malcolm Place and result in loss of privacy and light;	As above
Concerns with the noise and dust impact from excavating the basement and would set an unwelcome precedent for new basements;	Noise and dust will be controlled by conditions 10 and 11.
Disagree with the justification for revising the conditions, as they were as a result of substantial opposition and as such the details are neither unnecessary, nor unreasonable nor redundant;	The revisions to the wording of the conditions specified are reasonable. The conditions were not applied as a result of substantial opposition to the scheme.
Not supported by adequate reasoning;	Clear and precise reasons have been given for each condition.
Condition 3 (archaeology)	
WSI should comprise the whole site;	A WSI will be carried out for each phase of the development to ensure a comprehensive assessment of the site has been carried out.
Archaeological programme of work should include fully certified organisation and fully qualified archaeologists;	Noted.

The programme of works approved by the Council shall allow for delays in case of unexpected finds;	The survey work will be carried out based upon an estimated timescale and where any unexpected findings are found the timescale may be revised accordingly.
Condition 6 (Roofing details)	
Not clear by reference to sixteenth century has been made;	Reference to this has been removed.
The reason has been omitted;	The reason is not being changed hence why it has not been shown.
Condition 7 (Rainwater goods)	
The reason has been omitted;	The reason is not being changed hence why it has not been shown.
Condition 10 (Demolition/ Construction noise, vibration and piling)	
Clarity is required on the phased approach;	Agree and will update the amendment sheet with appropriate wording or an additional condition.

9.0 CONCLUSION

- 9.1 The proposal to revise the wording of 19 of the conditions for planning permission ref: 15/1217/FUL to enable the applicant to carry out of approved development in a phased manner is acceptable. The wording has been agreed with relevant consultees and to ensure the scheme is delivered to a high quality without having a detrimental impact on the character and appearance of the conservation area or setting of the listed buildings. There is no reason to restrict the applicant from revising the conditions as long as the development is carried out in accordance with the approved details. I am satisfied that the revised conditions would not prejudice the implementation of the approved development.

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 planning permission 15/1217/FUL.

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

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

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

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

- The statement of significance and research objectives;
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

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

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

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

Reason: To ensure that the appearance of the external surfaces is appropriate and to avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/12, 3/14 and 4/11)

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

Reason: In the interests of visual amenity, to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development, and to avoid harm to the special interest of the Conservation Area (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11).

6. No roofs shall be constructed within each phase until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, for that phase have been submitted to the local planning authority as samples and approved in writing. The roof(s) of the development 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. No rainwater goods within each phase shall be installed until full details of the means of rainwater collection and disposal for that phase have been submitted to and approved in writing by the local planning authority. Rainwater goods shall thereafter be installed only in accordance with the approved details. Discharge of this condition may require the submission of materials samples as well as large-scale drawings.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

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

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

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

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

10. No development shall take place within each phase until a report regarding the demolition / construction noise and vibration impact associated with this development, for that phase, has been submitted 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. The development of that phase shall be carried out in accordance with the approved details.

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

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

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

12. No development shall take place within each phase 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 for that phase. 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. The 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)

13. The works to take place along Manor Street comprising the entrance gates, landscaping and hedge planting hereby approved shall not take place until there has been submitted to and approved in writing by the local planning authority a plan detailing the entrance gates, landscaping and hedge planting to be provided along Manor Street and in combination with the entrance details shown in plan PA09-P-121 Rev A, such details to include brick and mortar types and bonding, and the proposed planting of the reinforced beech hedge behind, and the form of art to be included within the architectural detail of the gate and railings.

Reason: To ensure an appropriate boundary treatment is implemented, to enhance the appearance of the conservation area, provide an appropriate setting to the listed building, and promote public art within the designs (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/12).

14. No development shall take place within each phase until full details of both hard and soft landscape works for that phase 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:
- (i) Details of the underground planting medium for the pleached hornbeam trees, which shall not include the use of a concrete ring for root containment, but which shall provide use of a continuous trench for planting. Where the trench runs under hard paving/parking areas, the surface parking/hard paving shall be supported with a belowground structure to prevent compaction of the rooting area;
 - (ii) Details of the planting design and precise locations of the trees in relation to New Court and car park positions;
 - (iii) Proposed finished levels or contours;
 - (iv) Means of enclosure;
 - (v) Car parking layouts, other vehicle and pedestrian access and circulation areas;
 - (vi) Hard surfacing materials;
 - (vii) Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);
 - (viii) Proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports);
 - (ix) Retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

15. No development within each phase shall commence until details of soft landscape works for that phase have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

16. No development shall take place within each phase until a schedule of landscape maintenance for a minimum period of five years for that phase has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

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

17. 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)

18. No development shall take place within each phase until 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 the development for that phase have been 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 the 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)

19. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for including integral nesting boxes and bat roosting facilities as may be possible to accommodate within the building, and the development shall be provided in accordance with these details.

Reason: To provide biodiversity enhancements to complement the tree hedging rows and to compensate for the loss of potential nesting habitat within existing trees (To improve biodiversity in accordance with the guidance within the National Planning Policy Framework).

20. 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 of the development 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 + a 40% 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.
- 3) A timetable and phasing programme for each phase.

The approved details shall be fully implemented on site in accordance with the timescale and phasing specified in the scheme and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage (National Planning Policy Framework 2012 Paragraph 103).

21. No development shall commence until details of facilities for the covered, secured parking of residents and staff bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The proposed facilities shall be based on the approved details seen within the cycle store details in Figure 2 of page 5 of the Planning Response document dated October 2015, and the store shall be fitted with residents and staff-only secure access. The details shall include a programme and timetable of delivery and means of cladding the north elevation of the King Street building and infilling the internal south wall of the garage area within the same building, to a high quality of design with materials to be agreed.

The development shall be completed in accordance with the approved programme of delivery and details, the facilities shall be made available for use upon the earlier of either the first occupation of the new bedroom accommodation or the first use of the new resource centre, and shall be retained as such thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles and secure a high quality of design appropriate to the conservation area (Cambridge Local Plan 2006 policy 8/6, 3/11, 3/12).

22. No development shall commence until details of facilities for the parking of visitor's bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The details shall include a programme and timetable of delivery and be based on the proposed visitor cycle storage numbers and locations shown in the landscape plan PA09/P/120/RevA. The development shall be completed in accordance with the subsequently approved details, and these shall be made available for use on commencement of the use of the resource centre, and shall be retained as such thereafter.

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

23. No use or occupation of the development shall take place until the details of providing necessary means of mechanical ventilation to the development, and acoustic insulation thereof, sufficient to prevent sound disturbance to users of the development and neighbouring users, have first been submitted to and approved by the local planning authority. The development shall be completed with these approved features.

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site (Cambridge Local Plan 2006 policy 3/7, 3/12).

24. Prior to bringing into use/ occupation of each phase, a scheme for the insulation of the any new plant in order to minimise the level of noise emanating from the plant for that phase shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced. Full details of the plant will be required prior to use/occupation of the buildings associated with this application, including calculations to prove the plant noise limits are achieved and any necessary acoustic insulation of affected rooms if necessary.

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site (Cambridge Local Plan 2006 policy 3/7, 3/12).

25. Upon first use of the development the College shall implement the Green Travel Plan received October 2015 and make a copy of the Plan available to all residents and staff.

Reason: To promote and encourage sustainable travel options (Cambridge Local Plan 2006 policy 8/2, 8/3, 8/4).

26. The first floor roof terrace study garden hereby permitted shall only be used between the hours of 0900 and 1800 Monday to Friday, and there shall be no use of the space on Saturdays, Sundays, Public or Bank Holidays. Further, the terrace garden shall only be used in association with the activities of the learning resource centre hereby approved.

Reason: To ensure an appropriate relationship with neighbouring uses and to preserve residential amenity (Cambridge Local Plan 2006 policies 3/7, 3/12, 3/14).

27. There shall be no amplified noise played on the first floor roof terrace study garden at any time.

Reason: To ensure an appropriate relationship with neighbouring uses and to preserve residential amenity (Cambridge Local Plan 2006 policies 3/7).

28. Prior to the removal of any existing foundations and prior to any excavation or construction of new foundations/piles, a system of monitoring the nearby listed buildings/structures for movement shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of acceptable parameters, frequency and accuracy of measurements, location of monitoring points, etc. Should movement outside the agreed parameters be detected, work on site will cease and the Local Planning Authority and structural engineers will be notified immediately. Thereafter the monitoring shall be undertaken in accordance with the agreed details.

Reason: To protect the adjacent buildings from harm (Cambridge Local Plan 2006 policy 4/10).

29. Prior to the construction of the first-floor roof terrace hereby permitted, as shown on drawing No. PA09-P-105 rev B, details of the planting screens to be provided around the first floor roof terrace shall be submitted to and approved in writing by the local planning authority. The proposals shall be capable of providing appropriate screening to the south and west and shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme; and a maintenance schedule. The planting screens shall be implemented in accordance with the approved details and prior to the use of the roof terrace.

Reason: In the interests of visual amenity and to ensure that suitable screening for protecting residential amenity is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/12)

30. Any damage caused to the listed building whilst undertaking works forming part of the development hereby permitted shall be repaired within three months in accordance with details to be first approved with the local planning authority.

Reason: To protect the listed buildings from harm (Cambridge Local Plan 2006 policy 4/10).

31. Prior to the installation of any plant, an acoustic assessment for all the plant and equipment associated with the development hereby approved shall be submitted to and approved in writing by the local planning authority. It is required that the collective sound rating level (in accordance with BS4142:2014) from all plant, equipment and vents associated with this application (in all phases) shall be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site. (Cambridge Local Plan 2006 policy 3/7, 3/12).

INFORMATIVE: The applicant and developer are advised that an Accessibility Plan for the development will help achieve the necessary and high quality accessibility to all. Such details to improve the access to the college and the development for persons of restricted mobility and/or ability could include but not be restricted to: Means to identify disability spaces within the car park and accesses thereto; reception and teaching rooms to include hearing loops; considerate use of colour contrast throughout; tactile signage where possible; handrails in the stepped auditorium; double doors should be powered, or asymmetrical with one leaf having a minimum clear opening of 900mm.

INFORMATIVE: The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: 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

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

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

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

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

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

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

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

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CAMBRIDGE CITY COUNCIL
The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

FULL PLANNING PERMISSION

SUBJECT TO CONDITIONS

Ref: 15/1217/FUL



Mr Brendan Phelan
Phelan Architects Ltd
Unit 1.5
1-5 Vyner Street
London
E2 9DG

The Council hereby grant full planning permission for

Proposed extension to house additional library space and new teaching / tutorial accommodation to the south side of Westcott House. Proposal incorporates a basement, ground and first floor with a new college entrance off the refurbished Manor Street Car park access.

at

Westcott House Jesus Lane Cambridge Cambridgeshire CB5 8BP

in accordance with your application received 25th June 2015 and the plans, drawings and documents which form part of the application, subject to the conditions set out below:

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 within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

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

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

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

6. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

7. No rainwater goods shall be installed until full details of the means of rainwater collection and disposal have been submitted to and approved in writing by the local planning authority. Rainwater goods shall thereafter be installed only in accordance with the approved details. Discharge of this condition may require the submission of materials samples as well as large-scale drawings.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

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

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

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

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

10. Prior to the commencement of the development 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)

11. 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

12. 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)

13. No development shall commence until there has been submitted to and approved in writing by the local planning authority a plan detailing the entrance gates, landscaping and hedge planting to be provided along Manor Street and in combination with the entrance details shown in plan PA09-P-121 Rev A, such details to include brick and mortar types and bonding, and the proposed planting of the reinforced beech hedge behind, and the form of art to be included within the architectural detail of the gate and railings.

Reason: To ensure an appropriate boundary treatment is implemented, to enhance the appearance of the conservation area, provide an appropriate setting to the listed building, and promote public art within the designs. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/12).

14. 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:

(i) Details of the underground planting medium for the pleached hornbeam trees, which shall not include the use of a concrete ring for root containment, but which shall provide use of a continuous trench for planting. Where the trench runs under hard paving/parking areas, the surface parking/hard paving shall be supported with a below-ground structure to prevent compaction of the rooting area;

(ii) Details of the planting design and precise locations of the trees in relation to New Court and car park positions;
(iii) Proposed finished levels or contours;
(iv) Means of enclosure;
(v) Car parking layouts, other vehicle and pedestrian access and circulation areas;
(vi) Hard surfacing materials;
(vii) Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);
(viii) Proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports);
(ix) 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, and to ensure the loss of trees within the site is mitigated through the successful establishment of suitable replacements. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

15. No development shall commence until details of soft landscape works have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

16. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

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

17. 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)

18. 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)

19. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for including integral nesting boxes and bat roosting facilities as may be possible to accommodate within the building, and the development shall be provided in accordance with these details.

Reason: To provide biodiversity enhancements to complement the tree hedging rows and to compensate for the loss of potential nesting habitat within existing trees. (To improve biodiversity in accordance with the guidance within the National Planning Policy Framework).

20. 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)

21. No development shall commence until details of facilities for the covered, secured parking of residents and staff bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The proposed facilities be based on the approved details seen within the cycle store details in Figure 2 of page 5 of the Planning Response document dated October 2015, and the store shall be fitted with residents and staff-only secure access. The details shall include means of cladding the north elevation of the King Street building and infilling the internal south wall of the garage area within the same building, to a high quality of design with materials to be agreed.

The development shall be completed in accordance with the approved details, the facilities shall be made available for use upon the earlier of either the first occupation of the new bedroom accommodation or the first use of the new resource centre, and shall be retained as such thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles and secure a high quality of design appropriate to the conservation area. (Cambridge Local Plan 2006 policy 8/6, 3/11, 3/12).

22. No development shall commence until details of facilities for the parking of visitor's bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The details shall be based on the proposed visitor cycle storage numbers and locations shown in the landscape plan PA09/P/120/RevA. The development shall be completed in accordance with the subsequently approved details, and these shall be made available for use on commencement of the use of the resource centre, and shall be retained as such thereafter.

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

23. No use or occupation of the development shall take place until the details of providing necessary means of mechanical ventilation to the development, and acoustic insulation thereof, sufficient to prevent sound disturbance to users of the development and neighbouring users, have first been submitted to and approved by the local planning authority. The development shall be completed with these approved features.

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site. (Cambridge Local Plan 2006 policy 3/7, 3/12).

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

Full details of the plant will be required prior to use/occupation of the buildings associated with this application, including calculations to prove the plant noise limits are achieved.

Sound levels from plant and equipment associated with the application requires assessment to ensure local amenity is protected. It is required that the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Reason: To ensure appropriate neighbouring amenity and living and working conditions within the site. (Cambridge Local Plan 2006 policy 3/7, 3/12).

25. Upon first use of the development the College shall implement the Green Travel Plan received October 2015 and make a copy of the Plan available to all residents and staff.

Reason: To promote and encourage sustainable travel options (Cambridge Local Plan 2006 policy 8/2, 8/3, 8/4).

26. The first floor roof terrace study garden hereby permitted shall only be used between the hours of 0900 and 1800 Monday to Friday, and there shall be no use of the space on Saturdays, Sundays, Public or Bank Holidays. Further, the terrace garden shall only be used in association with the activities of the learning resource centre hereby approved.

Reason: To ensure an appropriate relationship with neighbouring uses and to preserve residential amenity. (Cambridge Local Plan 2006 policies 3/7, 3/12, 3/14).

27. There shall be no amplified noise played on the first floor roof terrace study garden at any time.

Reason: To ensure an appropriate relationship with neighbouring uses and to preserve residential amenity. (Cambridge Local Plan 2006 policies 3/7).

28. Prior to the removal of any existing foundations and prior to any excavation or construction of new foundations/piles, a system of monitoring the nearby listed buildings/structures for movement shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of acceptable parameters, frequency and accuracy of measurements, location of monitoring points, etc. Should movement outside the agreed parameters be detected, work on site will cease and the Local Planning Authority and structural engineers will be notified immediately. Thereafter the monitoring shall be undertaken in accordance with the agreed details.

Reason: To protect the adjacent buildings from harm (Cambridge Local Plan 2006 policy 4/10).

29. No development shall commence until details of the planting screens to be provided around the first floor roof terrace hereby permitted have first been submitted to and approved in writing by the local planning authority. The proposals shall be capable of providing appropriate screening to the south and west and shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme; and a maintenance schedule.

Reason: In the interests of visual amenity and to ensure that suitable screening for protecting residential amenity is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 3/12)

30. Any damage caused to the listed building whilst undertaking works forming part of the development hereby permitted shall be repaired within three months in accordance with details to be first approved with the local planning authority.

Reason: To protect the listed buildings from harm (Cambridge Local Plan 2006 policy 4/10).

INFORMATIVE: The applicant and developer are advised that an Accessibility Plan for the development will help achieve the necessary and high quality accessibility to all. Such details to improve the access to the college and the development for persons of restricted mobility and/or ability could include but not be restricted to: Means to identify disability spaces within the car park and accesses thereto; reception and teaching rooms to include hearing loops; considerate use of colour contrast throughout; tactile signage where possible; handrails in the stepped auditorium; double doors should be powered, or asymmetrical with one leaf having a minimum clear opening of 900mm.

INFORMATIVE: The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: 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

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

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

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

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

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

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

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

This decision notice relates to the following drawings: **GREEN TRAVEL PLAN , J49.27 UPDATED AIA DATED 23.10., 000188 Drainage report 01.04.15, FIGURE 2 (PLANNING RESPONSE DOC) cycle store details, PA09-P-100 C, PA09-P-101 B, PA09-P-102 B, PA09-P-103 B, PA09-P-104 B, PA09-P-105 B, PA09-P-106 B, PA09-P-107 B, PA09-P-108 B, PA09-P-109 B, PA09-P-110 B, PA09-P-111 B, PA09-P-112 B, PA09-P-113 B, PA09-P-114 B, PA09-P-115 B, PA09-P-116 B, PA09-P-117 B, PA09-P-118 B, PA09-P-119 B, PA09-P-120 A, PA09-P-121 A, PA09-P-122 A, PA09-P-123 A, PA09-P-125 A, PA09-P-126 A, PA09-DD-SK08 , LIBRARY WINDOW ADAPTION**

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

It is important that all conditions particularly pre-commencement conditions are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Your attention is specifically drawn to the requirements of the Chronically Sick and Disabled Persons Act 1970, the Disabled Persons Act 1981, to the British Standards Institution Code of Practice for Access for the Disabled to Buildings (BS 5810 1979), to Part M of the Building Regulations 1991, and to BS 5588 Part 8 1988 (Code of Practice for means of escape for disabled persons). The development should comply with these requirements.

Informative: Compliance with the Town and Country Planning Development Management Procedure Order 2010 (as amended) Part 4 Paragraph 31

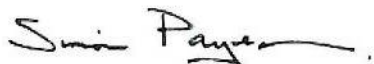
In reaching this decision the City Council has worked in a positive and proactive manner with the applicant and sought to find solutions to problems arising in relation to dealing with the planning application. In general the Council will seek to approve applications for sustainable development and work proactively with applicants that will improve the economic, social and environmental conditions of the area. The Council provides a pre-application advice service, the details of which are set out on our website. When an application is received the Council will add such planning conditions as are necessary to allow the application to be approved or will provide detailed reasons for refusal where planning issues are not capable of resolution.

Please note: On-street parking controls, including residents' parking schemes, are in operation in several parts of the City of Cambridge. There are restrictions on eligibility for

residents' parking permits, even for residents within the areas covered by schemes. Implementing a planning consent can remove eligibility for a permit. The County Council can advise whether or not properties qualify for a Residents' Parking Permit. If in doubt, please contact Cambridgeshire County Council, Cambridgeshire Parking Services by telephoning (01223) 727920 or by e-mailing parkingpermits@cambridgeshire.gov.uk, mentioning this planning consent. Please also be aware that the criteria for granting parking permits may change from time to time.

For further information please go to www.cambridge.gov.uk/planning.

Dated: 2 December 2015



Director of Environment



SEE NOTES ATTACHED

PLANNING PERMISSION

1. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development' or to grant permission subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town & Country Planning Act 1990.

If you want to appeal then you must do so within 6 months of the date of this notice or within 12 weeks of the date of the decision notice against a refusal of any householder or minor commercial planning application, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or from <https://www.gov.uk/planning-inspectorate>. The Secretary of State can allow for a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, he does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be permitted. In these circumstances, the owner may serve a purchase notice on the council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT

3. Notification of Demolition

If listed building consent has been granted and any demolition is to take place, you must in accordance with Section 8(2)(b) of the Planning (Listed Building and Conservation Areas) Act 1990 complete a Final Notice of Demolition Form and send it to English Heritage at least one month before demolition occurs.

4. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse listed building or conservation area consent, or to grant either subject to conditions then you may appeal to the Secretary of State for the Environment in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Appeals must be made within 6 months of the date of the decision (see notes under 1 above).

5. Purchase Notice

If listed building or conservation area consent is refused, or if either is granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated a purchase notice requiring the council to purchase his interest in the land in accordance with section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

6. Compensation

In certain circumstances a claim may be made against the local planning authority for compensation as provided for under Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

CONSENT TO DISPLAY AN ADVERTISEMENT

7. Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse consent to display an advertisement, or to grant consent subject to conditions then you may appeal to the Secretary of State for the Environment under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. Appeals must be made within 8 weeks of the date of the decision (see notes under 1 above)

Application Number	17/2183/FUL	Agenda Item	
Date Received	19th December 2017	Officer	Sav Patel
Target Date	13th February 2018		
Ward	Cherry Hinton		
Site	Rear Of Queens Meadow Cambridge CB1 3JN		
Proposal	Erection of 2No. Affordable Dwellings		
Applicant	CIP LLP Mill Road Depot Mill Road Cambridge CB1 2AZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The proposed development would respond to the site context without appearing out of character or having negative impact on the street scheme. • The design and scale of the development is acceptable for this location; • The proposed development would not have any significant adverse impact on the residential amenity of the adjacent neighbours; • The proposed development would make efficient use of a vacant site to provide two affordable houses;
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site forms part of the rear garden of no.1 Queens Meadow which is a two storey semi-detached dwelling adjacent to junction. Queens Meadow is a residential cul-de-sac characterised by two storey hipped roof semi-detached dwellings, which are set back from the road. These dwellings also have substantial rear gardens of circa 40 metres in depth and many have been extended to the side and rear. There also

are various sized outbuildings in the rear gardens. Built form along Coldhams Lane is similar in character but is a primary carriageway consisting of pavement and grass verge.

- 1.2 The site is circa 29.4 metres in width and 14 metres in depth and fronts onto Coldhams Lane. It is mainly laid to lawn with a small area of hardstanding adjacent to the rear boundary. The site contains seven trees along the boundary facing Coldhams Lane and there are several trees that overhang the site which are located along the side boundary with no.2 Queens Meadow. Currently the site has been subdivided with timber hoarding.
- 1.3 The site is not located within a Conservation Area and there are no listed buildings within the close proximity to the site. None of the trees within and adjacent to the site are protected.

2.0 THE PROPOSAL

- 2.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up between Cambridge City Council and Hill Investment Partnership (a private developer). The purpose of CIP is to help the delivery of 500 new affordable houses within Cambridge by developing existing City Council owned sites. The proposal seeks full planning permission for two affordable dwellings on vacant land rear of no.1 Queens Meadow. The site has been enclosed by a timber hoarding and fence.
- 2.2 The proposal is for two hipped roof semi-detached dwellings with off road car parking for two cars (each) which would be accessed from Coldhams Lane. The proposal also includes bin and cycle storage in the rear gardens. These dwellings will be 'affordable houses' for social rent.
- 2.3 The proposed dwellings would be set back from the pavement by circa 3.7 metres and consist of 5.6 metre deep rear gardens. The dwellings would sit centrally within the plot and measure 7.8 metres to the ridge (5.1 metres to the eaves), 6.8 metres in depth and 17 metres in total width.
- 2.4 The following documents have been submitted with the planning application:
 - Planning Statement;

- Phase 1 Ground Condition Study;
- Ecological Appraisal;
- Tree Survey;
- Flood Risk Assessment;
- Drainage Strategy;
- Acoustic Assessment;
- Transport Statement;

2.5 Concerns were raised with the appearance of the front elevation and horizontal form of the building. Officers considered the front elevation required better articulation and the horizontal form could be reduced by introducing subtle features such as chimneys and recesses to break up the mass. Amended plans were submitted which contained the following amendments:

- Rearrangement of the windows in the front elevation;
- Double pane windows at first floor;
- Introduction of chimneys on the roof;

2.6 Having consulted with the Urban Design team on the proposed amendments, we are satisfied that they have overcome our concerns with the appearance of the front elevation and horizontal form.

3.0 SITE HISTORY

3.1 The site has no relevant planning history.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/4 3/7 3/10 3/11 3/12 4/4 5/1 5/5 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) Affordable Housing (January 2008)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge,

therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 The proposal would have no significant impact on the public highway subject to the following conditions and informatives:

- No unbound materials;
- No gates overhanging the highway;
- Access to be constructed to County specifications;
- Accesses to include drainage measures;
- Access to be provided as shown without obstructions;
- Traffic Management Plan;
- Offence to carry out work to a highway without consent (informative);
- No overhanging or encroachment of highway (informative);
- Public utility consideration (informative).

Environmental Health

First comments

6.2 Insufficient information to properly assess the proposed development. Further calculation and assessment is required concerning the impact of the commercial noise on the application site including an internal redesign of the habitable rooms.

- 6.3 With regards to traffic noise, the recommended acoustic glazing sound reduction within section 6.4 of the assessment is acceptable. Recommend conditions on exact specification of window/glazing and sound reduction performance and exact alternative ventilation systems details.
- 6.4 With regards to plant noise from the adjacent commercial building, further calculation and assessment is required concerning the impact of the commercial noise on the application site including an internal redesign of the habitable rooms.
- 6.5 With regards to construction noise, the submitted construction noise assessment is reasonable. Piling condition required if piling to be carried out.
- 6.6 With regards to contaminated land, intrusive investigation will be required to adequately assess any contaminated land issues on the site for the Local Planning Authority's approval before any investigation work is undertaken. Therefore the full set of contaminated land conditions (all 8) are recommended.
- 6.7 With regards to air quality, no objections raised. However, the installation of EV charging points should be provided to future proof the development. This can be secured by condition.

Second comments in response to addition acoustic assessment:

- 6.8 Acceptability of this acoustic assessment is dependent on the operation of the plant until 23:00hrs, as specified above within the Create response. If the plant operated during the night hours (23:00 – 07:00hrs) when the background sound level would be lower, a significant impact from the commercial plant would be likely on occupants of the application site with windows open for ventilation. Also the internal layout of the rooms should be revised so that bedroom windows are at the front so as to reduce the noise impact on the occupiers from the adjacent plant.
- 6.9 In conclusions, based upon the commercial plant only operating up until 23:00hrs, the concerns on the noise impact to the garden and habitable rooms would be acceptable subject to

conditions. The following conditions and informatives have been recommended:

- Acoustic assessment compliance condition;
- Ventilation scheme;
- EV charging points;
- Construction hours;
- Collection during construction;
- Piling;
- Dust;
- All 6 contaminated land conditions;
- Dust informative;
- Site investigation informative;
- Remediation works informative;
- Materials chemical testing informative;
- Contaminated land guide informative.

Third comments received following submission of an updated acoustic assessment.

- 6.10 Officers advised the Environmental Services Team that the adjacent commercial plant was unrestricted and there was no guarantee that the plant would cease at 23:00hrs. Therefore, the applicant was advised to investigate in detail all the plant adjacent to the adjacent site and consult with the operator on operational working hours. A site meeting was held on 2 May 2018 with officers and the noise consultant to observe/listen to the plant units and discuss the scope of a further assessment.
- 6.11 An updated acoustic assessment was submitted on 21 May. The updated assessment was considered to be acceptable to the Environmental Services Team subject to the implementation of the recommended mitigation measures such as a 2.4 metre high close boarded fence on the side (west) of Plot 2 and part of the rear boundary of the site; side boundary between the houses; and window hinges installed closest to plant. The following conditions were also recommended:
- Construction hours;
 - Collection and delivery hours during construction;
 - Piling;
 - All 6 contaminated land conditions;
 - Acoustic assessment compliance;

- Ventilation scheme;
- EV charging points;
- Site investigation informative;
- Remediation works informative;
- Materials chemical testing informative;
- Contaminated land guide informative.

Urban Design and Conservation Team

First comments

6.12 The overall scale and massing is acceptable and the proposal provides good quality amenity space for each unit. Functional issues such as cycle and refuse stores are well resolved. There are some concerns with the front elevation. The building reads overly horizontal and the position of the windows does not appear balanced. Reference should be made to the surrounding dwellings in terms of proportions of windows.

Second comments following the submission of amended front elevation plan.

6.13 The fenestration arrangement of the front elevation now looks more balanced and the addition of chimneys on the roof helps to break up the horizontal form. A vertical break would further help the horizontal form.

Head of Streets and Open Spaces (Landscape Team)

6.14 The proposal is acceptable subject to the following conditions:

- Boundary treatment;
- Hard and soft landscaping

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.15 The proposal is acceptable subject to a surface water drainage condition.

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

7.0 REPRESENTATIONS

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

- 3 Coldhams Lane;
- 540 Coldhams Lane;
- 546 Coldhams Lane;
- 548 Coldhams Lane;
- 550 Coldhams Lane;
- 568 Coldhams Lane;

7.2 The representations can be summarised as follows:

- The proposal will cause overlooking of the rear garden and internal rooms;
- The existing trees are deciduous and so only provide seasonal screening and also no guarantee the tree will remain;
- Overdevelopment/high density and loss of garden land;
- The proposal building is not in keeping and will have an unacceptable visual impact and effect on the character of the neighbourhood
- Trees and part of existing hedge removed to install unattractive timber hoarding around the site;
- Concerned that these properties are affordable dwellings and will be for rent. The dwellings in the area are privately owned;
- The proposed dwellings are too close to the back-edge of the pavement which will change the appearance of the road. The dwellings should be moved back;
- Affordable houses should be for Cambridge people only;

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

8.0 ASSESSMENT

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

1. Principle of development
2. Affordable Housing
3. Context of site, design and external spaces
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. 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 land uses.
- 8.3 Paragraph 14 of the NPPF is also important. It states that there should be a presumption in favour of sustainable development running through the decision making process. This means approving development proposals that accord with the development plan without delay.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the adopted Local Plan (2006)

Affordable Housing

- 8.5 It is proposed that both the dwellings will be provided as affordable houses and retained by the City Council who will act as the Registered Social Landlord.
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008)

Context of site, design and external spaces

- 8.7 The surrounding built form is characterised by two storey semi-detached dwellings with hipped roofs. The proposed scale and form of the development responds to this local vernacular. Concerns were raised with the appearance of the front elevation and horizontal form of the proposed development. These concerns have now been addressed by revising the window

arrangement in the front elevation and introducing chimneys to the roof. These alterations give better proportionately and balance to the development which improves its appearance from within the street scene. I am therefore satisfied that the design and scale of the proposed development is in keeping with the prevailing character and pattern of development.

- 8.8 Concerns have been raised regarding the proximity of the development to the back edge of the pavement. The proposed dwellings would be set back circa 3.7 metres from the pavement. This would be less than the surrounding dwellings which are generally set back over 7 metres from the pavement. However, there are some examples of infill developments nearby which are located further forward and closer to the pavement/road than neighbouring properties. On the other side of Queens Meadow (opposite no.1), no.24 Queens Meadow has been extended to the side to create a two storey dwelling (planning permission ref: C/04/1033), which is circa 4 metres from the pavement on Coldhams Lane. Furthermore, the garden land to the rear of no.23, 24 and 25 Queens Meadow have been developed to create two, two storey semi-detached dwellings, which face onto Coldhams Lane, in a similar manner to that proposed.
- 8.9 In the wider context, planning permission has been granted (14/1970/FUL) for a three storey block of flats at the former Rosemary Branch site, which is set closer to Coldhams Lane than the dwellings in Rosemary Lane and Hatherdene Close. This site is located on the other side of the commercial estate to the north of the site. Therefore, as both Rosemary Branch flats and proposed development project nearer to Coldhams Lane than the neighbouring dwellings, this could be seen as book-ending the commercial estate with residential development.
- 8.10 In this context, I do not consider the proposed development would appear out of character or have a significant adverse impact on the street scene due to its proximity to the pavement. The proposed development would make efficient use of site which has been subdivided from no.1, to provide additional affordable housing.
- 8.11 In my view the proposed development is acceptable and compliant with Cambridge Local Plan (2006) policies 3/4 and part (c) of 3/10 of the Local Plan (2006).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The proposed dwellings would be located north-west of no.1 and no.2 Queens Meadows. These dwellings are within the applicant ownership. The gable end of Plot 2 (dwelling nearest to no.1) would be located circa 17.2 metres from the main rear elevation of no.1 and over 19 metres from no.2. The proposed development has been laid out so that the gable end of Plot 2 is not in line with the rear elevation of no.1. The development would be partially screened by the existing trees within the rear garden of no.2. In this context, I do not consider the proposal would give rise to any significantly adverse overbearing sense of enclosure issues on the occupiers of no.1 or no.2.
- 8.13 In terms of overlooking, the side elevation (south) contains a first floor bedroom window. This is a secondary window to the bedroom which has its main window in the west (front) elevation. I have recommended an obscure glazing condition for the secondary window to mitigate any direct overlooking of the garden of no.1 and no.2. I am satisfied that the proposed dwellings would not causing significant loss of privacy on the residential amenity of the occupiers of no.1 and no.2. An objection has been received from the occupiers of no.3 Queens Meadow regarding the overlooking of the garden and habitable rooms. Plot 1 would be located approx. 21 metres from the main rear elevation no.3. The four first floor windows in the proposed dwellings would serve bedrooms and be 13.6 metres from the side boundary of no.3. The windows would also be perpendicular to the windows in the existing dwellings such as no.3 and so would not directly face at the rear elevation of the no.3. The tree planting on the rear boundary would also provide an element of screening but this cannot be entirely relied upon. I have therefore assess the impact based upon the distance from existing dwellings, the orientation of the windows and the rooms they serve. The No.3 has a garden depth of approx. 42 metres which is a generous amount and the windows would be located more than 21 metres from the rear elevation. The proposed dwellings would face over part of the garden that is 19 metres from the rear elevation. There is also already a sense of mutual overlooking from neighbouring properties which inter-look neighbouring gardens so some overlooking is already experienced. In this urban context, it is difficult to protect from

overlooking and so an assessment has been made on the level of harm that would be experienced by the neighbours from the proposed development. In my view whilst I accept there will be an element of additional overlooking from the proposed dwellings, I do not consider in this context, the harm would be significant enough to warrant refusal.

8.14 In terms of noise and disturbance, I do not consider the quantum of development would generate unreasonable levels of noise and disturbance such that it would warrant refusal. The proposal includes two off street car parking spaces for each dwelling. The car parking spaces for Plot 2 would be located adjacent to part of the rear boundary of no.1. However in view of the separation distance (circa 12.4 metres), and number of spaces, I do not consider the comings and goings of cars would have a significant adverse noise impact on the residential amenity of the occupiers of no.1. I have recommended a boundary treatment condition to control the type of boundary that is installed.

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

Amenity for future occupiers of the site

8.16 The proposed dwellings are three bed units with generously proportioned internal and external space. The gardens are an 'L' shape and measure; for plot 1 15.8 metres wide and between 5.6 and 8.8 metres in depth, and plot 2 13.8 metres wide and between 5.6 and 8.8 metres in depth. The proposal would therefore provide high quality living environment for future occupiers.

8.17 The impact on future occupiers from road traffic noise has been carefully considered. The ES team are satisfied that subject to the installation of specialist glazing on the front and side elevation and boundary treatment noise from Coldham Lane is unlikely to cause significant harm to the residential amenity of the future occupiers. In terms of noise impact from the plant on the adjacent commercial use, the updated acoustic assessment has demonstrated that subject to enhancements to the boundary fence and window hinges be located on the side, the

noise impact from the adjacent plant would not have an adverse impact on the residential amenity of the future occupiers of the dwelling and enjoyment of the rear gardens.

- 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, part (a) of 3/10 and 3/12

Refuse Arrangements

- 8.19 The proposal includes bin storage areas for each dwelling within the rear garden which has access to the roadside via a gate. Provision has been made for three receptacles which is appropriate.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.21 The proposal includes two off street parking spaces for each dwelling. There would be insufficient space to enable vehicles to leave the site in forward gear. Vehicles would therefore need to reverse onto Coldhams Lane. This is not uncommon as there are many dwellings along Coldhams Lane that have this constraint. However, the County Highway Authority has raised no highway safety concerns with this arrangement.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.23 The proposal includes two car parking spaces for each dwelling which is compliant with the car parking standards for 3 bed dwellings.

Cycle parking

- 8.24 The proposal makes provision for cycle parking within an external store. However, no specific details for the store have been provided. Nevertheless, I am satisfied that there is sufficient space within the site to accommodate secure cycle storage.
- 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 responded to some of the issues raised in the third party representation in my report. I set out below my response to the representations that I have not directly addressed:

Representations	Response
Overdevelopment/high density;	The proposed development would make efficient use of the site to accommodate two dwellings with reasonable outdoor space, off street car parking and ancillary provisions such as bin and cycle storage.
Loss of garden land;	According to the applicant, the site was garden land of no.1 Queens Meadow but has since been separated to create a stand-alone plot. Nevertheless, no.1 would retain a generous garden area to serve the proposed dwelling.
The proposal building is not in keeping and will have an unacceptable visual impact and effect on the character of the neighbourhood	See paragraph 8.7 to 8.10

<p>Trees and part of existing hedge removed to install unattractive timber hoarding around the site;</p>	<p>7 trees are proposed to be removed. None of the trees are covered by a Tree Preservation Order and therefore have no statutory protection. 6 of the trees are category C trees and 1 is category U. These are trees of low arboricultural value. The hoarding around the site is a temporary measure to secure the site. The hoarding is likely to be removed if permission is granted for this development. I have recommended a condition to ensure the development is carried out in accordance with the submitted arboricultural impact assessment.</p>
<p>Concerned that these properties are affordable dwellings and will be for rent. The dwellings in the area are privately owned;</p>	<p>The dwellings will provide additional affordable housing for local people currently on the housing register.</p>
<p>The proposed dwellings are too close to the back-edge of the pavement which will chance the appearance of the road. The dwellings should be moved back;</p>	<p>See paragraph 8.8 to 8.10</p>
<p>Affordable houses should be for Cambridge people only;</p>	<p>The proposed dwellings will 'affordable houses' on social rent and available to people on the housing waiting list.</p>

9.0 CONCLUSION

- 9.1 The proposal development of two, two storey semi-detached dwellings with off street car parking, private garden space and bin and cycle storage is considered to be acceptable in this location. The design and scale of the development is a modern interpretation of the local vernacular which is an appropriate response for this site. The proposal would not appear out of

character or have a significant adverse impact on the street scene.

- 9.2 The proposal would not have a significantly adverse impact on the residential amenity of the adjacent neighbours in terms of overlooking, overbearing or loss of daylight and sunlight. The proposed development would provide well-proportioned living space within each of the dwellings and reasonable outdoor space to support a family in each.

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. 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.

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. 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).

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 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).

12. The development hereby approved shall be carried out in accordance with the Arboricultural Impact Assessment by Landscape Planning Ltd dated 14 July 2017 (ref: 69977-QM V2) unless otherwise agreed in writing by the Local Planning Authority.

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

13. 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).

14. Prior to the occupation of the hereby approved development, the noise insulation scheme and mitigation requirements as stated within the Create Consulting Engineers Ltd Acoustic Assessment dated 8th May 2018 (FV/CS/P17-1287/01 Revision B) shall be fully implemented, maintained and not altered thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To protect the residential amenity of future occupiers (Cambridge Local Plan policy 3/7).

15. Prior to the commencement of development/construction, details of an alternative ventilation scheme for the habitable rooms to negate /replace the need to open windows, in order to protect future occupiers from external traffic noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from Coldhams Lane. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system.

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

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

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

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

17. 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).

18. The window on the south-east elevation at first floor of Plot 2 level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall nearest to Coldhams Lane and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

19. Prior to the commencement of the first use the vehicular accesses where they cross the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

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

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

21. Prior to the installation of any hardstanding within the site, the accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: To prevent surface water discharging to the highway.

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

Reason: In the interests of highway safety.

23. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are: i. Movements and control of muck away lorries ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street. iii. Movements and control of all deliveries 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.

Reason: in the interests of highway safety

24. Prior to occupation of the proposed development information demonstrating that an electric vehicle charge point has been installed in each of the proposed residential developments shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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Application Number	18/0454/FUL	Agenda Item	
Date Received	22nd March 2018	Officer	Rob Brereton
Target Date	17th May 2018		
Ward	Kings Hedges		
Site	53 Kings Hedges Road Cambridge CB4 2QE		
Proposal	Change of use of existing dwelling to 9 bedroom large scale HMO. Part two storey, part single storey rear extension and hip to gable roof extension with rear dormer and front rooflights following demolition of existing garage.		
Applicant	Lilpop Ltd		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The proposed change of use would not have a significant detrimental impact on the amenities of occupiers of neighbouring properties. • The proposed extensions would have an acceptable not have an adverse impact on the streetscene.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No. 53 is on the southern side of Kings Hedges Road and is a semi-detached 3 bedroom dwellinghouse. It is finished in brick and has a hipped roof. The surrounding area is predominantly residential and made up of single and two storey dwellings. To the rear garden is a garage, shed and hardstanding.

2.0 THE PROPOSAL

2.1 Planning permission is sought for the change of use of the existing dwelling to 9 bedroom large scale HMO. Part two storey, part single, storey rear extension and hip to gable roof extension with rear dormer and front rooflights following demolition of

existing garage.

2.2 During the life of this application the scheme has been amended to:

- Re-orientate the two proposed bedrooms on the second floor, so they are wider in both directions and have more useable space .
- Move the cycle store and refuse store further into the rear garden.
- Additional information was provided in regard to trees on the site.

3.0 SITE HISTORY

No planning history

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/14 4/13 5/1 5/2 5/7 8/1 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 (material consideration)</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The application form states that there is no change in parking provision within the site, but provides no other details of existing or proposed provision. No layout of parking is shown. The development may impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Environmental Health

- 6.2 No objection subject to conditions limiting construction hours, collections during construction and piling and an informative regarding a House in Multiple Occupation.

Streets and Open Spaces (Tree Officer)

- 6.3 Originally the Tree Officer had reservations about the proposal as it impacted a mature willow tree to the rear. To ensure this tree was not cut down prior to an assessment a temporary Tree Protection Order was placed on it. An Arboricultural Impact Assessment was therefore submitted by the applicant defining its quality as category C2. The Tree Officer then responded stating:

Having assessed the AIA, there are no formal objections to the proposed removal of the willow, subject to suitable replacement. The TPO was served as a precaution to ensure that the willow was a material consideration but I agree with the arboriculturalist's assessment and believe the proposal to replace the tree is pragmatic. If the application is granted consent therefore, please attach two tree replacement conditions and, we will then not confirm the TPO.

Landscaping

- 6.4 No objection to the amended scheme subject to a condition on hard and soft landscaping.

Drainage

- 6.5 No objection subject to a standard condition on sustainable urban drainage systems.

Urban Design

Original plans

- 6.6 Urban Design had some concerns with the original scheme as it considered bedrooms 8 and 9 were insufficient in size and did not comply with the National Technical Housing Standards. The proposed main door of the property, being located on the side elevation was poor design. The proposed location of the cycle storage and refuse storage would impact the occupants of bedroom 3. The side entrance does not appear to meet the Cycle Parking Guide for New Residential Developments which states that “the access way should preferably be 1500mm wide or a minimum of 1200mm over a distance of no more than 10m.” The access path is less than 1500mm over a distance of approx. 13m. The entrance to the dwelling on the access path further compounds the tightness of the overall entrance. The side entrance should have a lockable gate to provide a secure location for the cycles in the rear.

Revised plans

- 6.7 The layout of bedrooms 8 and 9 have been rearranged, which creates a more usable space for the occupants. Refuse and cycle stores have been relocated away from the ground floor bedroom, which is acceptable. A secure lockable gate is proposed for the side entrance. Concerns still remain about the legibility of the entrance.
- 6.8 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 64 Kings Hedges Road
- 66 Kings Hedges Road
- 68 Kings Hedges Road
- 70 Kings Hedges Road
- 72 Kings Hedges Road
- 37 Roseford Road (owner of 51 Kings Hedges Road)

The representations can be summarised as follows:

7.2 Noise

- Noise impacts to No. 66 Kings Hedges Road's bedroom window.
- The lack of indoor recreational space would mean that residents are likely to migrate outside, which will cause noise/nuisance.
- Residents do not want to continually contact environmental health, can it be guaranteed noise will not be an issue.
- The proposed amount of occupants will create a detrimental level of noise.

7.3 Bins

- The management of bin collections.
- Overflowing bins may be stored at the front of the property and will create an eyesore.

7.4 Parking

- The lowered kerb was extended several years ago so emergency services could attend the three bungalows with a wheeled stretcher. This would be restricted by the extra vehicles parking there.
- There will only be room for 2 vehicles on the property's driveway leaving up to 7 vehicles with no parking. Since parking has been banned on the grass verges there are rarely any parking spaces along Kings Hedges Road after 6pm, this causes problems for current residents, adding

another 7 cars to the equation will only exacerbate the situation. Regarding the letting manager's comments, can residents be banned from owning cars?

- Having so many vehicles parking in front of this property could create a highway safety issue.
- The occupants of No. 66 Kings Hedges Road did a parking study at various times. They looked at twenty eight houses either side of 53 looking for spaces:
- Sunday 10.30 = One space
Tuesday 18.15 = No spaces
Thursday 16.45 = One space
Saturday 15.00 = One space, 17.30 = No spaces
They conclude any extra vehicles will not find a space to park in this vicinity. I cannot see how this issue can be resolved. This HMO will only bring a lot more parking problems.

7.5 Amenity for future occupiers

- Room sizes are unacceptable for homes.
- Quality of life, the only communal area is a kitchen/diner. This area has two small windows, one which will have no sun apart from early morning, the other just a few feet from a fence. This lack of natural light is not conducive to good mental health. This does not appear to be a suitable area for relaxing in.
- The kitchen area will house two ovens/hobs/sinks for 9 residents - how are they expected to cook an evening meal.
- The kitchen would also appear too small for the number of separate residents trying to store their food, not enough room for sufficient refrigeration.
- Rooms are far too small for university standards and would result in a low mood and loneliness and other problems.

7.6 Overshadowing/overlooking

- The proposed changes to the roof will interfere with No. 51's natural light.
- The development will both overshadow and overlook the rear of the bungalows.

7.7 Building Control Issues

- Currently the property has one bath/shower and one toilet. The proposed plan would increase this number to 9 showers and 9 toilets - how will the current 1930s waste pipe system deal with this amount of sewerage?
- There is only one main/fire exit on the side of the property for 9 residents. This main/fire exit is accessed by two of the rooms through the kitchen - the most likely place for a fire to start.
- It is not clear whether the proposed materials of the rear extension will be in keeping.
- The occupants of bedrooms 8 and 9 would be un-safe in a fire.
- The current power supply will not be powerful enough for the number of residents proposed.
- Water supply will have to be increased.
- The construction of number 53 is timber and asbestos. Under health and safety law, this cannot be disturbed in any way as it would allow particles into the air.

7.8 Management

- How can the letting company control that residents cannot have guest.
- Will the owners of this property manage the HMO or will managing agents?
- It is not clear whether the occupants of the proposed HMO would be students, professionals or families staying at the property.
- The future occupants of these type of units may bring anti-social behavior to this location.
- As residents do not have adequate facilities in the kitchen, appliances may be used in the bedroom creating a fire risk.

7.9 Out of character

- The proposed rooflights facing the street are out of keeping.
- The occupants of these proposed units will conflict with the elderly/more vulnerable individuals that live in the nearby bungalows.

- The HMO is occupied by single people only the character of the area will change to the detriment of the majority.

7.10 Creating a precedent

- This proposal will create an unacceptable precedent.

7.11 Impact on the willow tree

- The proposed rear extension will damage the roots of the lovely mature willow tree.
- The willow to the rear deserves protection and it would be unthinkable to approve the destruction of such a well-established specimen.
- With regards to the willow tree and the report from OMC associates, the report clearly states in section 4.2.1 that 'The proposed scheme does not necessitate the removal of the willow'. However it then goes on to say 'though removal and replacement with three new trees set further down the garden would be a far better longer term solution'. Why is a solution needed when the report has already stated that the tree does not need to be removed? Also contact was made with OMC associates to advise that their surveyor had made an error when stating the age of the willow tree and we were given an apology and assured that a revised report would be sent.

7.12 Miscellaneous

- The proposal will devalue property values.

7.13 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 impact on heritage assets

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

Principle of Development

- 8.2 This area of Kings Hedges Road is a mainly residential in nature comprising semi-detached and terrace family dwellings. This house in multiple occupation (HMO) would offer an alternative type of accommodation along this street which would help meet the needs of a diverse and mixed community.
- 8.3 Policy 5/7 of the Cambridge Local Plan (2006) supports the additional of new HMOs and states that the development of properties for multiple occupation will be permitted subject to the potential impact (A) on the residential amenity of the local area, (B) the suitability of the building or site (C) and the proximity of bus stops and pedestrian and cycle routes, shops and other local services. These impacts will be assessed in the paragraphs below.

Context of site, design and external spaces

- 8.4 As part of the proposed change of use a part two storey side/rear extension as well as a single storey rear extension. A rear box dormer is also proposed. The two storey side extension would be visible from the streetscene. It has the same ridge and eaves height as the existing property but converts the side elevation of the roof from hipped to gable ended. As this is a common type of extension in this location and the width of the extension is only 1.2 metres I consider it will have an acceptable impact on the appearance of the streetscene and the character of the dwellinghouse.
- 8.5 The proposed dormer is similar scale to that allowed under permitted development rights. However, as it extends over the proposed side extension it does require planning permission. Again, this is a common type of addition to a residential dwellinghouse in this location and subject to a condition requesting a sample of its cladding I consider its design, appearance and form in keeping with the existing dwelling.

- 8.6 The proposed single storey rear extension would not be visible from the streetscene and is considered in keeping with the character of the dwellinghouse.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 5/7.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The proposed single storey extension adjoins the boundary with No. 51 Kings Hedges Road. The eaves height adjoin this boundary is 2.2 metres. As per BRE guidance a 45 degree angled plane was taken from this eaves line. This plane cut below the centre point of No. 51's dining/sitting ground floor window nearest the shared boundary. It is therefore considered the loss of daylight to No. 51's habitable rooms will be acceptable. A detrimental level of enclosure is not envisaged to this neighbour's garden from this single storey extension as permitted development would allow a boundary fence to be 2 metres in height. The proposed two storey extension at 7.8 metre away from the boundary is considered a sufficient distance away to dispel any overshadowing impacts.
- 8.9 The proposed two storey extension is indented 1.4 metres from the boundary with No. 3 Campkin Road which is a single storey bungalow. The side elevation of this bungalow is indented nearly 3 metres from the shared boundary with No. 53 Kings Hedges Road. There are 4 openings within this elevation facing the proposed extension. Two are doorways; one is a bathroom window and the other a hallway window. As these windows are associated with non-habitable rooms BRE guidance indicates loss of light is acceptable. I also consider loss of outlook from these non-habitable rooms is acceptable. The proposed two storey extension does not extend past the rear elevation of No. 3, therefore no detrimental overshadowing impacts are envisaged to the rear garden of this neighbouring property.
- 8.10 The HMO will increase the number of occupiers living at the property and the number of people coming and going which could increase noise levels. The Environmental Health Team does not consider that this proposed change of use to a large HMO will create a significant additional detrimental level of noise

impact to neighbours. I agree with this assessment. The day to day running of the HMO is not assessed under planning but both the landlord and tenants have a responsibility to be neighbourly under other legislation and an informative will be added to remind the applicant of their responsibilities. But as there is some local concern and to ensure the management of this HMO would be of a high standard, a management plan condition is recommended. The planning statement states clearly this proposal will have 9 occupants and I have recommended that a condition be added to ensure this. A construction hours condition will also be added to ensure that any disruption is minimised.

Amenity for future occupiers of the site

- 8.11 The outlook for the majority of windows proposed is acceptable. However the window opening into bedroom No. 3 was less than satisfactory. This ground floor window will face the proposed bin store and the rear garden. The location of this bin store has been amended so that now it is over 8 metres away. I therefore consider this window now has an acceptable outlook. Both bedroom windows of Nos. 2 and 3 will be overlooked by those using the garden or bin/bike store. I consider this inter-looking acceptable in this HMO circumstance.
- 8.12 The agent has taken some of Urban Designs initial comments into account when amending the scheme re-organising the layout of bedrooms 8 and 9 and adding a lockable gate to the side passage. I note that Urban Design have stated the scheme does not comply with national space standards. *The Technical Housing Standards – Nationally Described Space Standard by the Department for Communities and Local Government dated March 2015* do not relate to HMO development, this instead is monitored by other legislation outside of the planning process, mainly the *Management of Houses in Multiple Occupation (England) Regulations 2006*. I consider therefore that the layout of room 8 and 9 are acceptable and would offer an adequate amount of internal amenity space.
- 8.13 The large amenity space to the rear of this property is considered sufficient to meet the reasonable expectations of the 9 occupiers even with some of the area being taken up by bin and cycle stores. To ensure this amenity is of a high quality a hard and soft landscaping condition is recommended.

- 8.14 In my opinion therefore 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 5/7.

Refuse Storage

- 8.15 Bins would be housed in a secure store, located 8 metres from the rear of the house. The bin provision is sufficient for a 9 bed HMO. The location of the proposed bin store was amended to be located further away from the rear facing window of bedroom 3. I now consider the impact to the occupants of this room will be acceptable. Whilst this bin store adjoins the boundary with No. 3 Campkin Road as this property has an outbuilding adjoining the boundary no detrimental impacts are envisaged. The additional bins would need to be taken to the kerbside for collection. However it is considered that this will not cause undue disturbance to neighbours once they are managed correctly.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13.

Car and Cycle Parking

- 8.17 There are no envisaged detrimental impacts to highway safety. The Highway Authority have raised concern regarding the potential for the application to increase on-street parking, although they state this is an amenity rather than highway safety issue. A number of local residents have concerns that this proposal with just one car parking space will have an adverse impact on the limited on street parking situation. There are no parking standards for HMOs in the Cambridge Local Plan (2006) and the City Council promotes lower levels of private car parking particularly where good transport accessibility exists. Part C of policy 5/7 state that HMOs should be permitted if they are located in buildings with good proximity to bus stops and pedestrian and cycle routes, shops and other local services. The subject building is located close to Milton Road which has excellent transport links to the city centre and contains many shops/services. Cycle storage would also be covered and secure and 10 cycle spaces would be provided in a building alongside the bin store in the rear garden. The side passage is currently 1.4 metres wide, whilst 1.5 metres is the recommended width to allow cycles to be wheeled through

easily. Given the width of the passage cannot be altered, I consider this width on balance to be acceptable in this instance.

- 8.18 In my opinion the proposal, is in these circumstances, is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Impact on Trees

- 8.19 Initially as there were no Tree Protection Orders (TPO) and the site is not within a Conservation Area all trees on site could be removed without first obtaining permission from the Streets and Open Spaces Team. After I went on site and concern was voiced from residents, a temporary TPO was put on the mature Willow located to the rear of No. 53 Kings Hedges Road and visible from the streetscene. This was because there were concerns this tree may have been felled prior to a full Arboricultural Impacts Assessment (AIA) being undertaken and submitted as part of this application. The Tree Officer was satisfied with the AIA by OMC Associates and stated:

Having assessed the AIA, there are no formal objections to the proposed removal of the willow, subject to suitable replacement. The TPO was served as a precaution to ensure that the willow was a material consideration but I agree with the arboriculturalist's assessment and believe the proposal to replace the tree is pragmatic. If the application is granted consent therefore, please attach two tree replacement conditions and, we will then not confirm the TPO.

I note neighbours have concerns regarding the accuracy of this report as the Willows age is incorrectly quoted. The consults whom wrote this report accept this inaccuracy stating:

Yes a neighbour called on 1 June informing me that the tree is at least 70-80 years of age based on local testimony. I'm happy to accept this since willows after about 40 odd years develop fissured/textured bark and estimating age can be difficult, especially when chopped about like this one has been. The species is relatively short lived so if its 80 years old, it has, actually, a somewhat reduced life expectancy.

8.20 I am therefore satisfied the loss of this tree has been thoroughly assessed and accept the recommendation of two conditions relating to replanting.

8.21 Third Party Representations

The concerns quoted below relate to the subheadings in paragraph 7.2.

Concern	Response
Noise	See paragraph 8.10
Bins	See paragraph 8.15
Parking	See paragraphs 8.17 and 8.18
Amenity for future occupiers	See paragraphs 8.11 to 8.14
Overshadowing and overlooking	See paragraphs 8.8 and 8.9
Building Control Issues	These are not issues which are assessed in the planning process, but are assessed by Building Control prior to commencement, if this application is approved by the planning committee. The proposal would address all sanitary and drainage issues through Building Regulations
Management	See paragraph 8.10
Out of character	See paragraphs 8.4 to 8.7
Creating a precedent	Each planning application is examined on its own merits.
Impact of the Willow tree	See paragraph 8.19 and 8.20
Impact on property values	This is not a valid consideration for determining a planning application.

9.0 CONCLUSION

9.1 In conclusion the proposal as amended would have an acceptable impact on the amenity of the occupiers of adjoining properties and future occupants and no detrimental impacts are envisaged to the streetscene by the proposed extensions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

4. The House of Multiple Occupation hereby permitted shall have a maximum of 9 occupants.

Reason: In the interests of the neighbours' residential amenities and to accord with policies 3/7, 5/7 and 4/13 of the Local Plan 2006.

5. 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).

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

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

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. 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. No works to any trees shall be carried out until the local planning authority has received and approved in writing the full details of the planting of two replacement trees including species, size, location and approximate date of planting.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity.

10. Trees will be planted in accordance with the approved planting proposal. If, within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed or die another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity.

11. Prior to the first occupation of development, full details of the refuse layout/bin provision and cycle shelter shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate bin and cycle storage is provided (Cambridge Local Plan 2006, policy 3/7).

12. Prior to the occupation of the building, a management plan for the property shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of: who will be managing the property; external display of contact information for on-site management issues and emergencies for members of the public; how issues will be addressed; how external spaces/functional provisions will be managed (lawns, bins, bikes etc.); and what new tenant guidance will be issued re: acceptable standards of behaviour/use of the premises including bin storage etc. The management of the property shall be carried out in accordance with the approved details.

Reason: In order to ensure the use of the property does not adversely impact the amenity of adjacent residents (Cambridge Local Plan policies 5/7 and 4/13).

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

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

Further information may be found here:

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

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

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PLANNING COMMITTEE

4th July 2018

Application Number	18/0446/FUL	Agenda Item	
Date Received	20th March 2018	Officer	Eloise Limmer
Target Date	15th May 2018		
Ward	Arbury		
Site	33 Redfern Close Cambridge CB4 2DT		
Proposal	Two storey side extension following demolition of existing car port. New front and rear roof extension including raising ridge height. Replace existing conservatory with new single storey rear extension and convert existing out house to study/workshop.		
Applicant	Mr Xinwen Xiong 254 Nuns Way Cambridge CB4 2NT		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The revised proposal is acceptable as it would not have a significant adverse impact on the amenity of the neighbouring occupiers. • The scale and design of the proposal is appropriate and it would not have a significant adverse impact on the character of the area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a two storey, detached dwellinghouse with attached garage situated on the northern side of Redfern Close. Redfern Close wraps around a protected green space and the application site faces onto this. The surrounding area is residential, characterised by detached and semi-detached houses in a range of architectural styles. There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for a two storey side extension following the demolition of the existing car port. Front and rear roof extensions including raising the ridge height by 0.4m. Replacing the existing conservatory with a new single storey rear extension. The conversion of the existing outbuilding into a study/workshop including changing the roof from flat to pitched.
- 2.2 The application has been amended following Officer's concerns about the design of the proposal. The two large dormers to the front have been removed and replaced with a small dormer and rooflights. The rear dormer has been set up from the eaves line of the roof.
- 2.3 The application is accompanied by the following supporting information:

1. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
C/86/0137	Erection of single storey rear extension to existing dwelling house.	Approved subject to conditions

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/14 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>City Wide Guidance</u> Cambridge City Council (2011) - Open Space and Recreation Strategy Roof Extensions Design Guide (2003)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The applicant has provided sufficient information to demonstrate that two cars can be parked within the site following development. A new vehicular access to the public highway is proposed. If the Planning Authority is minded to grant permission to this proposal in its current form please add the requested conditions and informatives to that permission
- 6.2 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Councillor Todd-Jones has commented on the amended application, the comments can be summarised as follows:
- The proposal conflicts with Policy 3/14 of the Cambridge Local Plan (2006)
 - Front dormers do not feature in other properties in Redfern Close and therefore the proposal sets a precedent in regard to the street scene.
 - The effect of the rear dormer projecting out from the pitched roof in conjunction with the raised roof line of the property dominates and overshadows the rear and back garden of 35 Redfern Close.
 - The side extension and rear dormer directly affect the light and shadow from the south-west and west with regard to No.35.

- The addition of a pitched roof to the outbuilding contributes to further overshadowing of the western boundary of No.35 due to the increase in height.
- The proposal removes an existing garage and further information is required regarding the parking arrangements.

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

Original

- 20 Redfern Close
- 35 Redfern Close

Revised

- 3 Redfern Close
- 11 Redfern Close
- 35 Redfern Close
- 37 Redfern Close

The representations can be summarised as follows:

7.3 Original:

- The side extension and raised roof ridge will be overbearing on the side entrance to No.35
- The existing outbuilding is currently invisible from No.35 but raising the roof will make it visible and it will overshadow the garden.
- Raising the roof height will make the house much more bulky and higher than all the other houses in the vicinity.
- Concerned about the intended use – the proposals suggest it will be let as a House of Multiple Occupancy (HMO). The owner owns a house on the other side of the street that is poorly maintained. The number of HMO's in the area has a negative effect on the sense of community.
- The proposal will create additional demand on the parking in the close as there is not enough off road parking for the number of occupants.

7.4 Revised:

- The front dormer window and front rooflights would not be in keeping with the surrounding houses.
- No.35 has a window overlooking the side wall which currently receives a lot of sunlight in the afternoon. The

extension will overshadow this window and the garden/patio

- The back No.35 faces north and gets little light. This will be made worse by the rear dormer.
- The house could easily be used as a HMO and this will cause further traffic and noise issues. It will especially impact the amount of on-street parking in the area which is already an issue.
- Front dormers have been denied in the past as they do not match the existing houses, it will negatively impact the character of the area.
- The extended house would dominate and overshadow the neighbouring property.
- The front dormer should be replaced by a velux window.
- The study/workshop should be located on the other side of the garden so it overshadows their own garden rather than the neighbour.

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

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity
3. Car parking
4. Third party representations

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

8.2 The front extension, side extension and front roof dormer would be visible from Redfern Close, the other elements of the proposal would not be visible from the public realm.

8.3 The single storey front extension would project 1.5m from the front building line and would be constructed in materials to match the host dwelling. The roof ridge of the host dwelling

would be raised by 0.4m. As the building is not increasing in width this will result in a steeper pitch to the roof than the existing. This increase is considered to be minor and would not affect the character of the area as there are a range of roof styles and heights. The existing attached car port to the side of the property would be demolished and replaced with a two storey side extension. The extension would match the (increased) ridge and eaves height of the host dwelling. It would not read as a subservient addition; however there are a number of examples of similar extensions in the immediate vicinity (Nos. 19, 25, 27 and 29 Redfern Close). It is therefore considered that the proposed extension would be in keeping with the character of the area.

- 8.4 A small front dormer is proposed alongside three rooflights in the front roof slope. Although the properties are of a different architectural style, there are examples of small front roof dormers at Nos. 10, 12, and 16 Redfern Close. The dormer would sit low on the roof slope; projecting 0.9m from the front roof slope at its highest point. It is considered that the proposed dormer would be relatively unobtrusive in the roof and would not be detrimental to the character of the area. The two large box dormers in the original proposal were not considered acceptable as they would have dominated the roof slope being of a much larger scale. The rooflights fall under Part 1 Class C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and therefore do not require planning permission.
- 8.5 The cubic content of the proposed rear dormer would be approximately 35m³, the bottom edge is 0.2m from the eaves of the roof. If the roof height was not raised and the materials matched the existing roof then a similar dormer could be constructed in the original roof of the house without planning permission under Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This is a strong fall-back position that needs to be kept in mind. The design, whilst long and boxy, is considered to be acceptable for this style and age of property outside the Conservation Area.
- 8.6 There is an existing rear extension and conservatory, the conservatory is proposed to be demolished and replaced with an extension on the same footprint. A single storey extension is

proposed to join the rear of the dwellinghouse to the existing single storey outbuilding that runs along the boundary with No.35. This extension would be 2.7m in width and project 2.9m from the rear wall of the existing rear extension. The outbuilding will be converted into a study/workshop space and the existing flat roof would be replaced by a pitched roof. The eaves of the pitched roof would be 2.2m (the same as the flat roof) but the ridge would be 0.6m higher than the existing. I have no concerns with the design of these elements.

- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

35 Redfern Close

- 8.8 The side extension would be built on the boundary with No.35 and would be two storeys with a box dormer on the roof. The gap between the side wall of No.35 and the boundary is used for vehicular access to the garage to the rear. This space to the side of the property is therefore not well used and although there will be an enclosing impact as the result of this proposal it is not considered that this would have a significant detrimental impact on the amenity of the occupier of No.35. The proposed single storey rear extension connecting the dwelling to the existing outhouse would not have a harmful impact as it follows the line of the garage to the rear of No.35 along the boundary and would not be significantly taller than this.
- 8.9 The rear window of No.35 which sits closest to the boundary is situated approximately 3m from the boundary. There is a window serving the kitchen/diner in the side elevation of No.35 facing the application site. This is not the principal window serving this room, there is a larger window facing the rear garden. This neighbour is situated to the east of the application site so the rear windows and garden are north facing. The impact on the daylight received by the rear windows has been considered using the 45 degree test. The proposal fails on the vertical plane but passes on the horizontal plane which means that daylight and sunlight levels are unlikely to be adversely affected. The two storey side extension will cause an increase

in overshadowing of part of the outside space of No.35 as it narrows the gap between the properties. Most of this overshadowing would fall upon the side access and rear garage of No.35. The overshadowing impact would likely also extend over a small part of the rear garden but the orientation means that the main patio space would not be affected. The overshadowing impact is considered to be acceptable as it would not be significant and would not impact the most used section of the garden.

- 8.10 Currently the roof line of the outbuilding sits at 2.4m, around the same height as the boundary fence between the properties. The proposed changes to the roof would mean that at the boundary the height would be the same but would rise 0.6m at the ridge which is 1.4m in from the boundary. The roof would be visible from No.35 but it is of a low pitch and it is not considered that the increase in scale would have an enclosing effect on the garden space or result in any significant loss of light.
- 8.11 There would be no new windows on the elevation facing No.35 other than two roof lights in the pitched roof of the outbuilding. The dormer will introduce windows at a higher level than existing, therefore it is recognised that there will be an increase in overlooking albeit obliquely and I note the closest loft window would serve a dressing room. There is already a certain level of inter looking between properties from first floor windows and it is not considered that the introduction of these further windows would have a significant impact on the privacy of the neighbouring occupiers.

31 Redfern Close

- 8.12 No.31 is situated to the west of the application site, it has an attached garage and rear outbuilding which are situated on the boundary with No.33. There is currently a significant amount of vegetation on the boundary with this neighbour. The single storey extension closest to the boundary would sit in the footprint of the existing conservatory. As it is situated away from the boundary and is single storey it is not considered that there would be any impact as a result of this extension. The rear dormer window and raising the ridge height would add to the bulk of the dwelling at the rear but given the distance between the host dwelling and the habitable rooms of No.31 it is not

considered that there would be any significant impact on the amenity of these occupiers.

Wider impact

- 8.13 A number of representations raised concerns about the property being used as a House of Multiple Occupancy (HMO) and the parking and noise issues that would be associated with this. This application relates only to the proposed extensions to the existing dwelling not the change of use to a HMO. Therefore only the impact of the extensions can be considered when deciding this application.
- 8.14 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

Car Parking

- 8.15 Since the comments from neighbours and Cllr Todd-Jones have been received the applicant has submitted further details relating to the parking and the Highways Officer considers that the application is acceptable subject to conditions. Two off-street car parking spaces are proposed which is the maximum provision allowed under the car parking standards set out in the Cambridge Local Plan (2006) for new developments outside the Controlled Parking Zone. Although this is not a new development this demonstrates that the level of provision is in accordance with policy. The site is in a sustainable location within cycling distance of the city centre and with access to good public transport links on Arbury Road.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/10.

Third Party Representations

- 8.17 One representation suggests amendments to the design however I can only consider the application that has been proposed. Another representation states that one of the other properties in the close is owned by the same individual and is let out as a HMO which is badly maintained. However, the

ownership and maintenance of other properties is not a material planning consideration.

9.0 CONCLUSION

- 9.1 The revised proposal is acceptable as it would not have a significant adverse impact on the amenity of the neighbouring occupiers. The scale and design of the proposal is appropriate and it would not have a significant adverse impact on the character of the area.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

4. The brick and tiles used in the construction in the extension hereby permitted shall match those used in the existing building in type, colour and texture.

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

5. No 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.

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 in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

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

Reason: To ensure satisfactory access into the site and in the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

8. Prior to the commencement of first use the vehicular access hereby permitted shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and shall thereafter be maintained as such.

Reason: To prevent surface water discharging to the highway in the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

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

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

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

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

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

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