



Cambridge City Council Planning

Date: Wednesday, 29 August 2018

Time: 10.00 am

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

Contact: democratic.services@cambridge.gov.uk, tel:01223 457000

Agenda

1 Order of Agenda

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

- **Part One**
Major Planning Applications
Start time: 10am
- **Part Two**
Minor/Other Planning Applications
Start time: 12.30pm
- **Part Three**
General and Enforcement Items
Not applicable

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 - 26)
Part 1: Major Planning Applications (10am)		
5	18/0806/FUL - 291 Hills Road	(Pages 27 - 98)
6	17/1815/FUL - 143-147 Newmarket Road and 149 Newmarket Road	(Pages 99 - 152)
7	17/2163/FUL - Abbey Church, St Andrew The Less, Newmarket Road	(Pages 153 - 172)
Part 2: Minor/Other Planning Applications (12.30pm)		
8	18/0765/FUL - Garage Block, Markham Close	(Pages 173 - 204)
9	18/0758/FUL - 57 Hartington Grove	(Pages 205 - 218)
10	18/0827/FUL - 108 Grantchester Meadows	(Pages 219 - 238)

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

Alternates: Baigent, Gillespie and Holt

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

(Updated August 2018)

1.0 Central Government Advice

1.1 **National Planning Policy Framework (July 2018)** – sets out the Government’s economic, environmental and social 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

4 July 2018

12.30 - 5.15 pm

Present:

Planning Committee Members: Councillors Smart (Chair), Blencowe (Vice-Chair), Hart, Hipkin, Page-Croft, Sinnott, Thornburrow, Tunnacliffe and Holt

Councillor Hipkin left after the vote on item 18/112/PC.

Officers:

Interim Planning Delivery Manager: Eileen Paterson

Principal Planner: Nigel Blazeby

Principal Planner: Lorraine Casey

Principal Planner: Sav Patel

Senior Planner: Charlotte Burton

Senior Planning Officer: Lewis Tomlinson

Planner: Rob Brereton

Planner: Eloise Limmer

Committee Manager: Toni Birkin

FOR THE INFORMATION OF THE COUNCIL

18/107/PlanApologies

Apologies were received from Councillors McQueen and Nethsingha. Councillor Holt was present as the alternate.

18/108/PlanDeclarations of Interest

No declarations of interest were made.

18/109/PlanMinutes

The minutes of the meeting held on 6th June 2018 were approved as a correct record and signed by the Chair.

18/110/Plan17/2157/FUL - 54-58 Chesterton Road

The Committee received an application for full planning permission.

The application sought approval for 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.

The Committee noted the amendment sheet.

Nick Green (Applicant's Agent) addressed the Committee in support of the application.

Councillor Sargeant (West Chesterton Ward Councillor) addressed the Committee about the application and made the following comments:

- i. Frontage to Chesterton Road was acceptable and sympathetic to character of area.
- ii. Rear of property was problematic.
- iii. In-fill of entire plot was overdevelopment.
- iv. Densification of the area was problematic.
- v. Similar applications in the area had been rejected.
- vi. Rear access was very limited.

The Committee discussed the application and were unclear on the status of the existing basement. The access to the basement was visible on the plan but no details were included in the application.

With the Chair's permission, the applicant's agent confirmed that basement area would be divided in line with the proposed retail units. Full details were included with the application but were not included in committee report.

The Committee:

Resolved (by 7 votes to 2) 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.

18/111/Plan18/0164/FUL - Land to the North of Cherry Hinton Caravan and Motorhome Club

The Committee received an application for full planning permission.

The application sought approval for relocation of agricultural access onto Limekiln Road.

The Committee noted the amendment sheet.

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

The representation covered the following issues:

- i. Site on edge of the city and part of green boundary.
- ii. Questioned the agricultural use of the land.
- iii. Land was not used and had been the subject of a previous planning application.
- iv. As planned usage was unknown it was not possible to assess vehicle numbers using the new gates.
- v. Applications lacked detail.
- vi. Conditions were unenforceable.

Councillor Ashton (Cherry Hinton Ward Councillor) addressed the Committee about the application and made the following comments:

- i. Applicant had previously applied to build on the site.
- ii. Applicant had access point that was never used.
- iii. Over year site had been used for various agricultural uses.
- iv. Site forms a safeguard to the city boundary.
- v. Application was the first step towards a housing application.
- vi. Council was ignoring the Landscape Officer's advice.
- vii. This small green area needed to be protected.

The Committee suggested that a stronger condition was needed regarding lighting to the site. This was agreed *nem con*.

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, subject to the conditions recommended by the officers and subject to amended wording to condition 11 as below:

11. Prior to the installation of any external lighting, a detailed scheme for low level lighting to the access only shall be submitted to and approved in

writing by the Local Planning Authority. The external lighting shall be completed in accordance with the approved details.

Reason: To prevent detriment to foraging bats (Cambridge Local Plan 2006 policy 4/15). To protect the character of the area and residential amenity (Cambridge Local Plan 2006 policy 3/4, 3/7, 4/13 and 4/15).

18/112/Plan18/0597/FUL - 107 Argyle Road

The Committee received an application for full planning permission.

The application sought approval for retrospective planning permission for raised ground levels in rear garden and rear boundary fence in excess of permitted development parameters.

The Committee noted the amendment sheet.

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

The representation covered the following issues:

- i. Owner of 107 had misled the planning committee.
- ii. Local resident had objections.
- iii. High fencing to a narrow passageway was overbearing.
- iv. Unfinished look was unsightly.
- v. Elderly, less mobile neighbours were presented with an ugly fence outside their windows.
- vi. Raised level of the internal garden had forced the fence to be raised for privacy.

Officers clarified the status of the garden canopy. This would be dealt with by a separate retrospective application.

The Committee discussed the application and stated that the fence was overbearing, of poor design and caused harm to the amenity of neighbours.

The Committee:

Resolved (Unanimously) to reject the officer recommendation to approve the application.

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

The fence, by virtue of its height and design would appear incongruous in the street scene and result in harm to the character and appearance of the area. As such the proposal is contrary to Cambridge Local Plan 2006 policy 3/7.

The fence by virtue of its height and design will result in an unacceptable degree of enclosure on and overbearing impact to neighbouring residents. The fence is necessary to prevent overlooking of neighbouring properties due to the raising of the ground level within the site and this aspect of the development is therefore also unacceptable. As such the proposal is contrary to Cambridge Local Plan policy 3/7.

18/113/Plan18/0169/S73 - Westcott House

The Committee received an S73 application to vary conditions as below.

The application sought S73 approval 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.

The Committee noted the amendment sheet.

Peter Howard-Jones (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

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

18/114/Plan17/2183/FUL - Land Rear Of Queens Meadow

The Committee received an application for full planning permission.

The application sought approval for the erection of 2 No affordable dwellings.

The Committee noted the Amendment Sheet and the following correction to the text of recommendation 18. Additional word in bold and underlined.

The window on the south-east **side** 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.

Councillor Thornburrow requested additional conditions to protect the health of trees in a neighbouring property. This was agreed *nem con.* with the wording delegated to officers.

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, subject to the conditions recommended by the officers and subject to the additional condition:

Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for plant and personnel,
- ii) the location of contractors site storage area/compound and material storage,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

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

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

18/115/Plan18/0454/FUL - 53 Kings Hedges Road

The Committee received an application for full planning permission.

The application sought approval for 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.

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

The representation covered the following issues:

- i. HMO would be out of keeping with the area.
- ii. Kings Hedges Road was an interesting road with sections of family accommodation and sections of non-residential.
- iii. Nine units in one property would be problematic.
- iv. Insufficient parking in the area.
- v. Property lacked communal areas.

Don Proctor (Applicant's Agent) addressed the Committee in support of the application.

Councillor Gawthroe (King's Hedges Ward Councillor) addressed the Committee about the application and made the following comments.

- i. There were no other HMO's in the area.
- ii. Size of proposed extension was out of keeping with the area.
- iii. Neighbouring properties would be overshadowed.
- iv. Area was currently predominantly family housing.
- v. Proposal was overdevelopment.
- vi. Parking in the area was already problematic.

Councillors discussed the proposal and had the following concerns:

- i. Inadequate internal living space.
- ii. Out of keeping with the area.
- iii. Concerns regarding fire safety.
- iv. Impact on amenity of neighbouring properties.
- v. Overdevelopment.
- vi. Insufficient cycle parking.
- vii. Scale of the extension.
- viii. Poor quality design.

The Committee:

Resolved (by 4 votes to 3 and 1 abstention) to reject the officer recommendation to approve the application.

Resolved (by 4 votes to 3 and 1 abstention) to refuse the application contrary to the officer recommendation for the following reasons:

1. By virtue of the scale of the development and the proposed number of occupiers, together with the poor quality of the internal communal space, the proposal would result in an increased reliance on the rear garden area and level of activity that would harm the amenities of occupiers of adjoining residential properties. The proposal would therefore be contrary to Policies 4/13 and 5/7 of the Cambridge Local Plan (2006).
2. Due to the scale and design of the proposed side and rear extensions, the development would unbalance the row of properties and appear dominant and incongruous in the streetscene, particularly when viewed in the context of the adjacent row of bungalows on Campkin Road. The development would therefore be contrary to Policies 3/4, 3/7 and 3/14 of the Cambridge Local Plan (2006).

18/116/Plan18/0446/FUL - 33 Redfern Close

The Committee received an application for full planning permission.

The application sought approval for a 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.

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

The representation covered the following issues:

- i. Moved to the neighbouring property one year ago.
- ii. This was an attractive area to retire to.
- iii. Accepts that the property next door needed updating.
- iv. Scale of proposal contravenes emerging local plan.
- v. Would result in overlooking and shadowing.
- vi. Would present a long blank wall to neighbours.
- vii. Featureless and overbearing aspect.

- viii. Large dormer would overlook neighbours.
- ix. Sunlight would be lost in the kitchen and garden of her house.
- x. Has concerns about the possible future use of the outbuilding.

Jacqueline Jiang-Haines (Applicant's Agent) addressed the Committee in support of the application.

Councillor Mike Todd-Jones (Arbury Ward Councillor) addressed the Committee about the application and made the following comments:

- i. Appreciates that the applicant had listen and amended plans.
- ii. There were no other dormers in the area.
- iii. Increased ridge height would be problematic.
- iv. Size of planned property would be overdevelopment.
- v. Shadowing of neighbours would be significant and unneighbourly.

The Committee:

Resolved (by 7 votes to 0 and 1 abstention) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

The meeting ended at 5.15 pm

CHAIR

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PLANNING COMMITTEE

29th August 2019

Application Number	18/0806/FUL	Agenda Item	
Date Received	18th May 2018	Officer	Charlotte Burton
Target Date	17th August 2018		
Ward	Queen Ediths		
Site	291 Hills Road Cambridge CB2 8RP		
Proposal	Residential development containing 14 flats comprising 8 x 2-bed units and 6 x 1-bed units, along with access, car parking and associated landscaping following demolition of the existing buildings.		
Applicant	N/A C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The current proposal has responded to the reasons for refusal on the previous scheme (17/1372/FUL) which is a material consideration;</p> <p style="padding-left: 40px;">The proposal raises no new material issues in terms of the impact on residential amenity, response to context, transport or other matters.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

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

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

2.0 THE PROPOSAL

2.1 The proposal is for residential development containing 14 flats comprising 8 x 2-bed units and 6 x 1-bed units, along with access, car parking and associated landscaping following demolition of the existing buildings. Flat 1 would be an accessible unit.

2.2 The proposed building would take the form of two 'villas' with a glazed link. The main entrance to the units would be within the glazed link fronting Queen Edith's Way, with a secondary entrance on the Hills Road frontage. Externally, the scheme would substantially have the same appearance as the previously refused scheme 17/1372/FUL (see planning history below). I have outlined the differences below.

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

2.4 Vehicular access would be via Queen Edith's Way and a pedestrian/cycle access taken from the existing access off Hills Road. A covered ramp would provide access into the basement which provides 14 residents' car parking spaces (including one disabled space for Flat 1) and two visitor spaces, (including one disabled space). One accessible visitor car parking space would be provided at the surface level close to the main entrance.

2.5 A cycle store would be integrated into the ground floor close to the main entrance to the building. It would provide space for 26 cycles on Sheffield hoops. 8 visitor cycle parking spaces would be provided with four spaces provided on Sheffield hoops close to the main entrance and four spaces provided near to the secondary

entrance. A timber bin store would be provided close to Queen Edith's Way with capacity for 6 x 1100 litre bins.

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

2.7 The main differences between the current proposal and the previous application (17/1372/FUL) are listed below and covered in more detail in the assessment section of this report:

- Reduction in the number of units from 15 to 14 dwellings.
- Rearrangement of the residents' cycle parking from the basement to ground level. Associated alterations to the external elevations to include obscure glazing on ground floor elevation.
- Increase in the floor space of small units.
- Visitor car parking space at surface level.

3.0 SITE HISTORY

3.1 The planning history comprises:

Reference	Description	Outcome
18/0715/DEMDDET	Prior notification of the demolition of a two storey detached dwelling.	Prior approval required as to the method of demolition and site restoration
17/1372/FUL	Residential development containing 15 flats comprising 8 x 2-bed units and 7 x 1-bed units, along with access, car parking and associated landscaping following demolition of the existing buildings	Refused
C/90/0371	CHANGE OF USE (FROM RESIDENTIAL DWELLING HOUSE (C3) TO GUEST	Withdrawn

	HOUSE (C1)).	
C/65/0515	Erection of detached house or bungalow with garage	Permitted

3.2 The recent application 17/1372/FUL was refused by committee on the following grounds:

1. The proposal fails to provide affordable housing to meet housing needs in accordance with the requirements of policy 5/5 of the Cambridge Local Plan (2006) and Paragraph 30 of the Affordable Housing Supplementary Planning Document (2008) which requires the threshold for providing affordable housing (as set out in policy 5/5) to be considered as the gross number of dwellings proposed where the site consists of the site of a single dwelling.
2. The proposal would provide inconvenient and poorly accessible residents' cycle parking which fails to comply with the Cycle Parking Guide for New Residential Developments (2010) and Cambridge Local Plan (2006) policies 8/6, 3/7 and 3/12.
3. The proposal would provide cramped accommodation which fails to provide a high quality living environment for the future occupants contrary to Cambridge Local Plan (2006) policy 3/7 and paragraph 56 of the National Planning Policy Framework (2012).
4. The proposed site layout design fails to provide arrangements for visitor car parking contrary to Cambridge Local Plan (2006) policy 8/10, which would create an inconvenient and poorly accessible situation for visitors contrary to Cambridge Local Plan (2006) policies 3/7, 3/11 and 3/12.

3.3 The refused application is a material consideration that is relevant in the assessment of the current application. I have referred to the refused application in the assessment section of my report below.

4.0 **PUBLICITY**

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework July 2018 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Affordable Housing (January 2008) Planning Obligation Strategy (March 2010)

Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
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5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection. The proposal should have no significant impact on the public highway. Recommend conditions for unbound material, removal of permitted development rights for gates, construction specification, access drainage, visibility splays, access and manoeuvring areas, removal of redundant vehicle crossover, and construction traffic management plan; and accompanying informatives.

Environmental Health

- 6.2 No objection subject to conditions on construction hours, collection during construction, piling, dust and noise insulation. Adequate ventilation can be provided by use of whole house mechanical ventilation. This will allow the future occupiers to be able to control internal thermal comfort and cooling without compromising acceptable internal noise levels. Noise mitigation is required for the proposed balconies, which should be secured through the noise insulation condition. The proposed hammer driven / impact piling is not recommended in residential locations and alternative methods should be sought through the piling condition.

Refuse and Recycling

- 6.3 No objection.

Urban Design and Conservation Team

- 6.4 No objection to minor changes compared to the previous scheme which are considered to be acceptable in urban design terms.

Senior Sustainability Officer (Design and Construction)

- 6.5 No objection. Recommend conditions for renewable energy implementation and water efficiency.

Access Officer

- 6.6 No further comments to the Disability Panel's response.

Head of Streets and Open Spaces (Tree Team)

- 6.7 No comments received on the current application.

Head of Streets and Open Spaces (Landscape Team)

- 6.8 No objection. The outline landscape treatments are generally acceptable. Recommend a condition for hard and soft landscaping details, boundary details and a landscape management and maintenance plan. It is unclear how the hedge treatment around the periphery of the site is to be completed and/or installed. Detailed information regarding planting methodology and how the existing vegetation is to be either integrated or replaced needs to be provided within any condition submission information. Highly invasive methods such as trench planting will be unlikely to be supportable in respect of protecting retained trees and/or vegetation.

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

- 6.9 No comments received.

Cambridgeshire County Council (Flood and Water Management)

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

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.11 No objection subject to condition for surface water drainage scheme. All new or altered external surfaces within the site boundary should be of permeable construction. The geocellular storage may need to be moved further north to ensure a gravity outfall can be achieved.

Head of Streets and Open Spaces (Public Art Officer)

6.12 The development should require a public art proposal.

Environment Agency

6.13 No objection. Refer to Flood Risk Standing Advice.

Anglian Water

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

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.15 No objection. There has been some consideration to crime prevention. Concerns regarding visitor cycle storage which appears to be away from the main part of the development and should be moved closer to the visitor car parking. Recommend a condition for external lighting.

Developer Contributions Monitoring Unit

6.16 See section below headed Planning Obligations (s106 Agreement).

Disability Panel meeting on 31 July

6.17 The scheme is described as 'compliant with current Approved Document Part M of the Building Regulations. External surfaces will be paved in a smooth hard material suitable for use by wheelchairs. All doors are to have level thresholds which will be of a sufficient width to facilitate wheelchair access. An internal lift is to be provided of sufficient size (internal car size 1800x1800mm) for use by a wheelchair user and attendant. Control buttons are to be at a height suitable for wheelchair users and will include tactile indications. The lift will also incorporate a visual and audible indication of the floor reached. One unit, provided at ground floor level, is to be fully accessible and WC accommodation in all flats has been designed for use by the visiting disabled. Light switches,

electrical socket outlets and intercom door entry systems are to be located at a height suitable for disabled use.’ This is encouraging for a scheme of this scale, as larger developments often fail to meet appropriate standards. Further consideration could nevertheless be given to the design of the accessible unit, such as quality of the bathroom space, the style of door used (the Panel would recommend a sliding door) and the relationship between the bedroom and bathroom which ideally should be an ensuite for maximum convenience. Look to Lifetime Homes compliance for flexibility and adaptability.

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

7.0 REPRESENTATIONS

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

- 15 Almoners Avenue
- 11 Alwyne Road
- 2 Babraham Road
- 24 Baldock Way
- 21 Bowers Croft
- 2B Cavendish Avenue
- 4 Chalk Grove
- 3 Corfe Close
- 42 Devonshire Road
- 6 Golding Road
- 16 Grantchester Road
- 24 Green Street
- 14 Hartington Grove
- 77 Hartington Grove
- 10 Hills Avenue
- 209 Hills Road
- 224 Hills Road
- 248 Hills Road
- 250 Hills Road
- 251 Hills Road
- 267 Hills Road
- 269 Hills Road
- 271 Hills Road
- 272 Hills Road
- 276 Hills Road
- 277 Hills Road
- 278 Hills Road
- 282 Hills Road
- 284 Hills Road
- 289 Hills Road
- Dwelling to rear of 289 Hills Road
- 292A Hills Road
- 295 Hills Road
- 296 Hills Road
- 301 Hills Road
- 25 Holbrook Road
- 83 Holbrook Road
- 5 Knightly Avenue
- 8 Queen Edith’s Way
- 1a Queen Edith’s Way
- 12 Queen Edith’s Way
- 23 Queen Edith’s Way
- 67 Queen Edith’s Way

- 222 Queen Edith's Way
- 234 Queen Edith's Way
- 67 Rock Road
- 35 Selwyn Gardens
- 1 Stansgate Avenue
- 29 Urwin Gardens
- 1 Pearson Court, Milton

7.2 The representations can be summarised as follows:

Principle

- No justification for demolition. The building appears to be in good condition. The developer has not explored any options to retain, convert and/or extend the building.
- Loss of family housing. Proposed flats would not meet housing demand.
- The proposal avoids affordable housing contributions by reducing the number of units.
- Concerns about use as house in multiple occupation.

Character

- The existing dwelling has architectural, historical and social importance as well as group value.
- The proposal would be out of character with the area, in terms of scale and massing, architectural style and materials, and would be a characterless and bland proposal that would not have a positive impact on such a prominent location on major route into the city.

Transport impact

- Impact on highway safety and congestion, pollution and accidents.
- Impact of demand for parking on roads, cycle lane and pavement.
- Traffic at the junction needs modelling.
- Impact of construction traffic on highway safety and contractors parking on verge
- The site is in an unsustainable location.
- Plans do not show the entrance to the Devonshire House Dental Practice opposite the proposed entrance.

Environment

- Loss of trees and greenery on the character of the area and amenity value.
- Impact on the long term health and future of the trees retained or planted.
- Damage to trees during construction, in particular excavation of the basement.
- Impact on biodiversity.
- Impact on climate change resilience.
- The proposal includes few sustainable features to reduce carbon emissions and save water.
- Demolition of existing dwelling is unsustainable.

Impact on neighbours

- Adverse impact on the amenity of the immediate neighbours through loss of privacy, perception of overlooking, overbearing sense of enclosure, light pollution from the atrium, in particular No. 289 and the dwelling to the rear of No. 289
- Deciduous trees offer only partial screening and do not extend along the entire boundary with the neighbouring properties.
- Even narrow windows would result in loss of privacy to neighbouring properties.
- The dwelling to the rear of No. 289 is a separate dwelling and pays Council Tax as such.

Amenity of future occupiers

- Inadequate noise assessment.
- Inaccessible cycle parking. No provision for non-standard bicycles, such as cargo cycles.

Other

- Concerns about pre-determined outcomes and transparency.
- Developer profit. No benefits to the local community.

7.3 The Hills Road Area Residents Association and Queen Edith's Way Residents Association have submitted detailed representations objecting to the proposal on the following grounds: no justification for demolition, out of character with the area, impact

on the amenities of neighbouring properties, concerns about trees, impact on traffic congestion, accidents, noise and air pollution, and meeting housing needs.

7.4 The application has been called-in to the planning committee by Councillors McGerty (Ward Councillor) on the grounds of the impact on the safety and congestion of the highway. Cllrs McGerty and Pippas (Ward Councillor) have submitted a joint representation objecting on the same grounds as raised by the residents' associations.

7.5 A petition for a Development Control Forum (DCF) was received. The lead petitioner was 248 Hills Road and the petition was supported by 27 signatories objecting to the proposal. The petitioners' grounds for requesting the DCF can be summarised as:

- There is no case for demolishing "Raylands" (policy 5/4 of CLP 2006).
- The plans do not safeguard environmental character (policy 3/3 of CLP 2006).
- The application does not respond to the local context (policy 3/4 of CLP 2006).
- Cramped living accommodation (policy 3/7 of CLP 2006).
- The development would have a significant adverse impact on the amenities of neighbouring properties, provide inadequate amenity space, detract from the prevailing character and appearance of the area, and adversely affect trees (policy 3/10 of CLP 2006).
- A negative impact on the local setting (policy 3/12 of CLP 2006).
- Damage to trees (policy 4/4 of CLP 2006).
- Adverse effects on health and the environment (policy 4/13 of CLP 2006).
- No provision for affordable housing (policy 5/5 of CLP 2006).
- Unacceptable transport impact (policy 8/2 of CLP 2006).

7.6 The DCF was held on 8 August. A copy of minutes is attached as an **appendix** to this report. I have responded to the petitioners grounds above in the 'Third Party' section of my assessment below. During the DCF, the following queries were also raised by

Cllr McGerty (Ward Councillor), which I have also responded to in my assessment.

- Is the applicant able to provide a Tree Protection Method statement as part of the planning application?
- Is the applicant able to provide a detailed plan of new planting and make this a firm undertaking during the planning process?
- Could the grass verges on Queen Edith's Way be protected with Heras fences during construction?

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

8.0 ASSESSMENT

8.1 Due to the substantial similarities between the current scheme and the previous scheme (17/1372/FUL), the previous decision is a material consideration that I must give significant weight to. As such, I must concentrate my assessment on the changes that the applicant has made to overcome the previous reasons for refusal. These are in summary affordable housing provision, cramped living accommodation, inadequate residents' cycle parking, and inadequate visitor car parking. I have assessed these first below.

8.2 Other matters such as the impact on the character of the area and the impact on residential amenity – which were previously considered to be acceptable and not reasons for refusal - I must consider in terms of the changes that are proposed under the current application and whether these have an unacceptable impact compared to the previous scheme. For completeness, I have provided a full assessment of the material considerations in the second section below.

Assessment against reasons for refusal 17/1372/FUL

Affordable housing

8.3 The reason for refusal on the previous application stated:

The proposal fails to provide affordable housing to meet housing needs in accordance with the requirements of policy 5/5 of the Cambridge Local Plan (2006) and Paragraph 30 of

the Affordable Housing Supplementary Planning Document (2008) which requires the threshold for providing affordable housing (as set out in policy 5/5) to be considered as the gross number of dwellings proposed where the site consists of the site of a single dwelling.

- 8.4 The refused scheme proposed 15 units following the loss of a single dwelling on the site, resulting in a net gain of 14 units. Policy 5/5 of the Cambridge Local Plan (2006) states that developments on sites of 0.5 hectares or more and all developments including an element of housing which have 15 or more dwellings will only be permitted if they provide an agreed mix of affordable housing types to meet housing needs. The Council will seek as affordable housing 40% or more of the dwellings or an equivalent site area.
- 8.5 The Affordable Housing Supplementary Planning Document (2008) provides further guidance on the interpretation of policy 5/5. Paragraph 30 of the SPD states:

In considering whether a development meets the threshold for providing affordable housing, it is the net increase in the number of dwellings on a site that will be considered, except where the site consists of the site of a single dwelling (discounting any subsidiary dwellings such as those for a dependent relation or domestic assistant), when the gross number of new dwellings will be considered. The intention is to lessen the financial penalty involved in the redevelopment of existing housing areas and buildings, which are often built to low sustainability standards and which often use land inefficiently, but not to incentivise the loss of large single-family dwelling houses which are limited in numbers within the City.

- 8.6 The Committee gave weight to paragraph 30 of the SPD when applying policy 5/5 on the previous application and as the previous scheme provided a gross number of 15 new dwellings, was refused on the basis that it failed to provide affordable housing to meet housing needs.
- 8.7 The current proposal would provide 14 units following the demolition of the existing dwelling. Thus the gross number of new dwellings would be 14 (rather than 15). In accordance with

paragraph 30 of the SPD, this would not trigger the requirement for affordable housing contributions under policy 5/5.

8.8 Paragraph 31 of the SPD goes on to say:

New housing developments should make efficient use of land. Where developments use land inefficiently to avoid having to provide any affordable housing, planning permission is likely to be refused. Regard will be had to the density recently achieved in comparable development elsewhere in Cambridge and to the 30 dwellings per hectare (dph) net national indicative minimum in making this assessment.

8.9 In my opinion, the current proposal does not represent an inefficient use of land. The revised scheme has responded to the concerns raised in the other reasons for refusal by using more ground floor space for cycle parking and increasing the size of the units. The proposal has retained the same building envelope as the previous scheme, so the need to respond to these other issues has reduced the number of units. The site area is 0.2ha and the proposal would have a density of 70 dph, not taking into account the constraints of the site in terms of maintaining the mature trees and character of the site which reduce the developable area.

8.10 For these reasons, in my opinion the current proposal is compliant with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).

Cramped living accommodation

8.11 The reason for refusal on the previous application stated:

The proposal would provide cramped accommodation which fails to provide a high quality living environment for the future occupants contrary to Cambridge Local Plan (2006) policy 3/7 and paragraph 56 of the National Planning Policy Framework (2012).

8.12 The Council has no adopted space standards, however the national Technical Housing Standards (2015) (THS) are a material consideration and provide guidance on acceptable living accommodation and residential amenity for the future occupants.

8.13 For reference, I have provided the floor spaces from the previous scheme which were considered by the Committee to be unacceptable below:

Unit	Beds	Floor space (sqm)	THS (sqm)	Difference (sqm)
Flat 1	1-bed (2 persons)	44	50	-4
Flat 2	1-bed (2 persons)	45	50	-5
Flat 3	2-bed (3 persons)	64	61	+3
Flat 4	1-bed (2 persons)	54	50	+4
Flat 5	2-bed (3 persons)	60	61	-1
Flat 6	2-bed (3 persons)	71	61	+10
Flat 7	2-bed (3 persons)	58	61	-3
Flat 8	1-bed (2 persons)	45	50	-5
Flat 9	2-bed (3 persons)	64	61	+3
Flat 10	1-bed (2 persons)	58	50	+8
Flat 11	2-bed (3 persons)	59	61	-2
Flat 12	1-bed (2 persons)	56	50	+4
Flat 13	2-bed (3 persons)	79	61	+18
Flat 14	2-bed (3 persons)	75	61	+14
Flat 15	1-bed (2 persons)	62	50	+12

8.14 I have provided the floor spaces for the current proposal below, including the external amenity spaces. The floor spaces meet the THS or are within 1 sqm. In my opinion, the floor space would provide a good level of residential amenity, particularly combined with the external amenity space for each unit and the quality of the internal spaces in terms of light and outlook.

Unit	Beds	Floor space (sqm) internal + external	THS (sqm)	Difference (sqm)
Flat 1	1-bed (2 persons)	53 + 7	50	+3
Flat 2	2-bed (3 persons)	60 + 4	61	-1
Flat 3	1-bed (2 persons)	60 + 4	50	+10
Flat 4	2-bed (3 persons)	60 + 4	61	-1
Flat 5	2-bed (3 persons)	72 + 4	61	+11
Flat 6	2-bed (3 persons)	61 + 7	61	0
Flat 7	1-bed (2 persons)	50 + 4	50	0
Flat 8	2-bed (3 persons)	61 + 4	61	0
Flat 9	1-bed (2 persons)	60 + 4	50	+10
Flat 10	2-bed (3 persons)	60 + 4	61	-1
Flat 11	1-bed (2 persons)	60 + 4	50	+10
Flat 12	2-bed (3 persons)	79 + 28	61	+18
Flat 13	2-bed (3 persons)	75 + 4	61	+14
Flat 14	1-bed (2 persons)	65 + 4	61	+4

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

Inadequate residents' cycle parking

8.16 The previous scheme had residents' cycle parking within the basement car park. This was refused on the following grounds:

The proposal would provide inconvenient and poorly accessible residents' cycle parking which fails to comply with the Cycle Parking Guide for New Residential Developments (2010) and Cambridge Local Plan (2006) policies 8/6, 3/7 and 3/12.

8.17 The current proposal has relocated the residents' cycle parking to a store on the ground floor. The store includes space for 26 cycles, which exceeds the Council's adopted cycle parking standards by two spaces. The dimensions of the store and the spacing of the stands meets the Council's Cycle Parking Guide for New Residential Developments (2010). A 1.2m wide door would provide access to the store from the front elevation near to the main entrance. This would be a convenient location and I am satisfied the store would provide a useable facility. In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Inadequate visitor car parking

8.18 The final reason for refusal of the previous scheme was as follows:

The proposed site layout design fails to provide arrangements for visitor car parking contrary to Cambridge Local Plan (2006) policy 8/10, which would create an inconvenient and poorly accessible situation for visitors contrary to Cambridge Local Plan (2006) policies 3/7, 3/11 and 3/12.

8.19 The current proposal includes a visitor car parking space on the surface level close to the main entrance, as well as two additional visitor spaces within the basement car park. The surface space would be accessible for disabled visitors, and a further disabled space would be provided for the accessible unit (Flat 1) and one of the two visitor spaces within the basement would also be

accessible. In my opinion, the surface level visitor space would provide a convenient arrangement for drop-offs and deliveries. The basement spaces could be used for planned visitors. The proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Summary

8.20 For these reasons, in my opinion the current proposal has overcome the reasons for refusal on the previous application.

Other material considerations

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

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

Principle of development

8.22 The principle of development was not a reason for refusal of the previous scheme. The existing property is not a Listed Building and is not within a conservation area. The demolition of the existing building would be permitted development under Class B, Part 11, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), subject to prior approval from the local planning authority as to the method of demolition and any proposed restoration of the site.

Thus, the principle of demolition cannot be resisted and therefore is acceptable in principle.

8.23 Policy 5/1 of the Cambridge Local Plan (2006) supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. The site is already in residential use and is situated within an established residential area. I have assessed the compatibility of the proposal with adjoining uses in terms of the impact on neighbouring properties and the wider area in the relevant section of my assessment below. In summary, I find this to be acceptable and therefore the principle of development is compliant with policy 5/1.

8.24 Third parties have referred to policy 3/10 of the Cambridge Local Plan (2006) which relates to the sub-division of existing plots and to developments within the curtilage of existing properties. While the site is currently a single dwelling and the proposal would create multiple-dwellings, I do not consider that this policy strictly applies to the proposal, as the existing dwelling would not be retained alongside the proposed development. Nonetheless, the aims of policy 3/10 in terms of protecting the amenities of neighbouring properties, providing acceptable amenity for the future occupants, the impact on the character of the area, and impact on trees and wildlife have been fully assessed in my report below in relation to other policies within the development plan, and I find these to be acceptable.

Affordable housing / Housing mix

8.25 I have addressed the affordable housing in relation to the previous reason for refusal in my assessment above, and I consider this to be acceptable.

8.26 Third parties have objected to the proposed flats rather than family housing on the grounds that it does not meet local housing demand and that there is evidence of over-provision of flats within the area with several recent flatted developments standing empty. Cambridge Local Plan (2006) policy 5/10 requires housing development on sites of 0.5ha or more, or capable of accommodating 15 or more dwellings to provide a mix of dwelling sizes, measured in the number of bedrooms. As the current proposal is for 14 units and the site area is 0.2ha, this policy does not apply.

8.27 Nonetheless, the supporting text to policy 5/10 explains that the purpose is to create mixed and inclusive communities offering a choice of housing and lifestyle. In my opinion, the proposed mix of 1 and 2-bed flats would be suitable for a range of occupiers, including individuals, couples, small families or small house-shares. The surrounding area is characterised by detached family houses. In my opinion, the proposal would complement rather than contrast with the existing housing stock to achieve a mix of dwelling types within the area. In my opinion, the diversification of the housing types from predominantly detached houses to include smaller properties would enhance the community rather than detract from the area, in accordance with the aims of policy 5/10.

Context of site, design and external spaces

8.28 The external appearance of the proposal remains substantially the same as the previous scheme, and the impact of the proposal on the character of the area was not a reason for refusal. The main changes are the obscure glazing of windows on the south (Queen Edith's Way) elevation for the bike store and changes to the landscaping scheme to provide space for surface level visitor car parking. I do not consider these to have a material impact on the appearance of the site compared to the previous scheme, and therefore the scheme provides an acceptable response to the local context for the reasons given below, and is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 in this respect.

- Response to context

8.29 The site occupies a prominent position on the busy Hills Road junction, which is a main route into the city. The site has frontages onto Hills Road and Queen Edith's Way which are both predominantly residential, albeit the latter has a more suburban character. Hills Road is the subject of the 'Cambridge Suburbs and Approaches: Hills Road' (March 2012) study which provides an overview of the character of the area. However this document has no statutory status and should only be used as a starting point for a wider assessment of the character of the area, which also takes account of recent developments on both Hills Road and Queen Edith's Way.

- 8.30 The site currently has a verdant character dominated by mature trees and planting along the frontages and within the site. The existing dwelling is largely screened from view, as are the neighbouring properties along this side of Hills Road. The site is overgrown, however the existing vegetation contributes to the 'bosky' character of this part of Hills Road, and is important for setting the character of the road as it moves northwards into the city. However, the Suburbs and Approaches study highlights the recent development of three dwellings on the opposite side of the junction which are more visible behind boundary planting and more prominent in views from the junction.
- 8.31 The existing dwelling – known as 'Raylands' – is a redbrick detached Edwardian villa which is characteristic of this part of Hills Road. To the north of the junction, the character of Hills Road is set by large detached or semi-detached villas dating from the early decades of the 20th century. Building styles and materials vary considerably although render and brown/red brick with a tiled roof is perhaps the most common combination, but used in a variety of architectural approaches from more historical styles to Arts and Crafts. However, there has been some later infilling or redevelopment, notably on the northeast side – which are interspersed between the villas.
- 8.32 Queen Edith's Way is characterised by detached properties usually dating from later than the villas on Hills Road. There is arguably less consistency in design than on Hills Road and, again, there are examples of infill development. There are examples of higher density flatted developments - Dean Court and Wessex Court – as well as Editha House. Contemporary designs have been supported within the immediate vicinity including 6 no. dwellings at Nos. 3-5 Queen Edith's Way (16/2135/FUL) which was approved in June 2017.
- 8.33 While I accept that the existing building is characteristic of this part of Hills Road and that there is local support for retaining the building, for the reasons I have given, the demolition of 'Raylands' cannot be resisted in planning terms. I have assessed the proposed replacement building in terms of how the layout, scale and massing, design and materials, and landscaping provide an appropriate response to the surrounding context.

- Layout

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

- Scale and massing

8.35 The 'villas' would be separated by 4.7m with the linking element recessed between 5.1-6.2m from the front elevation. The use of glazing on the front elevation of the link with a void behind would ensure this element is visually light weight. The 'villas' themselves would have slightly longer frontages than the neighbouring traditional properties, however they would be further broken down with projecting elements and the pitched roof forms. Overall, this approach successfully breaks down the scale and massing of the building into separate elements that respond to the pattern of villas along this part of Hills Road and Queen Edith's Way. The building steps down to one-and-a-half storeys on the eastern side which forms a transition to the bungalow at No.1a Queen Edith's Way. I consider the scale and massing to be appropriate.

- Design and materials

8.36 The 'linked villas' design has taken cues from the character of the traditional villas and reinterpreted this in a contemporary design. Influences have been taken from the surrounding area, in particular, the pitched roof forms, the chimney stacks and the corner bay balcony feature. The use of red/brown brick would be similar to those approved at Nos.3-5 Queen Edith's Way, while the use of hung tiles on the roof scape would be a contemporary use of a traditional material that is prevalent along Hills Road. The balcony balustrades would be metal. I have recommended a condition for materials samples to be submitted for approval.

- Landscaping

8.37 The proposal retains significant tree planting along the frontages, which maintains the verdant character of the site and the junction, and partially screens the proposed building. I am satisfied that the important trees of highest amenity value can be retained for the reasons set out in the section below. The site is currently overgrown and in my opinion, a well-maintained landscaping scheme would enhance the appearance of the site. The Landscape Architect supports the indicative landscaping scheme and details could be secured through the recommended conditions.

- Movement and Access

8.38 The site would have accesses from both Hills Road and Queen Edith's Way, which link to the main entrances to the units on both frontages. The bin store would be located close to the main entrances and in a convenient location near to the public highway for collection. Cycle parking would be provided within the ground floor with convenient access. The vehicular access to the basement parking would be 5m wide and pedestrian access would be via the staircore, which would be convenient and safe.

Disabled access

8.39 The proposal includes a lift within the central atrium which provides access to all units. Flat 1 on the ground floor is identified as 'accessible'. A disabled resident car parking space is provided within the basement, and a further disabled visitor space is provided within the basement and another on the surface level near to the main entrance. The comments from the Disability Panel relate to internal matters that should be addressed by the applicant through building control. The proposal provides good accessibility for disabled users in my opinion, and is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 in this respect.

Residential Amenity

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

considered the impact on the wider area. The impact on residential amenity was not a reason for refusal on the previous scheme and I have highlighted in my assessment where the current proposal has the same impact on neighbouring properties as the previous proposal, and where there are differences I have taken these into account.

- *No. 289 Hills Road*

8.41 This is a substantial detached property set within a large plot, which is currently used as a single dwellinghouse. There are windows on the side elevation facing towards the application site and the property has a private garden to the rear including a conservatory attached to the rear elevation. I have received objections from the owner/occupiers and I visited this property during the previous application.

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

8.43 The western 'villa' would introduce built form directly to the south of No. 289 where there is currently open space at the front of the existing dwelling. The side elevation of No. 289 is between 4-8m from the boundary. The proposed three storey 'villa' would be between 9-10m from the boundary, so the separation distance between the buildings would be 13-18m. There are substantial deciduous trees planted along the boundary within the application site, which would be retained to provide partial screening. I am satisfied that these trees - combined with the separation distance - would soften the visual impact of the building so that it would not have a significant overbearing impact on No.289. The side elevation and the ridge height would be of domestic proportions,

so in my opinion the relationship would be similar to between other villas along Hills Road, including between Nos.287 and 289 which has a smaller gap between the properties (between approximately 6.6-9.5m). This would be the same as the previous application.

- 8.44 In terms of overlooking, the side elevation of No. 289 includes windows that serve habitable rooms and would be sensitive to overlooking. There would be three first floor unobscured windows on the northern side elevation of the western 'villa' serving the main living space and bedroom of Flat 8. These windows would be between 13-18m away from the windows on the side elevation of No.289 and views would be partially screened by the mature trees to be retained on the site. While I appreciate that these trees are deciduous, they are mature with a relatively dense canopy and are protected under the TPO. The proposed windows would be relatively narrow which would reduce the scope of views. For these reasons, in my opinion the proposal would not result in a significant loss of privacy for No. 289. This would be the same as the previous application.
- 8.45 There would be one unobscured second floor window on the northern elevation of the eastern 'villa' serving the bedroom of Flat 13. This would be over 12m from the boundary with No. 289. The window would align with the driveway to the annex to the rear of No. 289. Views towards the rear garden of No. 289 and the conservatory at the rear would be over 20m and would be partially screened by the proposed landscaping shown on the site plan (details of which would be secured through the landscaping condition) and further screened by the hedge and tree planting within the garden of No. 289 itself. The windows on the glazed link and the eastern 'villa' would be obscure glazed, so there would be no views towards the conservatory or the private garden.
- 8.46 The balconies on the northern side of the building have been designed to be inset with solid side walls to prevent direct views towards No. 289. There may be some narrow oblique views from the balconies towards the windows on the side elevation of No. 289, but these would be over a significant distance and would be partially obscured by the trees. This is the same as the previous application and in my opinion this is acceptable. I have recommended a condition to prevent the green roofs from being accessed other than for maintenance.

8.47 Regarding light emission from the glazed link on the northern elevation, this would consist of two strips of obscure glazing and a central panel of hung tiles. This is a recessed link set back from the boundary. The obscure glazing would diffuse the light so that there would be no direct light beams. Moreover, this would be filtered by the mature trees and additional planting. As such, while light would be visible from the windows and the garden of No.289, in my opinion it is unlikely that this would have a significant impact on residential amenity. This is the same as the previous application and the Environmental Health team has raised no concerns about this.

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

- *Annex to the rear of No. 289*

8.49 This is a two storey annex converted from an outbuilding which is understood from the occupants to be used as a separate dwelling. The lawful status of the annex as a separate dwelling is unconfirmed because there is no record in the planning history of sub-division of the plot of No. 289 into two units or conversion of the annex into a separate dwelling, both of which would require planning permission. Nonetheless, I have assessed the impact on this annex on the basis of its being used as a separate dwelling. The annex is located on the boundary with No. 291 and is attached to a structure on the application site. There are no windows on the southern elevation facing towards the application site, but there are windows the gable end western elevation. I have seen the annex from my site visit to No. 289.

8.50 The north eastern corner of the eastern 'villa' would be within 5m of the southern elevation of the annex. This would be approximately 2m closer than the existing building. The proposed building would be one-and-a-half storeys on this corner with a sloped roof rising to two storeys. As the building would only be visible in oblique views from the window on the southern elevation, I am satisfied that it would not have a significant overbeating or enclosing impact. Moreover, the site plan shows additional planting which would soften the visual impact of the proposal, the detail of which would be secured through the landscaping condition.

8.51 The first floor windows on the north elevation of the eastern 'villa' facing towards the annex would be obscure glazed to prevent oblique views into the windows. There would be no balconies or roof terraces with views towards the annex. The proposed building is to the south of the annex, however would not result in significant loss of light to the windows on the south elevation compared to the existing situation. As above, light from the glazed link would be visible from the window on the southern elevation, however as the light would be diffused by the obscure glazing and due to the separation distance and filtering by additional landscaping, it is unlikely to have a significant impact on the residential amenity of the occupants.

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

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

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

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

8.55 There would be no first floor windows on the elevation facing towards No. 1a. There would be some roof lights. I have no sections showing the height of these above the internal floor level. However the proposed plans confirm that the base of the roof lights would be at least 1.8m above the finished floor level.

Regardless, due to the separation distance and presence of trees along the boundary within the application site, I am satisfied that there would be no significant loss of privacy, should views from these windows be possible.

8.56 The shadow diagrams show no significant overshadowing compared to the existing situation, and some minor reduction in overshadowing from 5pm on 21 June. There would be some minor increase in the area of the courtyard in shade after 3pm on 21 March. However, this would not fail the BRE guidance as the property would retain at least 2 hours of sunlight across at least 50% of its external amenity space. This is acceptable, in my opinion.

8.57 I have recommended a condition to ensure that the vehicle ramp is covered in accordance with the approved plans prior to first use of the ramp in order to reduce the noise and disturbance impact from vehicle movements.

- *Wider area*

8.58 The proposal would intensify the use of the site, increasing from a single dwelling to 14 households. However, it is a large plot with space for landscape buffering to mitigate the impact on the immediate neighbours. The site is situated on a busy junction so that the impact of additional comings and goings on the nearby properties is unlikely to be significant. I have discussed the transport impact and parking provision in the sections below and I am satisfied that this would not have a significant impact on residential amenity.

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

8.60 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.

- Future occupants

8.61 I have assessed the quality of the internal accommodation in the relevant section above in relation to the previous reason for refusal. The Environmental Health team is satisfied that the proposed mechanical ventilation system would provide the occupants with an acceptable internal noise level from traffic and have recommended further mitigation for the external amenity space, which would be secured through a noise insulation condition. In my opinion this is acceptable and the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 in this regard.

Refuse Arrangements

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

Transport Impact

8.63 The applicant has submitted a Transport Statement which demonstrates that the future occupants would not be dependent on private cars, given the highly sustainable location of the site close to public transport connections at Addenbrooke's and along Hills Road and Long Road. The improvements to the cycle network along Hills Road also promote sustainable transport modes. Thus while car parking spaces would be provided, the proposal is unlikely to generate a significant additional demand on the public highway network. The applicant has stated their intention to issue Travel Packs to the future occupants which is supported, however

these are not necessary to make the development acceptable in my view and therefore securing these through a condition would not be reasonable in my view. In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Highway Safety

8.64 The proposal includes the creation of a new vehicle access onto Queen Edith's Way and the removal of the existing vehicle access from Hills Road. The new access would be a minimum of 5m wide and would have visibility splays within the public highway. Concerns have been raised by third parties regarding the highway safety implications of the new access so close to the junction and from refuse lorries/removal vans. The Highways Authority has not raised highway safety concerns, subject to conditions, and I accept this advice. The impact of refuse lorries/removal vans would be a temporary situation and is unlikely to have a significant impact. Moreover, removal and delivery vans would be able to enter the site and use the visitor parking spaces so would not need to park on the highway, which is controlled through double yellow lines. I have recommended those conditions that have been requested by the Highways Authority where they are reasonable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- *Car parking*

8.65 The proposal provides 14 car parking spaces in the underground car park, including one disabled space for the accessible unit (Flat 1). This provides one space per unit, which is in accordance with the Council's adopted standards outside the controlled parking zone. I have assessed the visitor car parking provision in the relevant section above in relation to the previous reason for refusal. In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

- *Cycle parking*

8.66 I have assessed the residents' cycle parking in the relevant section above in relation to the previous reason for refusal. 8 no. visitor cycle parking spaces would be provided at ground level as shown

on the proposed site plan. The Cambridgeshire Police Constabulary has raised a concern about the location of the visitor cycle parking, however I consider that this relates well to the main and secondary entrances to the building so would have good natural surveillance. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Trees

- 8.67 The proposal includes the loss of some of the trees on the site. However, the 11 trees that are subject to a recent tree preservation order (TPO) from September 2017 would be retained. This was supported by the Tree Officer and Landscape Architect on the previous application subject to suitable replacement planting which would be secured through the landscaping condition. I accept their advice that the proposal retains the trees of highest amenity value and that these can be protected during and after the construction. This was not a reason for refusal on the previous application, and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Ecology

- 8.68 The site is currently overgrown and could be used by protected species, in particular roosting bats. An ecology survey has not been undertaken. However, I have recommended a condition for an ecological construction method statement and ecological mitigation measures based on survey findings to be undertaken to be submitted to the Council for approval. I am satisfied that, should the survey identify the presence of important species on the site, this would provide an appropriate level of protection during construction and mitigation within the proposed development.

Surface Water Drainage

- 8.69 The Sustainable Drainage Engineer and the Lead Local Flood Authority (LLFA) support the proposal and are satisfied that a detailed surface water drainage scheme can be secured through conditions. While I recognise the concerns of third parties with regard to the impact of the basement excavation on the water table, I accept the advice of consultees and in my opinion the proposal is acceptable in this regard, subject to the recommended condition.

Renewable energy and sustainability

- 8.70 In line with the requirements of policy 8/16 of the Cambridge Local Plan (2006), major developments are required to meet at least 10% of their energy needs from the use of on-site renewable energy, with the requirement measured in terms of carbon reduction. Photovoltaic panels are proposed to meet this requirement, and while the roof plan shows the location of these panels, carbon calculations, although referred to in the Sustainability Statement, do not appear to have been submitted. As the general choice of technology is supported, it is considered that the submission of carbon calculations can be dealt with by way of condition, as recommended by the Council's Sustainability Officer.
- 8.71 The proposal also includes the use of Mechanical Ventilation with Heat Recovery (MVHR) which is supported from an energy efficiency and internal air quality perspective. The proposal also includes the provision of biodiverse green roofs, low-flow sanitary ware and appliances to reduce water consumption, which are supported. Subject to conditions to secure the implementation of these sustainability measures, the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Public Art

- 8.72 The Public Art Officer has advised that the proposal should require a public art proposal in line with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art Strategy SPD. The applicant has not included a public art proposal. In my opinion, the site's verdant and enclosed character - which would be maintained through the proposal - does not lend itself to a public art proposal contribution to the street scene. This was not sought under the previous application and lack of public art provision was not a reason for refusal. While I appreciate the comments from the Public Art Officer, in this instance, I do not consider that a public art proposal is necessary or reasonable to request.

Planning Obligations (s106 Agreement)

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

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

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

8.74 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge. In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements.

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

Infrastructure	Identified project	Contribution
Community Facilities	The proposed development is within 1 mile of the Clay Farm Community Centre site. Towards the provision of and / or improvement of equipment at the Clay Farm Community Centre	£15,702.00 (plus indexation)
Indoor Sports	The proposed development is within one mile of Netherhall School. The improvement of sports facilities at Netherhall School is highlighted in the Council's Interim approach to S106 funding agreed by the	£5,649.00 (plus indexation)

	<p>City Council's Executive Councillor for Communities in June 2016.</p> <p>Towards the provision and/or improvement of new indoor gym and studio (including equipment) at Netherhall School.</p>	
Outdoor Sports	<p>This proposed development is within 500m of Nightingale Recreation Ground. The Cambridge and South Cambridgeshire Playing Pitches Strategy (2016) highlights scope for improving the capacity of this facility there in order to mitigate the impact of local development.</p> <p>For the provision of and / or improvements to access to the grass playing pitches at Nightingale Recreation Ground.</p>	£4,998.00 (plus indexation)
Informal Open Space	<p>This proposed development is within 500m of Nightingale Recreation Ground, which is on the council's 2016/17 target list of informal open spaces for which specific S106 contributions may be sought. The Informal Open Spaces Audit (2016) highlights that the scope for improving the open space facilities in order to mitigate the impact of local development.</p> <p>For the provision of and/or improvement of and/or access to the Informal Open Space at</p>	£5,082.00 (plus indexation)

	Nightingale Avenue Recreation Ground.	
Play provision for children and teenagers	This proposed development is within 550 metres of Nightingale Avenue play area, which is on the Council's 2016/17 target list of play areas for which specific S106 contributions may be sought. Towards the provision and/or improvement of the children's play area at Nightingale Avenue play area.	£3,792 (plus indexation)

8.86 I agree with the DCMU that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore passes the tests set by the CIL Regulations. Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010.

9.0 THIRD PARTY COMMENTS

9.1 I have assessed the issues raised in third party representations as follows:

Representation	Assessment
<u>Principle</u>	
No justification for demolition. The building appears to be in good condition. The developer has not explored any options to retain, convert and/or extend the building.	See 'Principle of development' section above. There are no planning grounds to resist the demolition of the unprotected building.
Loss of family housing. Proposed flats would not meet housing demand.	See 'Affordable housing / Housing mix' section.

<p>The proposal avoids affordable housing contributions by reducing the number of units.</p>	<p>I have addressed this in the relevant section of my report above in relation to the previous reason for refusal.</p>
<p>Concerns about use as house in multiple occupation.</p>	<p>The units could be occupied as houses in multiple occupation for up to 6 occupants under permitted development rights. However, in my opinion, it is unlikely that even the 2-bed units would be occupied in this way.</p>
<p><u>Character</u></p>	
<p>The existing dwelling has architectural, historical and social importance as well as group value.</p>	<p>The existing dwelling is not a listed building and is not within a conservation area. As such, it is not protected from demolition. The principle of demolition cannot be resisted in planning terms for the reasons previously given.</p>
<p>The proposal would be out of character with the area, in terms of scale and massing, architectural style and materials, and would be a characterless and bland proposal that would not have a positive impact on such a prominent location on major route into the city.</p>	<p>I have addressed this in the relevant section of my report above.</p>
<p><u>Transport impact</u></p>	
<p>Impact on highway safety and congestion, pollution and accidents.</p>	<p>The Highways Authority has not advised me of any concerns about highway safety issues. This was not a reason for refusal on the previous proposal. The current proposal is for one fewer units and thus – as the previous decision is a material consideration that I must give weight to – there would be no reasonable</p>

	grounds on which to recommend that this impact would be unacceptable.
Impact of demand for parking on roads, cycle lane and pavement.	The current proposal provides residents car parking at levels that meet the Council's adopted maximum car parking standards. Visitor car parking spaces have been provided. The site is in a sustainable location and in my opinion, there would not be reasonable grounds on which to require parking exceeding the maximum standards or to recommend refusal based on the impact of additional demand for offsite parking.
Traffic at the junction needs modelling.	The Highways Authority has assessed the proposal on the basis of the additional impact of traffic generated from the new units on the overall operation of the public highway network, and has not advised that a traffic model is required due to the scale of the proposal.
Impact of construction traffic on highway safety and contractors parking on verge	The Highways Authority has recommended a condition for a Traffic Management Plan which would include details of the movement and control of deliveries and arrangements for contractor's parking which should be within the curtilage of the site and not on street wherever possible. The Highways Authority would review the information submitted by the applicant and advise of any highway safety concerns.

<p>The site is in an unsustainable location.</p>	<p>I disagree as the site is located on major routes within the city within close proximity to bus stops along Hills Road and the bus interchange at Addenbrooke's Hospital, as well as to hospital and biomedical campus which is a major employment site.</p>
<p>Plans do not show the entrance to the Devonshire House Dental Practice opposite the proposed entrance.</p>	<p>There is no requirement for the plans to show this detail and I am mindful that the Local Highways Authority has assessed the proposal and is satisfied that it will not adversely affect highway safety.</p>
<p><u>Environment</u></p>	
<p>Loss of trees and greenery on the character of the area and amenity value.</p>	<p>The trees of highest amenity value on the site have been identified and protected by the Council's Tree Officer. These trees would be retained and would be enhanced by additional landscaping.</p>
<p>Impact on the long term health and future of the trees retained or planted.</p>	<p>Please see the 'trees' section of my assessment</p>
<p>Damage to trees during construction, in particular excavation of the basement.</p>	<p>Please see the 'trees' section of my assessment and the recommended tree protection conditions.</p>
<p>Impact on biodiversity.</p>	<p>Please see the 'ecology' section of my assessment and the recommended ecology condition.</p>
<p>Impact on climate change resilience.</p>	<p>The Council has no adopted policies on climate change resilience, albeit it is a principle of sustainable development. Please see comments below.</p>

<p>The proposal includes few sustainable features to reduce carbon emissions and save water.</p>	<p>The proposal includes photovoltaic panels, green roofs, a Mechanical Ventilation with Heat Recovery (MVHR) and low flow sanitary ware and appliances. The proposal is supported by the Council's Sustainability Officer in accordance with adopted policies.</p>
<p>Demolition of existing dwelling is unsustainable.</p>	<p>The principle of demolition cannot be resisted in planning terms for the reasons previously given.</p>
<p><u>Impact on neighbours</u></p>	
<p>Adverse impact on the amenity of the immediate neighbours through loss of privacy, perception of overlooking, overbearing sense of enclosure, light pollution from the atrium, in particular No. 289 and the dwelling to the rear of No. 289</p>	<p>I acknowledge the concerns of the immediate neighbours and I have assessed these in detail in the relevant section of my report above.</p>
<p>Deciduous trees offer only partial screening and do not extend along the entire boundary with the neighbouring properties.</p>	<p>The existing trees are deciduous thereby providing less screening in the winter months, however these are mature trees so have a relatively dense canopy. The indicative landscaping plan shows additional planting along the boundary to extend the tree screen. Appropriate species and the maturity of the specimens can be secured through the recommended landscaping condition.</p>
<p>Even narrow windows would result in loss of privacy to neighbouring properties.</p>	<p>I accept that there would be some views from the windows towards the windows on the neighbouring property, as per my assessment below.</p>

	<p>However, I consider that the narrowness of these windows combined with the screening offered by the retained mature trees and the separation distance would not result in an unacceptable loss of privacy. Some degree of mutual overlooking between neighbouring properties is acceptable, and I consider that the degree proposed would not be significantly harmful.</p>
<p>The dwelling to the rear of No. 289 is a separate dwelling and pays Council Tax as such.</p>	<p>Paying Council Tax as a separate dwelling does not make the dwelling lawful in planning terms. As above, there is no record of the subdivision or conversion of the curtilage of No. 289 to create a separate dwelling. Therefore, the lawfulness of this use in planning terms is unconfirmed. Nonetheless, I have assessed the impact on the annex to the rear as a separate dwelling in terms of the residential amenity that the occupants should expect.</p>
<p><u>Amenity of future occupiers</u></p>	
<p>Inadequate noise assessment.</p>	<p>The Environmental Health team has assessed the applicant's submission and advised me that the impact of noise from traffic on the amenity of the future occupants could be mitigated using mechanical ventilation, and such details would be secured through the recommended condition. I accept the advice of my colleagues on this matter.</p>

Inaccessible cycle parking. No provision for non-standard bicycles, such as cargo cycles.	Please see the 'cycle parking' section of my assessment above. There is no policy requirement to provide for non-standard bicycles, however as there is an over-provision of Sheffield hoops according to the adopted standards and there is space within the store, I consider that cargo bicycles could be accommodated within the proposed store.
<u>Other</u>	
Concerns about pre-determine outcomes and transparency.	The outcome of the application has not been pre-determined. Advice given to the applicant prior to determination is given on a 'without prejudice' basis.
Developer profit. No benefits to the local community.	Developer profit is not a material planning matter. The proposal would make planning obligations towards community facilities, open space and recreational facilities as listed above, which would be secured through a legal agreement.

9.2 I have responded to the petitioners' grounds as follows:

Grounds	Response
There is no case for demolishing "Raylands" (policy 5/4 of CLP 2006)	There are no planning grounds to resist the demolition of this unprotected building.
The plans do not safeguard environmental character (policy 3/3 of CLP 2006)	See 'Context' section of my assessment.
The application does not respond to the local context (policy 3/4 of CLP 2006)	See 'Context' section of my assessment.
Cramped living accommodation (policy 3/7 of CLP 2006)	See paragraphs 8.11-8.15

The development would have a significant adverse impact on the amenities of neighbouring properties, provide inadequate amenity space, detract from the prevailing character and appearance of the area, and adversely affect trees (policy 3/10 of CLP 2006)	See the 'Residential amenity', 'Context' and 'Trees' sections of my assessment.
A negative impact on the local setting (policy 3/12 of CLP 2006)	See 'Context' section of my assessment.
Damage to trees (policy 4/4 of CLP 2006)	See 'Trees' section of my assessment.
Adverse effects on health and the environment (policy 4/13 of CLP 2006)	See assessment of residential amenity and environment in my assessment above.
No provision for affordable housing (policy 5/5 of CLP 2006)	See paragraphs 8.3-8.10.
Unacceptable transport impact (policy 8/2 of CLP 2006)	See 'Transport impact' and 'Highway safety' sections of my assessment.

9.3 The queries raised by Cllr McGerty (Ward Councillor) at the DCF were put to the applicant for a response. At the time of writing, a response has not been received from the applicant, however any response received prior to committee will be reported on the amendment sheet or as a verbal update. I have provided my assessment of the matters raised as follows:

Query	Considerations
Is the applicant able to provide a Tree Protection Method statement as part of the planning application?	The Tree Officer was satisfied on the previous application that these details could be secured through a condition worded so that these details would be agreed prior to the commencement of works. The Tree Officer would review these details. This is a standard approach that the Council takes on similar applications and I

	<p>cannot see reasonable grounds for taking a different approach on this application. The lack of information was not a reason for refusal on the previous application and this is a material consideration. In my opinion, there would not be reasonable planning grounds to require the applicant to submit this information prior to determination and such detail can be appropriately secured through the recommended condition.</p>
<p>Is the applicant able to provide a detailed plan of new planting and make this a firm undertaking during the planning process?</p>	<p>The Council does not usually require a detailed landscape scheme to be submitted prior to determination as these details can be agreed through the recommended condition. The Landscape Officer has recommended this approach. While I accept that the landscaping scheme is important to the character of the street and to the screening between the proposal and neighbouring properties, I am satisfied that there is sufficient space for an appropriate landscaping scheme to be put in place. Again, the lack of landscaping details was not a reason for refusal on the previous application, and I do not consider that there would be reasonable grounds to recommend refusal.</p>
<p>Could the grass verges on Queen Edith's Way be protected with Heras fences during construction?</p>	<p>Details of contractor parking and the control of this would be agreed through the condition for the Traffic Management Plan.</p>

	In my opinion, this would not be reasonable grounds to recommend refusal as the impact would be temporary.
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10.0 CONCLUSION

10.1 While I acknowledge that there is strong local opposition to the current proposal, I must give strong weight to the decision on the previous planning application which is a material consideration. In my opinion, for the reasons I have given, the current proposal has overcome the previous reasons for refusal, namely affordable housing, cramped living accommodation, inadequate residents' cycle parking, and inadequate visitor car parking. I have assessed the proposal in full and no new material issues have been raised, in terms of residential amenity, response to the local context, environmental quality, transport impact and highway safety, and other matters. For these reasons, my recommendation is for approval subject to conditions and the completion of a S106 Agreement to secure planning obligations.

11.0 RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

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

6. No demolition or construction works shall commence on site until a Traffic Management Plan has been submitted to and agreed in writing by the local planning authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
 - iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

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

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

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

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

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

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

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

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

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

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

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

11. Prior to the commencement of development (including demolition), a written scheme of archaeological investigation (WSI) shall be submitted to and approved in writing by the local planning authority. This shall include:

- i. the statement of significance and research objectives;
- ii. the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- iii. the programme for post-excavation assessment and subsequent analysis, publication and dissemination, and deposition of resulting material.

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

Reason: In the interests of archaeology.

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

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

13. Prior to commencement of development (including demolition and site clearance), an ecological survey report shall be undertaken and submitted to the local planning authority for approval in writing. This shall include, as appropriate to the findings of the survey:
 - i. a construction environmental management plan (CEMP) including a risk assessment of potentially damaging construction activities, practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, and details of responsible persons and lines of communication; and
 - ii. ecological mitigation measures to be provided on site.Any approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Any approved ecological mitigation measures shall be implemented prior to first occupation of the development hereby permitted (or in accordance with an alternative timescale that has been agreed in writing by the local planning authority) and retained as such thereafter.

Reason: In order to protect important species and habitats.

14. Prior to commencement of development (other than demolition), a surface water drainage works scheme in accordance with the submitted Drainage Statement by JPP Consulting, Revision B dated February 2018, shall be submitted to and approved in writing by the local planning authority. The submitted details shall:

- i. include results of infiltration testing in accordance with BRE Digest 365 should be submitted to the local planning authority to identify whether infiltration of the surface water runoff would be feasible;
- ii. be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding off site for a 1 in 100 year event + 40% an allowance for climate change;
- iii. include detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- iv. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- v. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

Reason: In the interests of surface water drainage.

15. Prior to first occupation of the development hereby permitted, a hard and soft landscaping scheme shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

c) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas;

d) boundary treatments indicating the positions, design, materials and type of boundary treatments to be erected.

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To protect the residential amenity of neighbouring properties.

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

Reason: To protect the residential amenity of neighbouring properties.

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

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

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

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

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

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

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

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

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

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

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

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

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006, policy 8/16).

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

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

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

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

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

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

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

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DEVELOPMENT CONTROL FORUM8 August 2018
10.00 - 11.45 am**Present****Planning Committee Members:** Councillors Blencowe, Hipkin, Holt, Smart, Thornburrow and Tunnacliffe**Ward Councillors**Councillor McGerty
Councillor Pippas**Officers:**Delivery Manager – Planning: Eileen Paterson
Principal Planner: Nigel Blazeby (Chair)
Senior Planner: Charlotte Burton (Case Officer)
Committee Manager: Claire Tunnicliffe**For Applicant:**Applicant: Jim Griffiths (Gibson Developments)
Agent: Peter McKeown MRTPI (Carter Jonas)**For Petitioners:**1st Petitioner
2nd Petitioner
3rd Petitioner**FOR THE INFORMATION OF THE COUNCIL****18/12/DCF Introduction to the Forum by the Chair**

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

18/13/DCF Application and Petition Details: 18/0806/FUL, 291 Hills Road, Cambridge, CB2 8RP at

Application No: 18/0806/FUL

Site Address: 291 Hills Road, Cambridge, CB2 8RP

Description: 14 flats comprising 8 x 2-bed units and 6 x 1-bed units, along with access, car parking and associated landscaping

following demolition of the existing buildings
Applicant: N/a
Agent: Carter Jonas
Lead Petitioner: Resident of Hills Road
Case Officer: Charlotte Burton

Text of Petition:

Local councillors, members of the Hills Road and Area Residents Association and the Queen Edith's Way Residents Association, and many residents across the city of Cambridge are concerned about the proposal to demolish the fine Edwardian home at 291 Hills Road and replace it with a block of 14 flats. The number of objections (203 at the latest count) made by residents illustrates the strength of feeling on the issue.

Residents and councillors have identified many respects in which this application is in conflict with the Cambridge Local Plan 2006 (CLP 2006), including the following:

- There is no case for demolishing the property (policy 5/4 of CLP 2006)
- The plans do not safeguard environmental character (policy 3/3 of CLP 2006)
- The application does not respond to the local context (policy 3/4 of CLP 2006)
- Cramped living accommodation (policy 3/7 of CLP 2006)
- The development would have a significant adverse impact on the amenities of neighbouring properties, provide inadequate amenity space, detract from the prevailing character and appearance of the area, and adversely affect trees (policy 3/10 of CLP 2006)
- A negative impact on the local setting (policy 3/12 of CLP 2006)
- Damage to trees (policy 4/4 of CLP 2006)
- Adverse effects on health and the environment (policy 4/13 of CLP 2006)
- No provision for affordable housing (policy 5.5 of CLP 2005)
- Unacceptable transport impact (policy 8/2 of CLP 2006)

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

Option 1: The property could remain a beautiful well designed family home acting as a landmark building on a prominent corner plot.

Option 2: The property could be refurbished and converted into flats, possibly with an extension and conversion of the loft space.

Under both options, we would wish to see the landscaping plan amended to retain more of the existing vegetation.

Case by Applicant

A representative from Gibson Developments made the following points:

- i. Not a greedy property developer as had been characterised seeking to make a large profit, but was a small business which had been developed over a 12 year period.
- ii. Proud of the quality and sustainability of the properties that had been built in Cambridge.
- iii. Gibson Development did not leaflet drop or approach home owners. Each development had been purchased with planning permission in place or as in the case of 219 Hills Road (Raylands) had been approached by the Homeowner.
- iv. Had a life long association with Hills Road, living close to the site and therefore knew the site extremely well.
- v. The site had been neglected and overgrown; the property was virtually invisible and had been for some time.
- vi. Disputed the petitioner's reference that 291 Hill Road was a 'landmark building', as the building could not be seen. For many decades the building had not been a landmark building.
- vii. Informed the previous owner the property would not be preserved as Gibson Developers specialised in new build development and should seek an alternative; but the previous occupant emphasised the short comings of the property as he had lived there for so long (21 years).
- viii. Before purchasing the property the developer established the building was not listed and was not on the Council's list of Buildings of Local Interests and had been rated as negative in the Council's Suburb and Approaches - Hills Road 2012 report; petitioners now disputed the report stating that this was a mistake.
- ix. Did not believe the report was a mistake and it was not unreasonable for the developer to rely on this information.
- x. First established that four trees on site were protected by a Tree Preservation Order (TPO) and from a financial benefit could have removed all other unwanted trees rather than risk further TPO's issued when engaging with the planning process. However, this was not followed as it was not the right thing to do and a further seven TPO's were issued which had limited what could be done with the site due to the tree root zones.
- xi. Have been patient during the long drawn out planning process (18 months since a positive pre application).

- xii. Met with campaign leaders in October 2017 who asked for the opportunity to find an alternative buyer. No one had come forward.
- xiii. Since the previous planning application 17/1372/FUL had been refused, the company had actively marketed the property for the last three months, but had not received any offers apart from a developer and a party who could not finance their offer.
- xiv. To preserve the property it would require an owner who could afford to purchase the property in the first instance and spend hundreds of thousands of pounds to refurbish it.
- xv. Would not have purchased the property if could have foreseen the 'firestorm' that the application had set off.
- xvi. The application was of a high quality build which would most likely attract buyers from the bio-medical campus who would either cycle or walk to work; this was a better use of the site than one wealthy family.
- xvii. The property did not lend itself to development or subdivision or extension as stated by John Harris, Cambridge City Council's Design & Conservation Panel.

The Agent then raised the following points:

- xviii. Reluctant Participants of the Development Control Forum (DCF) and believed that the request for a DCF was not valid; in-principle outright objection to the application had been presented with no suggestions for a reasonable compromise solution.
- xix. Had been through a DCF with the original application 17/1372/FUL. Following this first meeting, the applicant had made significant changes.
- xx. It seemed the petitioners' position had hardened.
- xxi. The applicant had been open and transparent throughout the entire process and had given the petitioners every opportunity for dialog.
- xxii. Application 18/0806/FUL had been submitted as a new application in response to Planning Application 17/1372/FUL (which had been refused by the Planning Committee in May 2018), although the case officer had recommendation approval. Reasons for refusal had been:
 - 1. Failure to provide affordable housing
 - 2. Inconvenient cycle parking
 - 3. Cramped accommodation
 - 4. Failure to provide arrangements for visitor car parking.
- xv. The proposals constituted a resubmission of application 13/1372/FUL which had addressed the four refusal reasons:
 - 1. The scheme now sought consent for 14 units and was compliant with the requirements of Policy 5/5 of the adopted CLP 2006 and Para 30 of the Affordable Housing SPD 2008

2. The resident's cycle store would be conveniently located at ground floor, easily accessible to all units; accommodating 27 cycles including a cargo bike; the layout was fully compliant with Cambridge Cycle Parking Guide 201 and eight visitor cycle spaces were provided
 3. The revised scheme provided 14 units; eight 2xBed units and six 1xBed. All units were in line with nationally described space standards. Units 2, 4 and 10 extend to 60m² GIA excluding 4m² amenity space. High quality residential environment would be provided and the scheme was compliant with Policy 3/7 of the CLP 2006
 4. The scheme now provided four visitor / disabled car parking spaces. These spaces were accessible and convenient for future visitors.
- xvi. The new application was supported by all statutory consultees including; Urban Design, Landscaping, Highways, Environmental Health, Drainage, Waste and Disability Panel.
 - xvii. The highways impact had been discussed at length when considering application 13/1372/FUL and had not been an issue for refusal.
 - xviii. The trees which were to be removed had been agreed in consultation with the City Council's Tree Officer.
 - xix. The new applicant had responded positively to the Planning Committees four reasons for refusal.
 - xx. The proposed development was a high quality residential development that would deliver an additional thirteen residential units within a highly sustainable and central location.
 - xxi. The proposals were considered to be compliant with all relevant national and local planning policies.

Case by the Petitioner

Petitioner 1 spoke on behalf of residents and made the following points:

- i. The architectural style of the area was of detached and semi-detached villas, civic buildings, dating from the late 19th and early 20th century. Buildings were set back from the highway and screened by hedges and tall trees of stature; these were also well set back within the green frontage matching the period architecture.
- ii. Few buildings were listed on Hills Road area including those buildings in Homerton College. These buildings could also be demolished but believed this would cause a national outcry.
- iii. Cambridge City Council's Guidance Notes establish 'material planning considerations' for neighbourhood listings:
 - Distinctive architectural feature of individual buildings

- Importance of street scene.
- iv. Detailed architectural drawings exist for many pre 1914 houses and civic buildings, including 291 Hills Road; this section of Hills Road met with the City Council's criteria for a neighbourhood group listing.
- v. The proposed development was not in harmony with the surrounding street scene on Hills Road, there would be a large loss of green foliage and the application contradicted Local Plan 2006 policies 3/3 and 3/4.

Petitioner 2 raised the following points:

- viii. The property had been a continuous family home since it was built. John Harris, Cambridge City Council's Design & Conservation Panel stated "while presently enjoying no statutory status, it is worth preserving and giving another 100 years as a much loved family home".
- ix. The CLP 2006 3/10 was not referenced in the Senior Planning Officer's report which was directed towards developments on existing plots with pre-existing neighbours; "Residential development within the garden area or curtilage of existing properties will not be permitted..."[under certain circumstances]. If the site was developed to provide 14 dwellings, by definition, the plot is subdivided, irrespective of whether the original dwelling remains.
- x. The dwelling to the rear of 289 Hills Road had been described by the Senior Planning Officer's report as a "two storey annex..." "While the status annex in planning terms is unconfirmed". This was not an "annex" but a separate (semi-detached building) dwelling with its own Council tax bill whose amenities also required consideration.
- xi. The development went against CLP 2006 3/10 as there would be a loss of privacy, loss of light and overbearing sense of enclosure to 289 Hills Road which sits on the boundary of the site. It was difficult to assess these losses as the Landscape Master Plan had not been updated since August 2017, yet the proposals had been updated twice.
- xii. Significant plans have been marked as 'indicative', such as tree planting.
- xiii. Difficult to comprehend the true impact the proposed build would have on neighbouring properties. The plans were misleading, drawn to minimise the impact and the scale of development. Yet there would be an over bearing sense of development as the building was three stories high with a glazed atrium, consisting of fourteen flats.

Petitioner 3 raised the following points:

- xiv. The glazed link proposed on the plan would be fully visible from the two properties at 289 Hills Road; the three mature trees to be retained on the boundary were deciduous and would not filter light for most of the year. Much of the vegetation between 289 and 291 would be removed.

- xv. Believed that the glazed link would not have any curtains or blinds creating light pollution; the lights would also have an impact on wildlife as they switched on and off when people left or entered the building.
- xvi. The glazed link offered no benefit to the residents of 291 Hills Road, as this was obscured glass but would have a significant impact on the amenity of neighbours.
- xvii. There was no scale on the basement construction plan but estimated that the sheet piling should be four metres away from the fencing which was positioned at the edge of the tree root protection zone.
- xviii. Assumed that the fencing had been marked incorrectly as this should be on or outside the tree root protection zone but was shown on the plans both to the north and south in the root protection zone. The sheet piling was also shown to be touching the tree root protection zone and not the estimated four meters away.
- xix. Alleged that the basement excavation and construction would damage the protected trees and roots, lower the water table and cause cracking of the ground. This could damage the two properties on 289 Hills Road which had been underpinned.
- viii. The site sat on the corner of busy roundabout, described as ‘an over saturated junction” by the County Council who predicated a 19% increase in traffic volume by 2019 compared to the figures in 2014.
- ix. Traffic jams formed outside the entry and exit point to the site; cars from the site would be unable to exit safely increasing the potential for accidents as there was no pedestrian crossing on this area of Hills Road.
- x. Double yellow lines ran alongside the development so delivery vehicles would have to park on site.
- xi. The drive on the site was five meters wide which would not allow a wide enough turning circle for a standard 6 meter long delivery vehicle; vehicles would have to reverse out into Queen Edith’s Way, compromising highway safety.
- xii. If the visitor’s space was occupied there would be no room for a three point turn.
- xiii. The only personal amenity space on site for residents would be their balconies. The developer commissioned a noise assessment which concluded ‘noise levels on the balconies are expected to exceed recommended levels’.
- xiv. Predicated noise levels on Hills Road balconies would reach 69 decibels (dB), well above the recommended limit of 50-55 dB based on the 2014 traffic levels.
- xv. Described the proposed property as a sealed box due to the windows not opening would have a ventilation system.

- xvi. Alternative proposals to keep the existing building were presented and examples shown. There was no case for demolishing the property (CLP 2006 5/4)

Case Officer's Comments:

- i. The Application had been received on 18 May 2018 and would be considered by the Planning Committee on 29 August.
- ii. Had received forty objections from third parties, including Hills Road and Queen Edith Way Resident Associations, and Ward Councillors.
- iii. The Officer's recommendation to the Planning Committee was still being considered.
- iv. The Planning Committee's decision on the previous application 13/1372/FUL had been refused on material considerations.
- v. When considering the revised application the case officer would determine if those reasons for refusal had been sufficiently addressed to overturn the previous reasons for refusal.
- vi. Careful deliberation would be given to conclude if the new application would bring any new areas of concern; the application would also be looked at carefully to ensure consistency.
- vii. The issues regarding the principle of development and design, impact to the character of the area and transport were not raised as reasons for refusal on the previous application.
- viii. The petitioners had made a case against the demolition of the building; the existing building was not a protected building, not listed and not within the conservation area.
- ix. Demolition could not be resisted in principal and had not been a reason for refusal on the previous application.
- x. The proposed plans were similar to the previous application and would retain the eleven trees under the TPO. The Tree Officer had supported the previous application and raised no further concerns on the proposed development.
- xi. The Tree Officer had been satisfied with the details of the basement construction plans which could be secured with conditions.
- xii. Impact to the character of the area; the design was considerably similar to the previous application in terms of external appearance, the building envelope and landscaping scheme. All of which were supported by Urban Design and the Landscape Officer. It would be difficult to come to a decision which was different to the previous application on this matter.
- xiii. The applicant had provided details of the floor space for each unit which met or was close to the National Technical Housing Standard (NTHS).
- xiv. The impact on neighbouring properties had not been raised as a reason for refusal on the previous scheme.

- xv. The Council's consistent approach was not to provide outdoor amenity space for one bedroom units but the proposed application did.
- xvi. Transport issues had been addressed in detail on the previous application and the proposed application now had one less unit on site. Therefore it would be difficult to reach a different recommendation on this matter; the Highway Authority had assessed the impact and advised of no concerns.
- xvii. The reduction of the number of units to a total of fourteen meant the development now complied with Para 30 of the Affordable Housing SPD, 5/5.

Members' Questions and Comments:

Ward Councillor McGerty addressed the following points:

- i. Disagreed that emotion and nostalgia should be taken out of the decision; residents would have a different view.
- ii. Disputed the Agent's comments that the DCF was not valid.
- iii. Queried how a decision of no concerns had been reached on the transport issues when the junction had been described as 'over saturated', additional residents on the development would add an impact to it.
- iv. It was a probability that many of the residents would turn right when exiting the site, against the traffic flow coming away from the junction. These vehicles joining the queuing traffic would have a further negative impact on the traffic flow.
- v. Disappointed that the number of units had been reduced to avoid building affordable housing on site. Would have liked the opportunity to work with the developers to address the issue rather than avoid it.
- vi. Would like to put forward the following questions:
 - 1. Is the applicant able to provide a Tree Protection Method statement as part of the planning application?
 - 2. Is the applicant able to provide a detailed plan of new planting and make this a firm undertaking during the planning process?
 - 3. Could the grass verges on Queen Edith's Way be protected with Heras fences during construction.

The Chair did not allow the agents to respond to the above questions as unfortunately the terms of the forum did not allow this.

Ward Councillor Pippas made the following points:

- i. It was clear that the previous owner had not maintained the landscape to the property and the view to the property had been lost.

- ii. However the building was a landmark building in Cambridge and should remain so and would be a great loss to the City if it should disappear.
- iii. The purchase of the property had been a bad business mistake for reasons underlined in the CLP 2006 3/4.
- iv. The existing building was a beautiful building which stood in an area of stunning buildings and the proposed application was not. To knock the building down would set a precedent and more could follow leaving the area a concrete jungle.
- v. Tourists visited Cambridge to view the historical architecture as part of their experience, not a series of modern buildings that all looked the same.
- vi. Requested the building was left and used as flats to retain the character and ambience of the City.

Members of the Planning Committee raised the following questions:

- i. Questioned if there was any evidence that the application would be withdrawn and resubmitted in light of the all objections and asked if a compromise between the applicant and petitioners be reached, as was the purpose of the DCF.
- ii. Asked if this DCF was simply going through the motions rehearsing the arguments for the Planning Committee?
The Chair outlined the purpose of the DCF, allowing the petitioners to raise their concerns and for officers to consider their concerns and report them to members. It also allowed members to seek clarification on various matters.
- iii. Asked if it was possible when the application came to the Planning Committee for consideration, that additional reasons for refusal would be valid, and would those reasons stand up to scrutiny from the Planning Inspectorate.
The case officers advised the decision on the previous application had been based on material considerations that could be used for assessing future applications on the same site. The current application was of a very similar scheme to the application that had been refused. Strong consideration would be given to the planning committee's decision on the previous application. Where the scheme was similar it would be difficult to raise new concerns, however where there were differences new reasons for refusals could be formed.
- iv. Asked for confirmation if the application was a resubmission of a previous scheme or a new application.
The scheme had been revised but this was a new application.
- v. Enquired if the petitioner and applicant appreciated the position of the Planning Committee's starting point looking at the current application

which was the end of the previous application and the reason for refusals.

The Applicant advised it was completely understood as the new application was effectively a resubmission which had addressed the four reasons identified for refusal. Believed the petitioners did not understand, as the same issues were continuously raised.

The petitioners explained that they did appreciate the point that had been made but they were now raising issues that had not been raised before as their understanding of planning law had increased. The whole process had been a learning experience.

- vi. The Agent had stated that the development met with the NTHS, yet the Case Officer had said some units came close to the NTHS, which was correct?

With regard to internal space, all units, apart from units 2, 4 & 10, met with the NTHS. The three units were 60 m² instead of 61m², a shortfall of 1m², but these units had an additional external balcony space. The NTHS guidelines had not been adopted by the City Council, and had no adopted space standards.

- x. Would like to know more about the windows and doors proposed on the scheme?

The Environmental Health Team had advised on the previous application that the impact of traffic noise could be mitigated by mechanical ventilation system. This would allow residents to control internal thermal comfort and cooling without compromising internal noise levels. Details would be secured by conditions.

- vii. Enquired why the petitioner had described the plans as misleading.

The plans were described as misleading as on a number of occasions the scale of drawings are different, in some cases the plans make the development appear smaller in relation to the neighbouring properties. In other case the scales are not given. Would also question how determination could be made based on indicative plans.

- viii. Suggested that delivery vehicles could reverse into the site.

The Case Officer noted the comment.

- ix. Requested the developer explain why the number of units had been reduced from fifteen flats to fourteen flats.

The SPD 2010 guidance on schemes which involve the demolition of a single dwelling state that the affordable housing should be calculated on a gross basis and not a net basis. The view taken on the previous application for fifteen units would have resulted in a gross increase of fifteen units and did not comply with the affordable housing policy. The proposed development was now in line with the CLP.

The developer advised the company had previously been involved with builds that offered affordable housing and recognised the importance of affordable housing. On this application the number of trees protected by TPO's restricted what could be achieved on site, it was not possible to offer affordable housing in a viable way.

- vii. Requested further information on visitor parking spaces proposed on the new application.

A total of four spaces had been allocated for disabled users and visitor / disabled spaces compared to the one space on the previous application.

Summing up by the Applicant's Agent

- i. The proposed development is for the demolition of a single dwelling and the development containing 14 flats comprising 8 x 2-bed units and 6 x 1-bed units, along with access, car parking and associated landscaping
- ii. The application represented a resubmission of planning application 17/1372/FUL that was refused planning permission despite a positive recommendation by the Case Officer.
- iii. The principle of development was acceptable.
- iv. The existing dwelling on site was not protected.
- v. The application had responded positively to the four reasons for refusal to the previous application.
- vi. The proposed development would bring a high quality sustainable development to the site which would meet demand required in Cambridge.

Summing up by the Petitioners

- i. Whether a new application could be refused on the grounds that were different to the original reasons for refusal on the previous application was a legal issue. It needed to be clearly determined that this was a new application.
- ii. The fact that a DCF had been held for this application would indicate that this was a new application.
- iii. If valid reasons for refusal were not highlighted on the previous application but have since been uncovered and contradict planning policy the recommendation for refusal should be upheld by the Planning Inspectorate.
- iv. The Planning Inspectorate should focus on all aspects and would adjudicate on whether the application goes against planning policy.
- v. Object to the application, the proposal is misconceived and requires radical changes to address the application in the context of the current

and emerging CLP and the National Planning Policy Framework and all other material considerations. Precise and updated information was not available but would have demonstrated this point.

- vi. Documents submitted have been incomplete, inaccurate or missing. Examples are the Landscape Master Plan 2017, the noise assessment documents is based on 2014 traffic figures. There is no precise tree replacement plan and plans are termed 'indicative'. The basement construction plans did not seem to be correct. There are few usable scales and the size of building is misrepresented.
- vii. The development would cause significant harm to the neighbouring amenities, including the general loss of privacy.
- viii. The proposed development would cause permanent harm to the character of the area.
- ix. All locals concerns had been ignored.
- x. The new NPPF from next January 2019 would put more emphasis on the character of the local neighbourhood, Para 127, taking into consideration sympathetic to local history, landscape and development, establish a strong sense of place using the arrangements of existing buildings, building types and materials.
- xi. This was about Cambridge for the next generation and will be asking Councillors to consider this part of Hills Road as a conservation area.

Final Comments of the Chair

- xii. 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 11.45 am

CHAIR

Agenda Item 6

PLANNING COMMITTEE

29th August 2018

Application Number	17/1815/FUL	Agenda Item	
Date Received	8th November 2017	Officer	Mairead O'Sullivan
Target Date	7th February 2018		
Ward	Abbey		
Site	143 - 147 Newmarket Road And 149 Newmarket Road Cambridge CB5 8HA		
Proposal	Demolition of No.149 Newmarket Road and existing garage structures, the erection of new buildings producing a total of 11 residential units, the formation of a cafe space (use class A3) on the ground floor of Logic House, brick and tile tinting to Logic House and associated infrastructure and works.		
Applicant	N/A C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposal would not have a significant adverse impact on the amenity of the occupiers to the north on Beche Road- The design of the proposal is considered acceptable and would preserve and enhance the character and appearance of the Conservation Area and Special Interest of the Listed Church- The proposed units would provide an adequate standard of amenity for future occupiers
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application lies on the north eastern side of Newmarket Road; to the east of the Elizabeth Way roundabout. The area has a mixed character with a combination of residential, commercial and educational uses in close proximity to the site. The site lies within the Riverside and Stourbridge Common Area of the Central Conservation Area. Directly to the west of the site is the Grade II Listed Abbey Church (St Andrew The Less). The church is currently in poor condition and is on Historic England's 'At Risk' register.
- 1.2 The site comprises Logic House and 149 Newmarket Road. Logic House is in D1 (education) use and is used by Cambridge Seminars College which provides foundation, A level and pre-masters courses and English language courses. The ground floor is open and provides 4 car parking spaces. 149 Newmarket Road is in use as a retail unit (convenience shop) at ground floor with a residential flat above. To the rear of the site are two flat roofed structures which provide nine garage car parking spaces.
- 1.3 Logic House is identified in the Riverside and Stourbridge Common Conservation Area Appraisal as a 'building which detracts' from the Conservation Area. The building dates from the 60s/70s. It has a flat roof and regular casement window fenestration. The building is finished in red brick and tiles on the second floor.
- 1.4 To the north of the site is a strip of land which is often referred to as the pan-handle. This forms part of the adjoining church site. There is currently a live application to redevelop this site (17/2163/FUL) which will be discussed in greater detail in the body of my report. To the north of the pan handle are the residential gardens of houses on Beche Road. The application site and the church strip of land are both elevated above these gardens by approx. 3-3.5m.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of No.149 Newmarket Road and existing garage structures, the erection of new buildings producing a total of 11 residential units (an increase of 10), the formation of a cafe space (use class A3)

on the ground floor of Logic House, brick and tile tinting to Logic House and associated infrastructure and works.

- 2.2 The application has been amended twice to address comments from officers. The proposal includes the retention of Logic House with the addition of a cafe at ground floor to activate the frontage. The size of the cafe has been reduced since the original plans were submitted. Some minor changes are proposed to the external envelope of the building. The building is proposed to be retained in D1 (education) use on the upper floors. Cycle parking which was not provided as part of the 2009 consent for change of use from office to D1 use will now be accommodated on site in the ground floor. The car parking in the ground floor of Logic House and in the area to the rear is proposed to be removed and the garage structures demolished. One car parking space would be retained for disabled users of the site or for servicing purposes.
- 2.3 The application proposes the demolition of 149 Newmarket Road. This building currently accommodates a convenience shop and post office in the ground floor. There is one residential unit above. This will be replaced by Block A of the proposal. Block A has been amended since submission and further information regarding light has been submitted as there were concerns about the impact of the proposal on the amenity of the occupiers of 151 Newmarket Road. Block A fronts onto Newmarket Road with the ground floor unit accessed from a front door off the street. This block contains 3 one bedroom units; the upper floor units are accessed from the rear of the building. The ground floor unit is dual aspect and has a small enclosed external terrace to the rear. The primary outlook to the upper floor flats is towards Newmarket road but Flat F6 does have a bedroom window to the north elevation and flat S1 has a rooflight in the northern roof plane. Block A would be finished in brick with a slate roof and a zinc clad dormer to the front. The front elevation is stepped with narrow slit windows. A chimney is proposed on the western gable end. The rear elevation steps away from 151 Newmarket Road with a lean-to outrigger.
- 2.4 Block B is proposed to the rear of the site to the north of Logic House. It runs adjacent to the boundary with the churchyard and the strip of church owned land subject to application ref 17/2163/FUL to the north. Block B would also be brick with a standing seam zinc roof. The roof form and massing to the

northern elevation has been amended to reduce the impact on the neighbouring gardens on Beche Road. The western element would be visible from the churchyard but would be screened by trees within the church grounds for part of the year. Two of the first floor apartments have balconies which would overlook the churchyard. The westernmost element of the northern elevation has a gable end with asymmetric roof form and a brick chimney; this steps down to a flat roof with slit windows at first floor and high level window at ground floor. Moving further east along the northern boundary, the first floor steps back and a roof terrace is provided for one of the flats. This is screened by a timber balustrade. The ground floor element of block B continues to run hard on the northern boundary to the east of the site but the first floor element continues to be set-back with a hipped metal roof to the duplex unit.

3.0 SITE HISTORY

Reference	Description	Outcome
09/0401/FUL	Change of use from office (B1) to office (B1) and/or educational uses (D1) in the alternative.	Permitted

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/11 3/12 3/14 4/3 4/4 4/6 4/9 4/10 4/11 4/13 4/15 5/1 5/11 6/10 8/2 8/6 8/10 8/16 10/1

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

Central Government Guidance	National Planning Policy Framework July 2018 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010) Public Art (January 2010) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)

<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>The Cambridge Shopfront Design Guide (1997)</p> <p>Eastern Gate SPD (March 2011)</p>
	<p><u>Area Guidelines</u></p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (2012)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Original comment

- 6.1 Objection: The access must allow two cars to pass easily within the access, to this end a minimum of 4.5 metres must be provided for a minimum of 10 metres into the site, clear of the footway. Currently this access is obstructed by the siting of the refuse bins. Unless and until this obstruction is removed refusal is recommended. No information is supplied regarding occupancy of the private garage spaces; the development may increase demand for on-street parking which although unlikely to impact highway safety may impact on residential amenity. Should officer be minded to approve, conditions are recommended.

Amended comment

- 6.2 No objection: The access now provides slightly in excess of 4.5 metres width for 10 metres into the site, clear of the footway. This overcomes my previous objection to the proposal. All other comments previously made are still relevant.

Environmental Health

- 6.3 No objection: Conditions are recommended relating to contaminated land (all 6 conditions), demolition/construction hours, collections/deliveries during demolition/construction, piling, dust, noise insulation, plant noise insulation, odour control, café opening hours, café delivery/collection hours and artificial lighting. Informatives are requested relating to contaminated land, plant noise insulation, dust, food safety, licensing and odour filtration.

Refuse and Recycling

- 6.4 No objection: 2 x 660 litre bins have been provided for waste and same for recycling however there is no scope in the bin store to add more bins if needed in the future. Suggest

downsizing on the green 660 bin to a 240 litre, and adding another 660 refuse or recycling bin. The bins are more than 10m away from kerbside, however there is going to be a managing agent to pull the bins to the kerbside, so no objection.

Urban Design and Conservation Team

First comment

- 6.5 No objections: The site is within the conservation area and is adjacent to the grade II listed St Andrew the Less. Logic House is noted in the Conservation Area Appraisal as a building which detracts from the character of the Conservation Area. It is unfortunate that Logic House is not proposed to be replaced but the creation of a café in what is now an undercroft will create activity to the street. The building to replace the post office (block A) is similar in design to a recent approval adjacent at 165 Newmarket Road. The proposed revision to materials would also improve the appearance of the building. Block B is sited on the boundary and has the potential to impact on the setting of the listed church. It is not considered that the development will have any greater impact on the setting of the church than the existing Logic House, and the terraces overlooking the churchyard may help with natural surveillance of the area which does suffer from some level of anti-social behaviour at times. Clarification is needed about the status of the existing air con units to the rear of Logic House and whether they would be retained or removed. The line of trees, along the churchyard boundary, are important to the setting of the listed church and need to be protected during construction. Threshold planting within the site is essential. Conditions are essential to obtain acceptable details regarding the proposed brick tinting, fenestration, roofing, dormers and materials as well as ground floor thresholds. A sample panel on site will be required.

Second comment

- 6.6 Objection: The Urban Design and Conservation Team have reviewed the amendments to the above application. The changes made to the application have not successfully resolved the detailed challenges of this highly constrained site and have compromised the overall design and appearance of the scheme. The changes have created a roofline that appears contrived and overly horizontal, with the northern and southern facades now appearing less modelled. We therefore cannot support the amended application in its current form. Any

opportunity to step back and reassess the scheme as a whole to address detailed planning issues in the round should be taken to inform a revised approach.

Third comment

- 6.7 No objection: The Urban Design and Conservation Team were previously concerned that the first set of revisions to the application compromised the overall design and appearance of the proposal. The roofline to Block B has been amended to appear more broken and the units from within the courtyard read more clearly. The changes are now considered acceptable in urban design and conservation terms.

Senior Sustainability Officer (Design and Construction)

First comment

- 6.8 Further information is needed: A sustainability checklist has not been submitted and should ideally be provided prior to determination as it is a requirement of the council's SPD. Conditions are recommended relating to renewable energy implementation and water efficiency.

Second comment

- 6.9 No objection: Further to the submission of a sustainability checklist, the scheme is supported subject to the imposition of the conditions suggested in the original comments related to water efficiency and renewable energy implementation.

Policy

- 6.10 Further information is required: The loss of the post office would comply with the local plan as the site is not in the city centre or a district centre. However, further consideration should be given to paragraph 70 of the NPPF, which supports the facilitation and retention of inclusive communities. Paragraph 70 notes that planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the communities ability to meet its day to day needs. No evidence has been supplied to demonstrate that the post office is a valued facility. However, its loss would mean the nearest Post Office would be located in the Grafton Centre. To ensure local access is not adversely affected, it is recommended that this is explored in more detail, before a final decision is made with regards to the loss of the post office.

Head of Streets and Open Spaces (Tree Team)

- 6.11 No objection: Conditions are recommended regarding protection of trees on site.

Head of Streets and Open Spaces (Landscape Team)

- 6.12 No objection: Care should be taken that enough planting space is allowed for the hedge boundaries to the terraces. As the space around them is hard paved, a minimum 750mm wide bed should be allocated. This will allow for an adequate soil volume between concrete haunches retaining any edge treatments for the plants to survive in. Conditions are recommended relating to hard and soft landscape, boundary treatment and landscape maintenance.

Cambridgeshire County Council (Lead Local Flood Authority)

- 6.13 No objection: a condition regarding surface water drainage is requested.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.14 No objection: Three conditions are recommended relating to surface water drainage, foul water drainage and implementation of drainage works.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.15 No objection: The submitted Preliminary Ecological Assessment is acceptable. We need to see the recommendation from the additional bat study prior to determination. The scrub to the rear of the property has significant local value for house sparrows and hedgehogs, would this area be lost? The recommendation for internal nest boxes within the units is supported. The specification and locations of the nest boxes should be conditioned.

Environment Agency

- 6.16 No objection: The site has a medium contaminative impact potential in respect to controlled waters. Conditions are recommended regarding contaminated land/remediation. Informatives are requested regarding surface water drainage, foul water drainage and pollution prevention.

Anglian Water

- 6.17 No objection: A condition is requested requiring a surface water drainage management strategy to be required. An informative relating to trade effluent is requested.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.18 No objection: The layout is considered acceptable as it allows for high levels of natural surveillance designed to deter searching behaviour. The secure cycle storage is supported; this has the potential to meet the principles of Secured by Design. A consultation with the Developer would be welcomed at some point with a view to them considering an application if planning approval is given. A condition regarding external lighting is recommended.

Public Art

- 6.19 No objection: The proposed application for 12 dwellings and a café space meet the policy requirement as detailed in the Council's Public Art Supplementary Planning Document (2010) for delivery of on-site public art. A condition is recommended.

Cambridgeshire County Council (Archaeology)

- 6.20 No objection: The site is in an area of high archaeological potential. The site has been subject to a preliminary evaluation in February 2018 (CHER ref ECB5242) which although very constricted in scope due to the presence of a large sewer pipe and the standing buildings, established that the site is built up on multiple layers of made ground for levelling the site in association with modern development during the 20th century. These layers extended to a depth of 1.3m overlying the natural gravel, with very little intrusion into the natural geology

suggesting that the site sits on unquarried land and that survival of archaeological features pre-dating the modern made ground is likely to be good. A further phase of trench-based evaluation is now required following the demolition of the existing buildings and the realignment of the sewer. This can be dealt with by condition.

Developer Contributions Monitoring Unit

- 6.21 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account. The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.
- 6.22 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: (those who have made representations on the amendments have an asterix)
- Parochial Church council in the parish of St Andrew The Less
 - 52 Abbey Road*
 - 69 Abbey Road
 - 16 Beche Road*
 - 18 Beche Road*
 - 19 Beche Road
 - 22 Beche Road*
 - 24 Beche Road*
 - 26 Beche Road*
 - 32 Beche Road*

- 34 Beche Road
- 36 Beche Road *
- 38 Beche Road*
- 42 Beche Road*
- 52 Beche Road*
- 64 Beche Road
- 68 Beche Road
- 70 Beche Road*
- 7 Godesdone Road*
- 151 Newmarket *Road *
- Flat 10, Beacon Rise, 160 Newmarket Road
- Flat 32, Beacon Rise, 160 Newmarket Road
- Flat 3, 251 Newmarket Road*
- 43 Priory Road
- Riverside Area Residents Association
- 21 Riverside*
- 26 Riverside Place
- 42 Riverside
- 47 Riverside
- 27 Silverwood Close*

7.2 The representations can be summarised as follows:

Residential amenity

- The site is elevated approx. 3.5m above Beche Road gardens and buildings would loom over these gardens causing enclosure. Balconies would overlook the gardens on Beche Road
- Overlooks, overshadows and would have an overbearing impact on strip of land to the rear of the site (pan-handle) owned by the church.
- Significant overshadowing of 30 and 32 Beche Rd
- Applicants states that balconies would be screened to prevent overlooking but this is not shown on the plans.
- North facing balconies offer little amenity. Other windows face a graveyard which offers little amenity
- No daylight/sunlight assessment has been submitted
- The shadow study is inadequate
- No verified views from Beche Road gardens have been provided
- Will compromise chimney/heating system to no 151 Newmarket Rd
- Request internal wall insulation between boundary with 151

- Kitchen next to bedroom of 151 will cause disturbance and noise mitigation will be required
- Would impact light to master bedroom of 151 Newmarket Rd
- Block B will enclose, overshadow and impact privacy to the garden of 151 Newmarket Road
- First floor bedroom window will look into skylights on ground floor of 151 Newmarket Road; a revised design is suggested.
- No amenity/communal space
- Concerned about odour from cafe

Design and impact on the conservation area and setting of the listed building

- Disappointing that Logic House is retained; demolition would allow greater flexibility with the site and improve amenity space
- Retention of Logic House harms the setting of the listed church
- Would harm the conservation area
- The massing and design do not respond to the surrounding character
- The design quality is poor
- Concerned about impact to trees in the church yard
- Beche Court is not a precedent; these properties are lower and have a greater distance between the new properties and the dwellings on Beche Road than what is proposed here.
- Overdevelopment

Other

- Prevents development of the strip of land owned by the church contrary to policy 3/6 of the local plan
- Disappointed that there is no social housing provision
- No family housing or mix of house types
- Loss of post office and shop will impact the local community
- The proposed café may endanger the viability of the new community café at 123 Newmarket Road
- Concerned about viability of the proposed café given little footfall.
- Concerned about loss of parking. Would increase pressure on limited on-street car parking in the area. It is naïve to think future residents won't have cars. The revised proposal reduces parking even further
- Most likely to be occupied by students
- Very few residents were consulted
- Loss of privacy to churchyard
- Applicant did not engage with neighbours prior to submission of the application

- The negatives of the scheme outweigh any positives
- The amendments do not overcome concerns

7.3 Councillor Johnson has requested that the application be called in to committee if officers are minded to support it. His comments can be summarised as follows:

- Note numerous concerns from residents
- Concerned about loss of post office
- Concerned about impact on the Conservation Area and the Grade II listed Abbey Church

7.4 A development control forum (DCF) was held on 17 January 2018. The primary concerns expressed in the petition for the DCF can be summarised as follows:

- Block B would overshadow and dominate the properties on Beche Road
- The proposal would prevent the Abbey church from being able to develop their land to the rear of the site contrary to policy 3/6
- Loss of the post office
- 2 Options put forward to address these concerns

7.5 A petition was submitted by local residents on 1 February objecting to the loss of the post office. The petition is signed by 129 people. The petition can be summarised as follows:

- Object to loss of post office
- Object to insensitive design and scale of development which would impact on the surrounding residential gardens and the setting of the listed church
- Proposal has no benefit to local community or the conservation area
- Would prevent the Church from developing its land

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

8.0 ASSESSMENT

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

1. Principle of development, including loss of Post Office
2. Affordable Housing
3. Context of site, design and external spaces and impact on heritage assets
4. Public Art
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking
11. Third party representations
12. Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 The site is located in close proximity to other residential uses and the site is in principle considered compatible with a residential use in line with policy 5/1.
- 8.3 The site does not fall within the city centre or within a district or local centre so there is no policy restriction to the loss of the retail unit. The planning policy officer has confirmed that the proposal complies with the local plan. The policy officer notes paragraph 70 of the NPPF; this is now paragraph 92 of NPPF 2018, which states that policies and decision should guard against the unnecessary loss of valued facilities and services which help the community meet its day-to-day needs. The applicant has confirmed that the tenant's lease is due to expire so the post office would be vacating the unit irrespective of the result of the application. The unit is in A1 use outside of a centre and not afforded any protections and so could be occupied by any other user within this use class such as a hair dresser or dry cleaners. Once the post office moves the nearest post office for residents will be in Cobble Yard at the Grafton Centre (approx. 7 minutes' walk away). As a result the loss of the post office is not considered to be a material consideration in the assessment of the application, however it is recognised that the loss of the post office will impact on the local community.
- 8.4 The application proposes the creation of a café to the ground floor of Logic House. This will be assessed, in terms of

activating the frontage, in greater detail below. Policy 6/10 states that new food and drink developments will only be permitted where a) the proposal does not give rise to unacceptable environmental problems or nuisance and b) it is in an existing centre or mixed area in an urban centre. I am satisfied that given the minimal nature of the proposal and subject to conditions recommended by Environmental Health, the proposal would not give rise to an unacceptable environmental impact or nuisance. As noted above, the site does not fall within a centre but the site is within 200m of the boundary with the city centre and is within a busy mixed use area of Newmarket Road. It is also worth noting that the emerging plan does not include any policy restricting café uses outside of centres. In my view, although the site is not within a centre, the proposed café use would be acceptable.

Affordable Housing

- 8.5 A number of the representations raise concerns about the lack of social housing provision as part of the proposal. The application proposes less than 15 residential units so it does not trigger any policy requirement for affordable housing.

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

- 8.6 A large number of the representations express disappointment that Logic House is not proposed to be removed as part of the application. I accept that Logic House does have a negative impact on the streetscene and is identified in the CAA as a building which detracts from the area but the developer is not obliged to demolish the building and although ideally the building would be removed this is not part of the application. The application can only be assessed on what has been applied for and the fact that Logic House would not be removed as part of the redevelopment does not constitute a reason for refusal.
- 8.7 The Urban Design and Conservation Team were supportive of the original design. The plans were then amended and the Urban Design and Conservation team objected to the revisions. There were concerns about the revised roof form and the detailing of the revised scheme. The Urban Design and Conservation Officers recommended that any amendments to

address planning matters would need to also consider the design challenges of the site.

- 8.8 The most recent iteration of the plans is supported by the Urban Design and Conservation team. The proposed Block A, which would replace 149 Newmarket Road, is similar in design to one that has been recently approved adjacent to no. 165 Newmarket Road. It takes its cues from the Victorian design of buildings in the area with a bay to the front, an entrance directly from the street and the use of Gault brick. This building is considered to respond to the surrounding context and is considered acceptable in terms of design and impact on the Conservation Area.
- 8.9 Block B is L-shaped extending along the western boundary from the rear of Logic House and then turning the corner and extending along the northern boundary of the site adjacent to the pan handle church site. The ground floor would be finished in brick and the upper floors and roof would be clad in zinc. This block is less prominent in the streetscene as it is sited behind Logic House but views will be possible through the gap between the buildings which provide vehicular access. This Block will be most prominent in views from the residential gardens on Beche Road. The roof form of the northern element has been amended for this reason. The amendments were primarily for residential amenity reasons but they also reduce the bulkiness of Block B and in my view represent an improvement to the design as the revised massing appears less dominant. The western element of Block B would be visible from the churchyard. This would be partially screened by trees within the churchyard for some of the year. Block B steps down from Logic House and the mass of the western element is broken down and reads as two separate elements with asymmetric pitched roofs which slope away from the boundary with the church. The Conservation officer has confirmed that she is satisfied that this would not harm the setting of the listed church.
- 8.10 As noted above, the applicant is not obliged to remove Logic House as part of the proposal. The proposed introduction of a café at ground floor will help activate this frontage which is currently a car park. This is a positive change and will help enliven the street. The remaining works to Logic House, such as the brick tinting, are minor and are all supported by the Urban Design and Conservation Team subject to condition.

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

Public Art

8.12 The Public Art Officer has recommended a condition requiring the approval of a public art strategy by condition. No details have been provided to date and I have therefore recommended the suggested condition.

8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Renewable energy and sustainability

8.14 The Senior Sustainability Officer required a sustainability checklist to be submitted prior to determination. This has been provided and she is satisfied that the proposal would be acceptable and comply with policy 8/16 subject to two conditions relating to water efficiency and implementation of the renewables proposed.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

Impact on 151 Newmarket Road

8.16 No. 151 Newmarket road is located to the east of the site and is attached to the existing building at 149 Newmarket Road which is to be demolished. The owner of this property has objected to the proposal on a number of grounds. Concerns were expressed that the replacement building would have an unacceptable impact in terms of light and enclosure to the master bedroom of no. 151 which is located adjacent to the boundary at first floor. The building has been revised so the protruding first floor element is set off the boundary with 151 and no longer breaks the 45 degree angle from this window. I

am satisfied that this would no longer enclose this room to an unacceptable degree.

- 8.17 The applicant has submitted a daylight and sunlight assessment which assesses the impact of the revised extensions on light to 151 Newmarket Road. The report is a technical document which assesses the impact of the proposal using BRE principles. The report finds that the proposal passes all of the tests and as a result the proposal is considered to have minimal impact in terms of loss of light to 151 Newmarket Road.
- 8.18 The owner of 151 also raises concerns about overlooking of the garden and ground floor rooflights to the living room. The plans have been amended and balconies have been removed from block A. Only one window is now proposed in the rear elevation. This serves an open plan living/kitchen/bedroom to Flat S1. This is similar to the existing arrangement as there is currently a residential unit above the convenience shop and is typical of an urban setting. I am satisfied that the proposal would not have any significant impact on the privacy of 151 Newmarket Road.
- 8.19 The garden of 151 is already somewhat enclosed by the existing flat roof garage which runs hard against the boundary. As part of the application, this would be removed. Block B had originally been proposed to be a full two storey hard on the boundary with the garden of 151. This has been reduced and the first floor element will be set off the boundary and the scale reduced so it no longer runs the full length of the end of the garden. Whilst the building would result in some enclosure to the end of the garden, the reduction in scale is considered adequate given the benefits to outlook from the garden from the removal of the existing garage.
- 8.20 Originally only proposed overshadowing plans were submitted which did not allow for a comparison between the current situation and the proposed. The applicant has now submitted a full set of shadow plans. These show very minor additional overshadowing to the end of the garden at early morning in the spring equinox and middle of the garden at midday during the spring equinox. The whole of the garden of 151 is shown to be in shade with the proposed development by 3pm in both spring and autumn equinox plans. This additional overshadowing is very minor and would not have a significantly harmful impact on the amenity of the occupiers of 151 Newmarket Road. Under

the existing conditions there is a small strip of land which remains unshaded. This strip does not appear to be a meaningful and useful strip of land and as a result the increase in overshadowing at this time is also considered to be minor and within the realm of acceptability.

Impact on the Beche Road properties

- 8.21 No. 30 – 40 Beche Road are located to the rear of the application site although they are separated by the pan handle strip of land which belongs to the church. As noted in paragraph 1.4, these properties and their gardens are significantly lower than the site being somewhere between 3 and 3.5m beneath the ground level at Newmarket Road.
- 8.22 The shadow plans submitted show some increase to overshadowing of the ends of the gardens. The spring and autumn equinox plans show an increase to the shading of no.30 and a very minor amount of additional shading to 32 and 34 at 9am. This impact is only for a limited time. The impact would be most severe to no. 30 with a shadow being cast beyond the end of the garden but the garden area immediately next to the house would remain unaffected. As a result of this and given the limited amount of time which the garden would be impacted, I consider the impact to be acceptable and not sufficiently harmful to warrant refusal.
- 8.23 The pan handle provides a degree of separation (approx. 7m) between the gardens and the proposed block B. The bulk and massing on the north elevation facing these gardens has been reduced. The roof form has been broken up and the height of the flat roof to flat F3 has been reduced in height and a unit has been removed to the eastern element of block B reducing the bulk significantly at this end. One terrace remains on the north elevation but this is now shown with a screen to prevent overlooking. This arrangement is considered acceptable in principle but details of the screen are required by condition to ensure that it will adequately protect the privacy of the neighbouring gardens. A screen will also be required to the balcony of Flat F2 to prevent overlooking. Details of this are also required by condition. There are two slit windows on this elevation which also look towards these gardens. These are narrow windows which serve a hall and bedroom. Given their dimensions and use the rooms serve and the distance between

the windows and the gardens, these are not considered to cause any significant overlooking. A condition is recommended preventing the construction of any further windows at first floor or above including dormers to prevent any future overlooking issues.

Impact on the pan handle (land relating to application ref 17/2163/FUL)

- 8.24 The church development being considered under application ref 17/2163/FUL proposed 3 single storey dwellings on the pan handle strip of land. The church application will be heard at committee at the same time as this Logic House proposal to ensure that members are aware of the issues surrounding both applications, given that each impacts on the other, before making a determination. The church application has not overcome officer concerns and is recommended for refusal due to the lack of tree information and as the units are not considered to provide an adequately high standard of amenity for future occupiers.
- 8.25 Block B would be built up to the boundary with the church strip of land. The building steps up and down on the boundary being two storey to the north western part of the site, with a gable end metal clad roof of 8m in height, moving to a stepped first floor and gradually to single storey on the easternmost element of the northern boundary. Due to the height and mass on the boundary, if this Logic House development is approved and implemented, the outlook to the proposed units on the church site will be limited and enclosed to an unacceptable degree. The church units are directly to the north of the site and would be significantly overshadowed for much of the year. The amenity to the three proposed units on the Church site is already considered unacceptable due to their small size, poor outlook and access arrangements. This is discussed in detail in the report relating to 17/2163/FUL.
- 8.26 Policy 3/6 states that the development of a site or of part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites. The explanatory text underneath states that if development is poorly planned and is not carried out in a coordinated and comprehensive way there is a chance that the

special character of the City will be damaged, that infrastructure will not be provided to serve development when it is needed, that provision will not be made for necessary land uses and that the intention to make development sustainable will not be met.

- 8.27 The church application does not impact on the development proposed at Logic House however the proposed Logic House development would harm the amenity of the proposed units on the church site. The application for three residential units on the church land was submitted in December 2017. There have been discussions with the church as to how it may be possible to overcome the reasons for refusal but no information or amendments have been provided to overcome officer concerns. Whilst the proposed development to the rear of Logic House would have an unacceptable impact on the proposed units on the church site, the Church applicants have not demonstrated that it would be possible to develop the site in a way which provides a sufficient quality of amenity for future occupiers and without the loss or impact on trees which are considered important to the character of the Conservation Area and setting of the Listed Church. As the applicants for the church proposal have not come forward with a form of development deemed 'appropriate', policy 3/6 is not considered relevant and I consider that approval of this proposal could not therefore be argued to prejudice development of the wider area.
- 8.28 Following on from the DCF, both parties began to work together on a joint scheme incorporating both the church site and the Logic House site. A letter was provided by both parties and has been uploaded to both files to explain that this is the case. Discussions on a joint proposal are ongoing and there have been a number of meetings between the council and both parties to discuss a way to progress a joint application. However both parties agreed to continue to work on their own applications and the applicant for Logic House has progressed theirs to a point where they have overcome officer concerns. The church has chosen not to amend their application. Given that the Logic House application has overcome officer concerns, it is unreasonable to delay its determination any further.
- 8.29 The Council has taken legal advice on how to deal with the applications given that both will have an impact on the assessment of the other. The advice given recommends that

both applications are heard together so that members are aware of the issues prior to determination of either application. Should members disagree with the case officer recommendation of refusal on the church application (17/2163/FUL) and resolve to grant permission, this application (17/1815/FUL) would have an unacceptable impact on the amenity of the proposed units which would constitute a reason for refusal.

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

Amenity for future occupiers of the site

8.31 The internal space for each unit is detailed in the below table. The last column on the table details the minimum amount of space required by the national space standards. The studio units which are open plan are required to provide a minimum of 37sqm, the single storey units with separate bedrooms should provide a minimum of 50sqm, the duplex one bedroom unit should provide 61sqm of internal space.

Unit	Size (sqm)	Space standard minimum (sqm)	Private external space (sqm)
Flat G1	42	37	25
Flat G2	37	37	5
Flat G3	45	37	7
Flat G4	54	61	8
Flat G5	46	50	7
Flat F1	53	61	5
Flat F2	75	61	8
Flat F3	37	37	None
Flat F4	34	37	7
Flat F6	38	37	None
Flat S1	37	37	None

8.32 Flat G4 falls below the standard. This unit is a duplex with a small private outdoor terrace. The internal space falls within 10% under the standard but the flat is considered to provide an

adequate quality of internal space and on balance is considered to be acceptable. Flat G5 is also below the space standards. This flat is a one bedroom unit with a small outdoor terrace. The terrace offers little amenity as it would be north facing and be enclosed by the neighbouring property at 151 Newmarket Road but would provide a space to sit out or hang clothes. Whilst the unit is below the standard, if the wall separating the bedroom from the living room were to be removed it would become a studio unit and would exceed the standards for this type of unit.

8.33 Flat F1 also falls beneath the space standards. This is a duplex one bedroom unit. It is dual aspect and has its own balcony which would be well lit and would overlook the churchyard. Although it falls below the standard, it is less than 10% below and is considered to provide an acceptable level of amenity.

8.34 Flat F4 provides 34sqm of internal space which is below the minimum of 37sqm. This unit is double aspect and occupiers would have access to a private terrace. The terrace is north facing so will be in shade for most of the year but would provide some space to sit out or hang clothes. Although the unit provides less space than set out by the standard it is just within the 10% reduction and given the access to the terrace and good outlook this is considered on balance to be acceptable.

8.35 All of the ground floor flats have access to private terraces. As noted above the terrace to G5 is not considered to offer high amenity value as it would be enclosed by buildings and north facing but it would provide some private space for sitting out or drying clothes so although not of high amenity value would be of use. All of the terraces would receive a level of noise disturbance given their proximity to traffic noise from Newmarket Road. The terraces to Flats G2, G3 and G4 are 24m from the road and the noise survey provided shows that all 4 would receive a day time noise level of just under the upper limit of 55dB(A) which the Environmental Health Officer considers acceptable. These terraces are south facing but are likely to be shaded by Logic house and Block A for much of the year. The terrace to Flat G1 is a good size and adjacent to the churchyard. This terrace would be south facing but enclosed by buildings however it is unlikely to experience traffic noise to the same degree as the other ground floor terraces.

- 8.36 Flat F1 and F2 both have west facing first floor balconies. These are also likely to receive some traffic noise from Newmarket Road however much of this would be screened by Logic House and The Environmental Health Officer is satisfied that these are acceptable. These terraces would have good outlook across the churchyard.
- 8.37 The Nationally Described Space Standards are a material consideration but are to be used as a guide rather than a definitive standard as they are not adopted policy. 4 of the proposed 11 units fall below the internal space standards. Whilst I accept that a number of the units are small, in my view, they would still provide an adequate level of amenity for future occupiers.
- 8.38 There were concerns that the central courtyard area was of little amenity value. Further greening has been shown to this area and a reduction to 1 disabled/servicing car parking space. This allows for greater defensible space around the ground floor terraces and for a better quality environment to the courtyard space. The space appears quite tight but a tracking diagram has been provided which details that it is acceptable in terms of manoeuvring. Hours for collections and deliveries to the café are proposed to be controlled to prevent noise disturbance to the new residential occupiers on site. Given the reduced size of the café, deliveries are likely to be minimal.
- 8.39 In my opinion the proposal, despite the small size of some of the units, would provide an adequate quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.40 Two bin stores are proposed as part of the proposal. The store to the rear of the café has been relocated to adjacent to the accessway and also enlarged. The Highway Authority objected to the bin collection point as it would obstruct the access and impact on highway safety. The collection point has been moved to allow unobstructed access which overcomes the Highway Engineers objection. The revised bin store adjacent to the access is larger than that originally proposed and would allow for a greater refuse provision to meet with comments from the

Refuse and Recycling Officer. The doors would open inwards to prevent obstructing the vehicular access.

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

Highway Safety

- 8.42 The plans have been revised to remove bins from the access to overcome the objection from the Highway Authority. The proposal would reduce the intensity with which the access is used given the reduction in car parking. The vehicular access will only be for disabled visitors/students/occupiers and for servicing arrangements. As a result I am satisfied that the proposal would not have any significant adverse impact on highway
- 8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.44 There were concerns that the location of the cycle store would conflict with the proposed residential use of the inner part of the site. The store has been revised so that students can access it from the accessway and do not have to enter the site. This is considered to be an acceptable arrangement. The number of cycle stands to be provided is in line with the provision agreed as part of permission ref 09/0401/FUL. This provision was considered acceptable at the time and there is no change to the educational provision on site. I am satisfied that the 30 spaces proposed would be adequate and acceptable.
- 8.45 The site currently has a large number of car parking spaces which are accommodated in the garages to the rear and the ground floor of Logic House. These are to be removed as part of the application. One disabled car parking space would be retained. The Highway Authority has noted that the proposal may result in an increased demand for on-street car parking on surrounding streets which is unlikely to impact on highway safety but may impact on residential amenity. The site is located in a sustainable location, within close proximity to public transport links and cycle infrastructure, and future residents would be aware of the lack of off-street car parking. The Council

has maximum standards on off-street car parking and as a result the proposal complies with policy. As a result I am satisfied that the lack of off-street car parking provision would be acceptable.

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

Third Party Representations

8.47 I have addressed the third party representations in the body of my report. I will cover any outstanding matters in the table below:

Representation	Response
<i>Residential amenity</i>	
The site is elevated approx. 3.5m above Beche Road gardens and buildings would loom over these gardens causing enclosure. Balconies would overlook the gardens on Beche Road	I note the height discrepancy between the sites. As referred to in paragraphs 8.21 – 8.23, the scheme has been amended to address the harm the original proposal was considered to cause to the properties in Beche Road.
Overlooks, overshadows and would have an overbearing impact on strip of land to the rear of the site (pan-handle) owned by the church.	The impact on the church site is assessed in paragraphs 8.24 -8.28
Significant overshadowing of 30 and 32 Beche Rd	See paragraph 8.22
Applicants states that balconies would be screened to prevent overlooking but this is not shown on the plans.	Balcony screen details are proposed to be dealt with by condition to ensure they would adequately protect the amenity of surrounding gardens

<p>North facing balconies offer little amenity. Other windows face a graveyard which offers little amenity</p>	<p>The units with north facing balconies are dual aspect units and I am satisfied that although these are north facing and enclosed by screens they would have some amenity value. See paragraph 8.32. In my view the west facing balconies would offer a good level of amenity and would not need to be screened so would be less enclosed than others on site.</p>
<p>No daylight/sunlight assessment has been submitted</p>	<p>Daylight/sunlight information and shadow plans have been submitted.</p>
<p>The shadow study is inadequate</p>	<p>A further shadow study has been submitted and is considered satisfactory</p>
<p>No verified views from Beche Road gardens have been provided</p>	<p>These were not required to assess the application.</p>
<p>Will compromise chimney/heating system to no 151 Newmarket Rd</p>	<p>This is not a material planning consideration and is a Party Wall/Building Regulations issue.</p>
<p>Request internal wall insulation between boundary with 151</p>	<p>This is a party wall matter rather than a planning consideration</p>
<p>Kitchen next to bedroom of 151 will cause disturbance and noise mitigation will be required</p>	<p>The issue of internal noise and any requirement for soundproofing is a matter that would be assessed as part of a Building Regulations application.</p>
<p>Would impact light to master bedroom of 151 Newmarket Rd</p>	<p>See paragraph 8.17</p>

Block B will enclose, overshadow and impact privacy to the garden of 151 Newmarket Road	See paragraph 8.19
No amenity/communal space	8 of 11 units have access to some private outdoor amenity space. The units are all one bedroom and unlikely to be occupied by a family so there is normally no requirement to provide outdoor amenity space for units of this type. The site is within walking distance of public open space at Midsummer Common.
Concerned about odour from cafe	Environmental Health has recommended a condition requiring details of odour filtration.
<i>Design and impact on the conservation area and setting of the listed building</i>	
Disappointing that Logic House is retained; demolition would allow greater flexibility with the site and improve amenity space	See paragraph 8.6
Retention of Logic House harms the setting of the listed church	See paragraphs 8.6-8.10
Would harm the conservation area	The Conservation Officer is satisfied that the proposal would preserve the character and appearance of the conservation area. See paragraphs 8.6-8.10
The massing and design do not respond to the surrounding character	See paragraphs 8.6-8.10
The design quality is poor	See paragraphs 8.6-8.10

Concerned about impact to trees in the church yard	The Tree Officer is satisfied that the development would not harm surrounding trees subject to two conditions.
Beche Court is not a precedent; these properties are lower and have a greater distance between the new properties and the dwellings on Beche Road than what is proposed here.	It is acknowledged that there is a difference between this site and the Beche Court site. This application has been assessed on its own merits and, for the reasons set out in the report, is considered to be acceptable.
Overdevelopment	The scale of the development is considered acceptable. See paragraphs 8.6-8.10
<i>Other</i>	
Prevents development of the strip of land owned by the church contrary to policy 3/6 of the local plan	The impact of the proposal on the pan handle is discussed in 8.24 – 8.29
Disappointed that there is no social housing provision	See paragraph 8.5
No family housing or mix of house types	There is no requirement to provide a mix of unit types
Loss of post office and shop will impact the local community	See paragraph 8.3
The proposed café may endanger the viability of the new community café at 123 Newmarket Road	There is no evidence to suggest this would be the case
Concerned about viability of the proposed café given little footfall.	There is no evidence of this. The proposed café use is considered acceptable. See paragraph 8.4

Concerned about loss of parking. Would increase pressure on limited on-street car parking in the area. It is naïve to think future residents won't have cars. The revised proposal reduces parking even further	See paragraph 8.45
Most likely to be occupied by students	No evidence to suggest this would be the case.
Very few residents were consulted	The consultations are in line with the council's policy. Site notices were erected and adverts were included on a local newspaper.
Loss of privacy to churchyard	The overlooking of the churchyard is limited and is not considered harmful. In my view it would be beneficial as it would increase natural surveillance.
Applicant did not engage with neighbours prior to submission of the application	Noted
The negatives of the scheme outweigh any positives	As set out in the assessment within section 8 of this report, when weighing up all the material planning considerations, the application is considered, on balance, to be acceptable.
The amendments do not overcome concerns	Noted.

Planning Obligations (s106 Agreement)

- 8.45 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.46 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development, with an uplift of three units, and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable in terms of design and is not considered harmful to the character and appearance of the conservation area or the setting of the listed church. The proposal is not considered to have any significant impact on the amenity of surrounding occupiers. The proposal would provide an adequately high standard of living accommodation for future occupiers. As a result the application is recommended for approval subject to conditions.
- 9.2 As set out in the reports, if the Logic House scheme is approved in accordance with Officer recommendation, it would almost certainly mean that the panhandle area cannot be developed given the likely impact the Logic House scheme would have on occupiers of any development there. Of the two sites, it could be argued that the church site has the potential to deliver the greatest public benefit as the supporting information suggests that money generated from the scheme would be used to renovate the church, which is on Historic England's Buildings at Risk Register, and bring it back into community use. However, no evidence has been submitted to demonstrate the scheme is viable and achievable, and would bring forward the stated benefits. In addition, and more importantly, the Conservation Team has advised that, subject to the resolution of the trees issue, the proposal would not harm the setting of the church. In

the absence of any identified harm to heritage assets, there is no requirement for an enabling development or public benefits argument to be made. The Council could not therefore justify requiring proceeds from the development of the site to be directed towards the renovation of the Church. So, whilst I appreciate that the repair and reuse of the church might bring forward both conservation and community benefits, these could not be secured through any planning permission.

- 9.3 Following the Development Control Forum, Officers have facilitated meetings involving the developers of the two sites to try and achieve a scheme that includes both pieces of land, and brings forward residential development on the Logic House site whilst also securing works to the church. Unfortunately, following consideration of a number of alternative options, this has proven unsuccessful as a scheme that would be viable and enable the renovation of the church would be of such a scale as to cause significant and irreversible harm to the setting of the church. The applicants for the Logic House site have therefore requested that the Council proceed to determine their application following the submission of amendments to address third party and consultees' concerns. Having discussed at length the options for the potential to develop the two sites together, Officers consider it would be unreasonable to further delay the determination of the Logic House proposal. The Abbey Church has not come forward to date with any further information to address the concerns raised but, in view of the legal advice that the two schemes need to be considered together, that scheme has also been brought to Committee for Members' consideration at the same time.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

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

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

7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

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

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

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

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

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

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

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

14. 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)

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

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

16. The cafe use hereby permitted shall not be open to customers outside the hours of 07:00hrs-23:00hrs Monday to Saturday and 08:00hrs-22:00hrs on Sundays and Bank Holidays.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

17. Collections from and or deliveries to the cafe premises, shall only take place between the hours of 07:00 and 22:00. This shall include the placing of waste, including bottles, into waste receptacles outside the premises and the emptying of waste receptacles by a waste contractor.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

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

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

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

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

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

20. Prior to the commencement of any brickwork, a brick sample panel of the facing materials to be used shall be erected on site and shall be at least 1m x 1m to establish the detailing of bonding, any special brick patterning, coursing and colour, type of jointing. This shall be agreed in writing with the local planning authority. The quality and finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

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

21. Prior to the tinting of the existing bricks and concrete tiles to Logic House, an area for each will be designated and trials of the proposed tints will be undertaken in those areas. The tints and effects detail shall be submitted to and agreed in writing with the Local Planning Authority. Development shall then take place only in accordance with the approved details.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the colour of the brickwork and tiling is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

22. No demolition/development shall take place until a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the local planning authority. No demolition/development shall take place other than in accordance with the Written Scheme of Archaeological Investigation.

Reason: To protect potential features of archaeological importance, Cambridge Local Plan Policy 4/9.

23. Prior to commencement of development and in accordance with BS5837 2012, a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping. 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 ensure adequate tree protection measures are implemented (Cambridge Local Plan 2006 policy 4/4)

24. 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 Arboricultural Method Statement (AMS)

Reason: To ensure adequate tree protection on site during construction (Cambridge Local Plan 2006 policy 4/4)

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

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

26. 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)

27. 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)

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

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

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16 and the Cambridge Sustainable Design and Construction Supplementary Planning Document).

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

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

30. Within six months of the commencement of development, a Public Art Delivery Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of the Public Art and artist commission;
- Details of how the Public Art will be delivered, including a timetable for delivery;
- Details of the location of the proposed Public Art on the application site;
- The proposed consultation to be undertaken with the local community;

The approved Public Art Delivery Plan shall be fully implemented in accordance with the approved details and timetable.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

31. Prior to the occupation of the development, a Public Art Maintenance Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of how the Public Art will be maintained;
- How the Public Art would be decommissioned if not permanent;
- How repairs would be carried out;
- How the Public Art would be replaced in the event that it is destroyed;

The approved Public Art Maintenance Plan shall be fully implemented in accordance with the approved details. Once in place, the Public Art shall not be moved or removed otherwise than in accordance with the approved Public Art Maintenance Plan.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

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

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework II(2018)

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

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework II(2018)

34. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or with any order revoking and re-enacting that Order with or without modifications) no windows, at and above upper ground floor level shall be constructed in the north elevation of Blocks A and B without the granting of specific planning permission.

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

35. Prior to the occupation of the units, details of all the balcony screens shall be submitted to and agreed in writing by the Local Planning Authority. The approved screens shall be in place prior to the occupation of the units and shall be retained thereafter.

Reason: To ensure that the balconies to the hereby permitted flats would not overlook adjacent residential properties, and hence to protect the privacy of surrounding occupiers (Cambridge Local Plan 2006 policies 3/7 and 3/12)

36. No development shall commence until a plan has been submitted to and approved in writing by the Local Planning Authority detailing the proposed specification, number and locations of internal and / or external bird boxes on the new buildings. The bird boxes shall be installed prior to the occupation of the flats and subsequently maintained in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species on the site (Cambridge Local Plan (2006) policy 4/3).

37. 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)

38. 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)

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

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

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

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

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

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

42. The access shall be provided as shown on the approved drawings and a width of access of 4.5 metres retained free of obstruction.

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

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

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

INFORMATIVE: The principal areas of concern that should be addressed by the Traffic Management Plan are:

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

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

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

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

INFORMATIVE: An acceptable method of foul drainage disposal would be connection to the public foul sewer.

Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be reconsulted with alternative methods of disposal.

The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.

INFORMATIVE: All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Surface Water Drainage and Infiltration Sustainable Drainage Systems (SuDS).

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here:

<https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination and if the use of deep bore soakaways is proposed, we would wish to be re-consulted. The proposals will need to comply with our Groundwater protection position statements G1 and G9 to G13.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

INFORMATIVE: For land that is included within the archaeological WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- c) The programme for the analysis, publication & dissemination, and deposition of resulting material. Part (c) 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.

INFORMATIVE: To satisfy the odour/fume filtration/extraction condition, details should be provided in accordance with the principles of Annex B and C of the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of the Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005.

INFORMATIVE: A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays
- Boxing or wrestling
- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email Licensing@cambridge.gov.uk for further information.

INFORMATIVE: Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor. Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

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

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

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

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

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

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

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

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Application Number	17/2163/FUL	Agenda Item	
Date Received	13th December 2017	Officer	Mairead O'Sullivan
Target Date	7th February 2018		
Ward	Abbey		
Site	Abbey Church St Andrew The Less Newmarket Road Cambridge CB5 8HA		
Proposal	Two 1-bed, and 1 2bed residential dwellings on land contiguous to Abbey Churchyard, Newmarket Road, to rear of lock up garages behind Post Office.		
Applicant	Mr R Newman C/O Swann Edwards Architecture		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed units due to their size, poor outlook and backland location, with no certainty that the church will be repaired and brought back into use, would not provide an adequate standard of amenity for future occupiers - A tree survey has not been provided to demonstrate that the potential impact to trees as a result of the proposal would be acceptable
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site lies on the northern side of Newmarket Road to the east of the Elizabeth Way roundabout. The area has a mixed character with a combination of residential, commercial and educational uses in close proximity to the site. To the north of the site are the residential gardens on Beche Road. The application site is elevated above these gardens by approx. 3-

3.5m. The site lies within the Riverside and Stourbridge Grove Area of the Central Conservation Area. The Abbey Church (St Andrew the Less) is a Grade II Listed Building. The land which surrounds the church is allocated as Protected Open Space (CEM 13).

- 1.2 The site comprises the curtilage of the listed church building. The church itself dates from the early 13th century. It was built by Barnwell Priory as a chapel outside the priory gates. The building was restored in the late 19th century by Cambridge Architectural Society. Abbey Church (St Andrew The Less) is currently on Historic England's Heritage at Risk Register due to structural issues and the fact that it is no longer in use. Its condition is considered to be 'very bad' with an 'immediate risk of further deterioration or loss of fabric'.
- 1.3 There are a number of mature trees on site. None of the trees are protected by TPO but the Conservation Area Appraisal suggests that the row of trees to the frontage should be protected as they are of great importance to the townscape and as they add some green to this very built up area of Newmarket Road.
- 1.4 The site is L-shaped and the proposed dwellings are to be sited in the north eastern part of the site; a strip of land which is located behind the Cambridge Seminars College, post office building and garages on Newmarket Road. This is often referred to as the pan-handle. This part of the site is overgrown and not in use.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the construction of 3 dwellings on a strip of land to the east of the site which runs adjacent to 149 Newmarket Road. The development proposed is made up of 1 no. two bedroom dwelling (unit 3G) and 2 no. one bedroom dwellings (units 1G and 2G).
- 2.2 The proposed buildings are pre-fabricated structures with timber clad walls and lean-to green roofs. The buildings are all 2.8m to the eaves with a total height of 3.9m. On the southern elevation the windows are all either high level or obscure glazed. The

northern elevation has larger areas of glazing and is the primary outlook for the units.

- 2.3 The application proposes a new opening in the wall to the front of the church to provide pedestrian only access. The access would then be through the church yard along some form of path. A small bin store is also shown in the church yard along the eastern boundary.

3.0 SITE HISTORY

Reference	Description	Outcome
17/2164/LB C	Listed building consent for two 1-bed and one 2-bed residential dwellings on land contiguous to Abbey Churchyard, Newmarket Road, to rear of lock up garages behind Post Office.	Pending consideration

4.0 PUBLICITY

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

5.0 POLICY

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

- 5.2 Relevant Development Plan policies

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

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework 2018</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
	<p><u>Area Guidelines</u></p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (2012)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal provides no off-street parking provision for proposed properties. 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. This should be included as an informative.

Environmental Health

- 6.2 No objection: Three conditions are recommended regarding construction hours, piling and unexpected ground contamination.

Historic Environment Team

- 6.3 No objection: We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition

Urban Design and Conservation Team

- 6.4 Objection: There is no archaeological information within the application documents and therefore it would be difficult to assess the full impact of the proposed development. The proposed solely residential use of the new units is not considered to be beneficial to the conservation and maintenance of the church, and therefore the less than significant harm to the setting of the listed building of the proposed development is not outweighed by the public benefit. A pre-app was supported by the conservation team as it included toilets a food preparation area and a meeting room which would help bring the church back into community use. The current application has replaced the unit which in the pre-app had a community use, and was considered to be enabling development, with an additional dwelling. By not including this community provision within this application, the applicants are limiting their ability to provide such facilities on the site. The potential for the site to earn revenue, for example by renting it out for community use, would then mean that the profit could be allocated to the conservation and maintenance of the church, dealing with the issues that have put it on Historic England's Heritage at Risk Register. Mature trees need to be retained as part of any proposal. The opening in the boundary wall could be supported subject to details. Need to see details of how bike and bin storage will be screened from view to prevent it impacting on the setting of the church. A path may be acceptable subject to details but due to the possibility of archaeological remains this may not be possible.

Head of Streets and Open Spaces (Tree Team)

- 6.5 Objection: The status of any trees on and adjacent to the site is unclear. A tree survey and Arboricultural Implications Survey is needed to assess the impact of the development upon existing trees both on and adjacent to the site.

Nature Conservation Officer

- 6.6 No comments received. Any comments will be recorded on the amendment sheet.

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

7.0 REPRESENTATIONS

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

- 32 Beche Road
- 36 Beche Road
- Riverside Area Residents Association

7.2 The representations in support can be summarised as follows:

- The design and scale of the dwellings are appropriate
- Sufficiently low level so as not to impact residents on Beche Road
- Increased surveillance to churchyard
- Would not reduce area available for community to use around the church
- Would enable works to the church
- Dwellings would be constructed off-site so would have minimal disturbance to neighbours
- Potential overlooking seems to have been addressed
- Would not harm the setting of the listed church
- Rental revenue from units will facilitate bringing church back into use. It would be more convenient if all facilities are in the church rather than being in a building in the pan handle as suggested by the conservation officer.
- A co-ordinated development approach with Logic House could overcome issues with drainage and wildlife

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

- Logic House
- 151 Newmarket Road

7.4 The representations of objection can be summarised as follows:

- Poor architecture
- Issues with foul water drainage, emergency access and waste

- Poor amenity for future occupiers; units are small, cramped and poorly connected to locality
- Concerned that inadequate information has been submitted in terms of air quality, ecology, foul and surface water drainage and tree impact
- Concerned about accuracy of plans as OS maps have a margin for error
- Harm to setting of church
- Inadequate info to justify the argument that redevelopment enables maintenance work to church
- Public benefits do not outweigh harm

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 The area has a mixed character and the site itself is in D1 use but there is a large amount of residential development in the immediate area surrounding the site so the principle of a residential use on site is considered compatible with the area in compliance with policy 5/1.

8.3 The site is located on land which is allocated as protected open space as it forms part of the land surrounding the Abbey Church. As a result policy 4/2 is relevant. This states that

development will not be permitted if it would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced elsewhere and the site is not important for environmental reasons.

- 8.4 The applicant has addressed policy 4/2 in the Design and Access Statement which accompanies the application. It notes that the strip of land only comprises a small portion of the total open space on site and that due to its siting away from the church it is not visible nor does it contribute to the open setting. The strip of land is awkward to maintain and as a result it has become overgrown and unusable. The proposal would bring the area around the church into greater use with comings and goings to the dwellings and the introduction of artificial lighting could reduce anti-social behaviour in the area. The last point will be discussed in greater detail below. However, I accept the points that the strip of land does not contribute to the open space around the church and that it is not usable given its siting. I consider the loss of the strip of protected open space to, in principle, be acceptable.

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

- 8.5 An application for pre-application advice was supported by the Conservation Team. This proposal was for three buildings similar to the current proposal but one of these was to be used for community facilities. This was supported as the community building was considered to be enabling development as it would provide facilities absent in the church and the revenue for renting the building would help finance works to the church. The two residential units were to be occupied by church staff that would look after the building and provide a level of natural surveillance to the site. The revised proposal removes the community building and replaces it with an additional residential unit.
- 8.6 The design and access statement notes that the new units would fund the immediate repair of the listed building and fund ongoing maintenance. However no further evidence is provided as to how this would work in practice and what the timing would be. If the restoration works to the church and construction of the new residential units did not happen concurrently, a situation

could arise where the three units would have poor amenity; this matter is discussed in greater detail under the relevant heading below.

- 8.7 The pre-app which had been supported by the conservation team included kitchen and toilet facilities within the proposed community building. As this building is not proposed as part of the planning application, it is unclear how and whether it is possible to provide these facilities within the church or elsewhere on site as part of any potential future restoration and redevelopment. However, this in itself would not constitute harm to the setting of the listed building and would constitute a reason for refusal in terms of harm to a heritage asset.
- 8.8 The proposed units are sited away from the immediate area surrounding the church and would not be seen directly within the setting of the Church. The units have a low profile and would clearly read as subservient buildings. The proposed materials are considered acceptable. The new opening in the wall, bin store, path and lighting are all acceptable in principle but further details and amendments would be needed to ensure that these would be acceptable. The works themselves are not considered harmful to the setting of the Listed Building.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, 4/10 and 4/11.

Trees

- 8.10 None of the trees on site are protected by TPO but the trees are afforded protection due to their location within the Conservation Area. The Conservation Area Appraisal references the importance of the trees to the front of the site to the streetscene. However the trees around the site, not just to the frontage, are important to the setting of the listed church and contribute to the green character of the site. The Tree officer has expressed concerns that the development may impact on some trees which are making a positive contribution. She has requested an Arboricultural Impact Assessment to assess the impact. The Conservation officer also notes the importance of the retention of mature trees on site to the character and appearance of the Conservation Area. In the absence of this information, the applicant has failed to demonstrate that the development would not result in harm to trees which are

contributing positively to the setting of the listed building and the character and appearance of the Conservation Area.

- 8.11 In the absence of information to assess the impact on trees the proposal is considered contrary to policies 4/4, 4/10 and 4/11 of the Cambridge Local Plan (2006).

Residential Amenity

Impact on amenity of neighbouring occupiers

Impact on Beche Road Properties

- 8.12 The proposed buildings are all single storey and have a relatively low roof profile. As noted above, the site is elevated above the gardens on Beche Road by approx. 3/3.5m. The buildings have been designed so the height adjacent to the boundary is kept low at 2.8m and the highest element of the building is furthest away from the Beche Road gardens. The proposed buildings would result in some enclosure to the gardens on Beche Road but due to their low height and as only the end of the gardens would be impacted, I am satisfied that this impact would not be significantly harmful to warrant refusal. This does not overcome the other concerns expressed regarding enabling works, amenity for future occupiers, trees and the ability to provide drainage without impacting on the cemetery.
- 8.13 The proposed buildings are to the south of the gardens on Beche Road. No shadow plans have been submitted as part of the application, however due to the orientation of the plots, the buildings are likely to result in some overshadowing of the gardens on Beche Road. Given the low height of the buildings, I am satisfied that this would not be significant. Due to the siting of the proposal, only the end of the rear gardens would be impacted and the most usable immediate garden spaces would remain unaffected.
- 8.14 The proposed buildings have been designed so that all of the windows on the south elevation are either high level or obscure glazed. This will prevent any overlooking to the gardens on Beche Road. If I were minded to recommend approval, a condition could be recommended that would remove permitted

development rights for windows on the south elevation, to ensure that there would be no future issues with overlooking.

Impact on 143- 149 Newmarket Road

- 8.15 Policy 3/6 states that the development of a site or of part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites.
- 8.16 As it stands, the rear of the site is in use for car parking and there would be no impact on residential amenity from the redevelopment of the land to the south. An application for the redevelopment of the site was submitted prior to the submission of this planning application. This application is due to be heard and determined at the same time as this application at planning committee recommended for approval with conditions. The proposal on the adjacent site is for two new buildings containing a total of 11 one bedroom flats and studios with some works to the retained Logic House building and the inclusion of a café to the ground floor of Logic House. Should members choose to approve 17/1815/FUL the proposal, on this church site, would have no significant impact on the occupiers of the development on the adjacent plot. There are a number of ground floor windows which would be directly adjacent to the application site. However all of these windows are high level and do not provide any outlook. As a result there would be no significant impact in terms of enclosure and, as the site is to the north of 143-149 Newmarket Road, there would be no impact in terms of loss of light to the other scheme. The impact of the proposal at 17/1815/FUL on the amenity of future occupiers of this site is assessed under the relevant heading below.
- 8.17 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, 3/6 and 3/7.

Amenity for future occupiers of the site

- 8.18 All three units fall significantly below the nationally described space standards. Details of the internal and external space for each can be found in the below table. Both of the one bedroom

units are 10sqm under the space standard. Unit 3G is 13.5sqm below the standard for a two bedroom unit. The one bedroom units are 27.5 below the standard and the two bedroom unit is 22% below the standard.

Unit	Internal space (sqm)	Space standard (sqm)	External space (sqm)
1G (1 bed)	27	37	8.5
2G (1 bed)	27	37	8.5
3G (2 bed)	47.5	61	21

8.19 The units have their primary outlook to the south to prevent overlooking of the residential gardens to the north. As it stands the site is bounded by a high wall which results in the occupiers having an enclosed outlook with only 2.5m between the front windows and the wall of the adjacent site. The terraces are small and would be enclosed by the buildings and the neighbouring wall. The terrace to the 2 bedroom unit is larger and has a better outlook than the one bedroom units but the unit itself is significantly below the internal space standard requirements and as a result, even with a larger and less enclosed garden, it would still offer a poor level of amenity.

8.20 I have previously addressed the fact that the proposal has not made a case that the works would constitute enabling development. Whilst this in itself was not considered to constitute harm to the listed building, it would have an impact on the amenity for future occupiers of the units. The design and access statement notes that the new units would fund the immediate repair of the listed building and fund on-going maintenance. However no further evidence is provided as to how this would work in practice and what the timing would be. If the restoration works to the church and construction of the new residential units did not happen concurrently, a situation could arise where the three units would have poor amenity. Without evidence to tie the works together, a situation could arise whereby the units would be completed and the works to the church could be delayed or become unviable. If this were to happen these units would have a very poor level of amenity due to their backland context and siting within the grounds of a derelict church. Whilst the occupation of the units does add to

natural surveillance of the churchyard, if the church remains derelict, the access arrangement to the units, along a large area of public space which is not overlooked, even with the addition of lighting, would not be acceptable.

- 8.21 Conversely, if the church is repaired and brought into use, the residential occupiers may suffer unacceptable noise due to the community use of the building. I have discussed the potential noise impact with the Environmental Health Officer and he feels that should the units not be occupied by church staff there is the potential for noise disturbance and further information, in the form of a noise impact assessment, would be needed to assess this potential impact. The church has suggested that they would not accept a condition requiring the units to be occupied by church staff as they may wish to sell the units in the future. I have asked that the Environmental Health Officer updates his comments and these will be provided on the amendment sheet.
- 8.22 At paragraph 8.16, I note that there is a concurrent application for the redevelopment of the adjacent site at 143- 149 Newmarket Road. If permission is granted and consent implemented for 17/1815/FUL, this application, for development of the church land, is not considered to harm the amenity of future occupiers of 143-149 Newmarket Road. However if the application ref 17/1815/FUL is approved, in accordance with officer recommendation, the proposed development of this site would have an unacceptable impact on the amenity of the proposed units within the church site.
- 8.23 The proposed building to the rear of Logic House would be built up to the boundary with the church strip of land. The building steps up and down on the boundary being two storey to the western part of the boundary, with a gable end metal clad roof of 8m in height, moving to stepped first floor and gradually to single storey on the easternmost element of the northern boundary. Due to the height and mass on the boundary, if the Logic House development is approved and implemented, the outlook to the units on the church site will be limited and enclosed to an unacceptable degree. The church units are directly to the north of the site and would be significantly overshadowed for much of the year.

- 8.24 Policy 3/6 states that the development of a site or of part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites. The explanatory text underneath states that if development is poorly planned and is not carried out in a coordinated and comprehensive way there is a chance that the special character of the City will be damaged, that infrastructure will not be provided to serve development when it is needed, that provision will not be made for necessary land uses and that the intention to make development sustainable will not be met.
- 8.25 The church application does not impact on the development proposed at Logic House however the proposed Logic House development would harm the amenity of the proposed units on the church site. The application for three residential units on the church land was submitted in December 2017. There have been discussions with the church as to how it may be possible to overcome the reasons for refusal but no information or amendments have been provided to address officer's concerns. Whilst the proposed development to the rear of Logic House would have an unacceptable impact on the proposed units on the church site, the Abbey Church applicants have not demonstrated that it would be possible to develop the site in a way which provides a sufficient quality of amenity for future occupiers and without the loss or impact on trees which are considered important to the character of the Conservation Area and setting of the Listed Church.
- 8.26 In my opinion the proposal does not provide an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is contrary to Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.27 A bin store is to be provided within the cemetery. The Conservation Officer has not raised an objection to this element. The building would be timber clad with a green roof and would not harm the setting of the church. The store is quite a considerable distance from the residential units so is not particularly user friendly. Details of the path have not been provided but this would need to be sufficiently solid to allow the

bins to be moved on collection day. A managing agent is likely to be needed to move the bins.

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

Highway Safety

- 8.29 The Highway Authority has not raised any highway safety concerns. I share this view and consider the proposal would not have any significant adverse impact on highway safety.

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

Car and Cycle Parking

- 8.31 A bike store is to be provided to each unit. Details of the store have not been provided but the approach shown on the site plan would be acceptable in principle and if I were minded to recommend the application for approval, details of the stores could be provided by condition.

- 8.32 No off-street car parking is proposed. The site is located in a sustainable location in close proximity to public transport links and cycle infrastructure and as a result the lack of car parking is considered acceptable.

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

Ecology

- 8.34 With regard to the concerns raised by the agents acting on behalf of the Logic House developers about the wildlife value of the site, the Ecology Officer has been consulted but has not yet provided comments to date. Any comments will be provided on the amendment sheet.

Third Party Representations

- 8.35 I have addressed the majority of the third party representations within the body of my report but I will cover any outstanding matters in the below table.

Representation	Response
The design and scale of the dwellings are appropriate	Noted. The design and scale is considered acceptable
Sufficiently low level so as not to impact residents on Beche Road	The impact on the Beche Road properties is considered acceptable
Increased surveillance to churchyard	There would be a minor increase to surveillance from comings and goings but unless the church is brought back into use the backland context is not considered adequate in terms of access and natural surveillance. See paragraph 8.20.
Would not reduce area available for community to use around the church	Noted.
Would enable works to the church	No evidence has been provided to demonstrate that this would be the case
Dwellings would be constructed off-site so would have minimal disturbance to neighbours	Noted.
Potential overlooking seems to have been addressed	Noted
Would not harm the setting of the listed church	The impact on the listed building is considered acceptable
Rental revenue from units will facilitate bringing church back into use. It would be more convenient if all facilities are in the church rather than being in a building in the pan handle as suggested by the conservation officer.	There is no evidence to tie the development of the strip of land to the repairs and renovation of the church.
A co-ordinated development approach with Logic House could overcome issues with drainage and wildlife	Noted but this does not form part of this application.

Planning Obligations (s106 Agreement)

- 8.36 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.37 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development, with an uplift of three units, and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

- 9.1 The proposed units due to their small, cramped and enclosed nature are not considered to provide adequate amenity for future occupiers of the site. This is further compounded by uncertainty about how the proposed works would facilitate restoration works to the church. Unless the church is repaired and brought back into use the access arrangements to these units would also be unsatisfactory. There are a number of mature trees on site and the tree officer has requested further information to assess the impact of the development on these trees which are considered to have a positive impact on the setting of the listed church and on the conservation area. In the absence of any information, the applicant has failed to demonstrate that the development would have an acceptable impact on these trees and hence upon the designated heritage asset.
- 9.2 As set out in the reports, if the Logic House scheme is approved in accordance with Officer recommendation, it would almost certainly mean that the 'panhandle' area cannot be developed given the likely impact the Logic House scheme would have on occupiers of any development there. Of the two sites, it could be argued that the church site has the potential to deliver the greatest public benefit as the supporting information suggests that money generated from the scheme would be used to

renovate the church, which is identified by Historic England as at risk, and bring it back into community use. However, no evidence has been submitted to demonstrate the scheme is viable and achievable, and would bring forward the stated benefits. In addition, and more importantly, the Conservation Team has advised that, subject to the resolution of the trees issue, the proposal would not harm the setting of the church. In the absence of any identified harm to heritage assets, there is no requirement for an enabling development or public benefits argument to be made. The Council could not therefore justify requiring proceeds from the development of the site to be directed towards the renovation of the Church. So, whilst I appreciate that the repair and reuse of the church might bring forward both conservation and community benefits, these could not be secured through any planning permission.

- 9.3 Following the Development Control Forum relating to the Logic House site, Officers have facilitated meetings involving the developers of the two sites to try and achieve a scheme that includes both pieces of land, and brings forward residential development on the Logic House site whilst also securing works to the church. Unfortunately, following consideration of a number of alternative options, this has proven unsuccessful as a scheme that would be viable and enable the renovation of the church would be of such a scale as to cause significant and irreversible harm to the setting of the church. The applicants for the Logic House site have therefore requested that the Council proceeds to determine their application following the submission of amendments to address third party and consultees' concerns. Having exhausted the options for the potential to develop the two sites together, Officers consider it would be unreasonable to further delay the determination of the Logic House proposal. The Abbey Church has not come forward to date with any further information to address the concerns raised but, in view of the Legal advice that the two schemes need to be considered together, has been brought to Committee for Members' consideration at the same time.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. By virtue of the small and cramped nature of the internal space provided, the poor enclosed outlook and constrained access arrangement to the units, through the grounds of a derelict church with no evidence to provide certainty the church will be repaired and brought back into use, the proposed units are considered to provide a poor standard of amenity to future occupiers contrary to policies 3/7 and 3/12 of the Cambridge Local Plan (2006).
2. No information has been provided regarding the impact of the proposed development on trees on site. There are a number of mature trees on site which are important to the setting of the listed building and the character of the Conservation Area. Without information to allow an assessment of the impact of the proposal on trees on site, the proposal has failed to demonstrate that it would not be harmful to these trees and thus also the setting of the listed building and the character and appearance of the Conservation Area contrary to policies 4/4, 4/10 and 4/11 of the Cambridge Local Plan (2006).

Application Number	18/0765/FUL	Agenda Item	
Date Received	18th May 2018	Officer	Sav Patel
Target Date	13th July 2018		
Ward	Kings Hedges		
Site	Garage Block Markham Close Cambridge		
Proposal	Demolition of existing garages and erection of 5 no. affordable apartments with associated car parking.		
Applicant	Cambridge Investment Partnership LLP CIP Offices Mill Road Depot Mill Road CB1 2AZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The development proposal make efficient use of a brownfield site to accommodate new affordable housing; - The design and scale of the proposed development is of high quality which responds to its context without appearing out of character, and - The development would not have any significant detrimental impact on the amenity of neighbouring residents.
RECOMMENDATION	APPROVE

0.0 BACKGROUND

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

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located within King's Hedges ward. The site consists of a block of 12 single storey garages including a hardstanding turning area. The garage site is located adjacent (south-east) to an existing three storey block of flats (Nos. 11-23 Markham Close) and accessed via a narrow side road off Markham Close. The site is also located to the rear of the two storey dwellings at 143 to 155 King's Hedges Road which are to the south-east of the site. To the north-east of the site is a footpath and just beyond this is a large two storey warehouse building located within Kings Court Business Park. To the south-west of the site is the two storey terraced row of dwellings consisting of nos. 5 to 10 Markham Close (no.10 being the nearest to the site).
- 1.2 The site is not allocated for any particular use in the adopted Local Plan (2006) and according to the adopted Proposals Map is not located within an area of development constraint such as a Conservation Area. There are also no Listed Buildings or Buildings of Local Interest or protected trees within close proximity to the site.

2.0 THE PROPOSAL

- 2.1 The proposal is to demolish the existing garage block and redevelop the site with a part three, part two and part single storey building consisting of 5no. 1bed apartments including cycle and bin storage and communal outdoor space. The proposal also includes five car parking spaces. Provision has also been made to ensure the occupiers of nos.145 to 155 King's Hedges Road retain access to the rear gardens from within the site.
- 2.2 The application is accompanied by the following supporting information:
1. Cover letter from agent;
 2. Plans;
 3. Design and Access Statement;
 4. Planning Statement.
 5. Phase 1 Contamination Assessment Report;
 6. Flood Risk Assessment & Drainage Strategy
 7. Aboricultural Impact Assessment;

- 8. Noise Assessment;
- 9. Preliminary Ecology Appraisal;

2.3 The proposal has been amended to address concerns raised by the Landscape Officer and Urban Design Officer. The following amendments have been made:

- Space for four visitor cycle parking spaces have been provided next to the main entrance of the building;
- The south-east footpath has been widened to improve access to the rear gardens of the dwellings in King's Hedges Road;
- The footpath to the west of the apartment building has been reduced to 1.5 metres in width and the green areas on both sides widened;

2.4 The Landscape Officer and Urban Design Officer have been reconsulted on the proposed amendments.

3.0 SITE HISTORY

No relevant planning history.

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed (Wider concern):	Yes

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 4/3 4/4 4/13 4/15 5/1 8/2 8/6 8/10 8/18

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

Central Government Guidance	National Planning Policy Framework July 2018 National Planning Policy Framework – Planning Practice Guidance March 2014
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 Control)

- 6.1 The application removes existing off street parking provision which may well be displaced on streets which provide uncontrolled parking. The proposed development may therefore impose additional demand upon on street parking. Whilst this is unlikely to result in any significant adverse impact upon highway safety there is a potential impact on residential amenity that the Local Planning Authority may wish to consider.

Urban Design

1st comments:

- 6.2 Overall the proposal responds well to the site context and constraints. The form and massing is sympathetic to the surrounding area and elements such as the angled windows add another level of modelling to the facades. Bike storage is well catered for and given the size and constraints of the site, it is considered acceptable to have a small number of bike spaces in a separate, covered lockable store. However, the scheme could benefit from the following refinement:
- The corner is a bit of a 'non-space' that cuts across a natural desire line;
 - The potential for a tree close to the entrance to the 'lane' that maintains access to the rear gardens of the existing properties;
 - The threshold to Flat 5 could be designed differently to emphasise the presence of a residential unit at the end of the lane;
 - No visitor cycle parking is proposed;
 - The shared surface paving is good and should be permeable;
 - There is an opportunity to use the flat roof areas as green/brown roofs;
 - Full height windows in the ground floor flat is likely to reduce privacy and result in future occupiers keeping curtains closed – suggest keeping full height glazing for the patio door and reducing the height of the other windows;

2nd comments following submission of amended plans:

- 6.3 The landscape strategy has been refined to better respond to pedestrian desire lines and visitor cycle parking introduced. The application is considered acceptable, subject to conditions regarding external materials.

Environmental Health

- 6.4 The proposed development is acceptable subject to the following conditions and informative:

- Contaminated land (x6);
- Construction hours;
- Collection during construction;
- Construction/demolition noise/vibration and piling and informative;
- Dust and informative;
- External/artificial lighting assessment;
- Site investigation informative;
- Remediation works informative;
- Materials chemical testing informative;

Head of Streets and Open Spaces (Landscape Team)

1st comments:

- 6.5 No objections to the proposal but there are opportunities to refine the indicative landscape plan. The following amendments are recommended:

- Width of pedestrian access - The access footway is remarkably wide at 3 metre for a simple footway access path and we feel it can be reduced to as little as 1.5 metres. This would allow for additional tree planting and buffering between the development and the adjacent back gardens. It would also allow for additional soft landscape thresholds to differentiate the residential main access from the access to the bike and bin stores on the western elevation by way of railings, hedges, different planting types etc.
- Visitor cycle parking - The inclusion of visitor cycle parking stands on an under-performing and extraneous piece of landscape to the frontage.

- Access to back gardens - Gates for the existing houses on the south-east side by the car parking bays is inadequate. Use of the gates would be compromised by the presence of cars so close by and potentially overhanging the kerb. We recommend that the parking bays are shifted westerly as close to the boundary as possible allowing the access path to widen by that same increment.
- All pavement should be permeable paving;

6.6 Notwithstanding the above, the following conditions are recommended:

- Hard and soft landscaping;
- Boundary treatment;

2nd comments following submission of revised plans.

6.7 The amended plans address the previous concerns with the proposed landscape layout. The application can now be supported subject to the conditions below.

- Hard and soft landscaping;
- Boundary treatment;
- Landscape Maintenance and Management Plan;

Head of Streets and Open Spaces (Sustainable Drainage Officer)

1st comments:

6.8 The Flood Risk Assessment and Drainage Strategy and design are inadequate. The following information is requested:

- AW should be contacted regarding connecting to the surface water sewer.
- Topographical survey should be undertaken.
- More details/design of the proposed drainage system is required.
- Full drainage design calculations should be submitted to demonstrate that the system is designed such that there will be no surcharge in the 30 year storm and no flooding of property both on site and off site in the 100 year flood event with 40% climate change allowance.

- Maintenance plan and responsibilities for the proposed drainage system and exceedance flow paths are required.

2nd comments following submission of Site Specific Flood Risk Assessment:

- 6.9 The assessment confirms that there is a method for draining the site however there is limited information on the design of the drainage strategy and its management and maintenance. However, this information can be provided as part of a surface water drainage condition.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.10 Content with the submitted survey subject to a bird and bat box condition and informative for nesting birds.

Environment Agency

- 6.11 No objections in principle to the proposed development. However the following recommendations and informatives are made:

- Further intrusive investigation should be undertaken to determine the extent of any contamination;
- All surface water from the roofs shall be piped direct to an approved surface water system;
- Only clean uncontaminated surface water should be discharged to any soakaway, watercourse or sewer;
- All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels;
- Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies;
- Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
- Foul water drainage should be discharged to the public foul sewer;
- Anglian Water should be consulted and requested to demonstrate there is sufficient capacity to accommodate additional flows;

Local Lead Flood Authority (County)

6.12 Not a 'major development' and as such do not wish to make any comments.

Cadent Gas

6.13 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

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

7.0 REPRESENTATIONS

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

- Letter from 18 Markham Close signed by 13 individual local residents (11, 12x2, 14, 15x2, 16, 17x2, 20, 21 and 23 Markham Close);

7.2 The representations can be summarised as follows:

- Concerns with the potential daily disturbance to routines and lifestyle caused by construction vehicles movements;
- Concerns with the potential impact from air and noise pollution;
- Concerns with the potential affects and inconvenience on day to day access to homes/entrances, opening windows, sleep disturbance for night shift workers, and lack of privacy;
- Concerns that children within the existing flat block will not have access to outdoor play;
- Will the existing sheds/storage units be removed to accommodate the proposed development, if so will there be suitable replacement?
- Concerns with the potential impact on parking in this area from the loss of the garages and garage site which is also

used by visitors – residents will need to park further away from their houses;

- Concerns with the potential impact on turning in this location;
- What is the timescale of the project?
- There are issues with the condition of some of the existing flats re mould/damp etc... which has been raised with the Council but nothing is being done about it.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 5/1 of the Local Plan (2006) supports the development of windfall sites for housing subject to land use compatibility. The surrounding properties to the east, south and west are residential and therefore the use is acceptable in principle in accordance with policy 5/1.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

8.4 The site is located north-east of the existing three storey block of flats and at the end of a cul-de-sac making it mainly visible to the immediate neighbouring properties. The site is not visible from wider distances or angles and only visible from the public realm by standing in the access road to the site. Part of the site

is also visible from a gap between no.147 and no.149 King's Hedges Road. To the rear of the site (north) is a large two storey commercial building and so the only dwellings that directly face onto the site are those in Kings Hedges Road. Therefore, in terms of visibility the site is largely hidden from view and not within a prominent location.

- 8.5 In terms of context, the surrounding built form is characterised mainly by two storey pitched roof terraced housing which is intermittently punctuated by three storey pitched roof blocks of flats.
- 8.6 The proposed flat roof multi-level building has been designed with an 'L' shape footprint. The main three storey element would be located at the front of the site and set over part of the existing garage block. The depth of the building would be contained within the width of the gable end of the existing apartment block. The height would be 8.8 metres which would be 300mm below the ridge height of the existing apartment block. The existing 1.8 metre wide side access would be retained. The two storey and single storey elements would be set 5.8 metres back from the front of the three storey element and 6.2 metres away from the north-eastern (side) boundary and be located centrally within the site. The three storey element would drop down to 5.9 metres for the two storey element and 3.1 metres for the single storey element. This transition down in heights helps to reduce the mass and bulk of the building.
- 8.7 The design of the proposed building would introduce a contemporary addition to the area which would enhance the appearance of the site. The site is currently in an unsightly condition and, due to its hidden location perceived as being unsafe. The proposed building would be of a scale that would enable it to sympathetically integrate into the site without appearing out of keeping with the locality. The space around the building, particularly the space adjacent to the south-east boundary has been designed to give it purpose and place to the benefit of future occupiers and also those residents in King's Hedges Road that have access to it. The proposal would also create a better and safer living environment.

- 8.8 Therefore, in terms of design and scale the proposed development is acceptable and would make a positive contribution to the site and this location.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 Concerns have been raised by local residents regarding the potential noise and disturbance caused by construction work to the existing living conditions and local environment. The representations also raise concerns with the potential impact from loss of privacy. I set out below my response to the concerns raised.

Noise and disturbance during construction work

- 8.10 Demolition/construction work and associated traffic movements are an inevitable and temporary part of the development process. This therefore cannot be used as a reason to refuse a planning application, as the works are temporary and there are means to mitigate the impact on local residents. In order to mitigate the impact of any development work, particularly where it is located adjacent to other dwellings/residents, construction management conditions are generally applied such as restricting hours of work, hours of deliveries/collections, dust mitigation and submission of noise and vibration assessments. The Environmental Services team has recommended all of these conditions if the application is approved. The hours of work condition would prevent any Sunday or Bank Holiday working; the delivery/collection condition would limit when material is delivered and removed from the site; the dust condition would require the applicant to submit information to demonstrate how they will mitigate dust pollution, particularly from the demolition of the garages; and the noise and vibration assessment will require technical information to be submitted to demonstrate the equipment and plant to be used on site will not exceed noise and vibration levels set within British Standards. In addition to this, I have also recommended a contractor management plan condition (21) which will require details of contractor access arrangements, location of the storage area/compound, means of moving, storing and stacking all building materials, plant and equipment, and details of contractor parking arrangements. In view of this, I am satisfied

that subject to these recommended conditions, there would be sufficient safeguards in place to reasonably mitigate any significant impact from building works on existing residents.

Loss of Privacy

- 8.11 The concerns raised regarding loss of privacy relate to children playing on the communal outdoor space and not being able to open windows during building works. The proposed construction work would not restrict access to the existing communal outdoor space to the rear of the existing block of flats. There may need to be a temporary closure of the area at the front of the block of flats for safety purposes. However, at this stage, the precise details of the demolition and construction phases are unknown. However, if there were to be any restriction of access to outdoor space it would be temporary and would not justify refusal of this application. The hours of work condition would ensure that outside the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays there would not be any demolition or construction activity. I am therefore satisfied that the harm caused by demolition and construction work would not have a significant detrimental impact on the residential amenity of local residents.

Overlooking, overbearing and overshadowing

- 8.12 In terms of other potential impacts, I do not consider the proposed development would cause any direct overlooking or loss of privacy issues. The front elevation of the three storey block, which faces towards no.10 Markham Close, has been designed with angled windows at first and second floor level, which would direct views away from the rear garden area. The east elevation of the two storey element contains one bedroom window at first floor level which would be circa 4.9 metres from the eastern (site) boundary of the site and 17.4 metres from the rear elevation of the dwellings in King's Hedges Road. The bedroom window would also be high level. The bedroom would also be served by a secondary window which faces south west. The south-west facing window would be located circa 17.8 metres from the side boundary of no.10 Markham Close. At this level of separation I am satisfied that the window would not cause any additional overlooking over and above that which already exists.

- 8.13 With regards to the windows serving the communal stair-core, whilst this is not a habitable space, I have nevertheless recommended a condition to require the first and second floor windows in the south-east and south-west elevations to be obscure glazed up to a height of 1.7 metres from internal finished floor level. This would enable sufficient daylight to enter the stair-core whilst mitigating any overlooking impact. Overall I am satisfied that there are no habitable room windows at first and second floor that would cause an unreasonable and direct overlooking and loss of privacy issue to existing residents.
- 8.14 In terms of overbearing, the main three storey element has been designed to appear similar in scale to the existing three storey block of flats and would be located within the width of the side gable. The two and single storey elements would not have any adverse overbearing impact on the surrounding residents due to the scale of these elements and distance from the surrounding dwellings. The three storey element would not appear in direct views of the occupiers in the existing flats or from the rear elevation of no.10 Markham Close. The three storey element would also not conflict with the 25 and 45 degree rules from no.10 Markham Close or from the rear elevation of the dwellings in King's Hedges Road. Therefore, the scale of the development would not cause any adverse enclosure issues such that it would have a significant detrimental impact on the residential amenity of the surrounding occupiers.
- 8.15 In terms of overshadowing, the proposed development would not cause any significant levels of overshadowing to the surrounding properties such that it would have a significant adverse impact on the residential amenity of the surrounding occupiers. The proposed development would be located north of no.10 Markham Close so would not cause any overshadowing issue. The proposed development would not cause any adverse overshadowing impact on the occupiers in King Hedges Road due to the scale of the development and distance from the rear elevations (17.4 metres). The proposal would also not conflict with the 25 and 45 degree rules in the BRE guide.
- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

8.17 The proposed development would provide the following size flats:

Unit	Size	Area (M²)
1	1 bed flat	50.8
2	1 bed flat	50.8
3	1 bed flat	54.3
4	1 bed flat	50.8
5	1 bed flat	51.3

8.18 The size of the proposed flats would comply with the national minimum space standard which is 50m² for a 1bed 2 person flat. However, these standards are not adopted by the City Council as the Local Plan (2006) does not contain any similar standards. In my view, therefore, the proposed flats would provide generous living accommodation for future occupiers. All the flats would have access to the communal outdoor space. Each of the ground floor flats would have access to a small terrace area. Each occupier would also have access to a secure cycle store. I am therefore satisfied that the proposed development would provide high quality living accommodation for future occupiers.

Refuse Arrangements

8.19 The proposal includes an internal bin store which can be accessed from the lobby area and externally from the eastern elevation. The bin store would also provide 5 receptacles for three waste streams and located within 30 metres drag distance of the pavement for collection.

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

Highway Safety

8.21 The County Highway Authority has not raised any highway safety issues with the proposed development. The proposal

includes the widening of a section of the access to the site from just over 3 metres to 4.8 metres to enable better vehicle access to the five car parking spaces for the future occupiers. The widening will enable a car leaving the site to pull over and let an oncoming vehicle pass to enter the site.

- 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 five car parking spaces; 1 for each flat. This is compliant with the maximum standards in the Local Plan (2006). The car parking spaces have been laid out to ensure they are accessible and there is sufficient turning space to enable vehicles to leave the site in forward gear.

- 8.24 Concerns have been raised about the potential displacement of cars from the loss of the garages onto the surrounding streets and adding to the existing pressure of on street parking in this area. I understand from housing colleagues that only 6 of the 12 garages are let and the rest are empty. It is unclear as to whether the 6 garages are being used for car parking or for storage but they are clearly under-utilised in any case. In these terms, therefore, I do not consider the loss of the garages would result in any significant displacement of cars onto surrounding streets such that it would put increased pressure on existing on street car parking capacity. I also understand from the housing team that other garages are available on Crowland Way which is half a mile from the site. On this basis, I do not consider the loss of the garage block and displacement of cars would have a detrimental impact on the residential amenity of the surrounding residents. It should also be noted that the proposal includes off street car parking for future occupiers of the development.

Cycle parking

- 8.25 The proposal includes four cycle spaces within a cycle store contained in the footprint of the proposed building. A separate cycle shed is proposed adjacent to the rear boundary for two cycles. Four external visitor cycle spaces are located adjacent to the stair-core. Therefore, in total the proposal consists of 10

cycle parking spaces (6 private and 4 visitors). This is compliant with the Cycle Parking Standards in the Local Plan (2006).

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

Third Party Representations

8.27 I set out below my response to the issues raised in the third party representations:

Representation	Response
Concerns with the potential daily disturbance to routines and lifestyle caused by construction vehicles movements;	I have addressed this point in paragraphs 8.10-8.11
Concerns with the potential impact from air and noise pollution;	See paragraph 8.10 – I have recommended a dust mitigation condition.
Concerns with the potential affects and inconvenience on day to day access to homes/entrances, opening windows, sleep disturbance for night shift workers, and lack of privacy;	See paragraphs 8.10-8.11.
Concerns that children within the existing flat block will not have access to outdoor play;	See paragraphs 8.10-8.11
Will the existing sheds/storage units be removed to accommodate the proposed development, if so will there is suitable replacement?	The proposal does not involve the removal of the existing storage units to the rear of the existing block of flats.
Concerns with the potential impact on parking in this area from the loss of the garages and garage site which is also used by visitors – residents will need to park further away from their houses;	See paragraph 8.24

Concerns with the potential impact on turning in this location;	The proposed development would meet its own car parking and turning needs and so is unlikely to impact the existing car parking situation/constraints.
What are the timescale of the project?	It is anticipated that this project will take 65 weeks to complete.
Will the existing outdoor storage sheds be demolished? If so will they be replaced?	At this stage the existing storage sheds are not proposed to be removed/demolished. However, if this changes in the future then the applicant has advised me that they will be replaced.
There are issues with the condition of some of the existing flats re mould/damp etc... which has been raised with the Council but nothing is being done about it.	This is not a material planning consideration but the applicant has been made aware of this and the issues have been reported to the Council's management and maintenance team.

9.0 CONCLUSION

- 9.1 The proposed redevelopment of the existing garage block site to provide 5 1bed flats with 5 car parking spaces, cycle and bin storage and communal space would improve the appearance of the site.
- 9.2 The proposed design and scale of the apartment building would respond to the site context and surrounding built form. The design is of a contemporary style which would improve the setting of the site and the scale would be sympathetic to the character of the surrounding built form.
- 9.3 The proposal has been designed to mitigate the impact on the residential amenity of the local residents. I am satisfied that the proposed development would not cause any adverse direct overlooking issues such that it would result in loss of privacy, appear overbearing or cause a sense of enclosure to the surrounding occupiers, or of a scale/height to cause unreasonable levels of overshadowing.

- 9.4 The proposed development would make a positive contribution to the area in terms of its visual appearance and make use of a brownfield site for additional housing within the City.
- 9.5 I am therefore satisfied that the proposal is acceptable in all regards and should be approved subject to the recommended conditions.

10.0 RECOMMENDATION

APPROVE subject the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

- (a) Desk study to include:
 - Detailed history of the site uses and surrounding area (including any use of radioactive materials)
 - General environmental setting.
 - Site investigation strategy based on the information identified in the desk study.

- (b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

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

- 4. Submission of site investigation report and remediation strategy:

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

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

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

- 5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

7. Material Management Plan:

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

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material

- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

8. Unexpected Contamination:

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

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

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

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

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

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

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

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

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

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

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

13. Prior to the installation of any external lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include an artificial lighting impact assessment which shall horizontal AND vertical isolux contour plans, light levels into windows and predicted source intensity / luminaire intensity at receptors to demonstrate levels of glare. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

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

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

14. Prior to the commencement of works above ground full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

15. Prior to the commencement of works above ground, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter. 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).

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

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

17. 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. 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) Calculations to show the performance of the system (including all pipes and attenuation features) for a range of summer and winter storm durations for all durations up to the seven day storm event.
- c) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- d) The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

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).

- 18. No development hereby permitted shall be commenced until details of proposed foul water drainage have been submitted to and approved in writing by the local planning authority. The works shall thereafter be implemented in accordance with the approved details.

Reason: To ensure appropriate foul water drainage (Cambridge Local Plan 2006 policy 8/18).

- 19. Prior to the commencement of works above ground the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

20. Prior to the commencement of works above ground, full details of the proposed specification, number and locations of internal and/or external bird and bat boxes on the new buildings shall be submitted to and approved in writing by the Local Planning Authority. The installation shall be carried out prior to first occupation and subsequently maintained in accordance with the approved plans.

Reason: To provide ecological enhancements for protected species on the site (Cambridge Local Plan 2006 policies 3/4 and 4/3).

21. The windows on the south-east and south-west elevations at first and second floor level of the stair-core element shall be obscure glazed up to a height of 1.7 metres from internal finished floor level and to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall be retained and maintained as such thereafter.

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

22. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

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

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

INFORMATIVE: The applicant is requested to take into consideration the informatives contained in the letter by the Environment Agency dated 24 May 2018. If you require further clarification on any of the comments in the letter or other ground water issues then please contact the Environment Agency: The Environment Agency, Brampton Environment District, Bromholme Lane, Brampton, Huntingdon, Cambs, PE28 4NE, Tel no: 01480414581. The waste produced on the site during demolition / construction will be subject to the general Duty Of Care under the Environmental Protection Act 1990 and is likely to be subject to control under the Waste Management Licensing Regulations 2011 and the Hazardous Waste Regulations 2005.

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

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

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

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

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints

- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1 Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

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

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

INFORMATIVE: Dust condition informative

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

- Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":
<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>
- Guidance on the assessment of dust from demolition and construction:
http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf
- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012:
http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf
- Control of dust and emissions during construction and demolition - supplementary planning guidance:

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

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

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

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

INFORMATIVE: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

INFORMATIVE: Before these details are submitted in relation to condition 17, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change.

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Application Number	18/0758/FUL	Agenda Item	
Date Received	18th May 2018	Officer	Lewis Tomlinson
Target Date	13th July 2018		
Ward	Queen Ediths		
Site	57 Hartington Grove Cambridge CB1 7UB		
Proposal	Conversion of existing first floor and ground floor HMO (7 occupants) into 6 self contained bedsits, a two storey rear extension and a side dormer.		
Applicant	Mrs Marukh Akhtar		

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 would not have an adverse impact upon the surrounding area. • The proposed development would not have any adverse impact on the residential amenity of adjoining neighbours and would provide acceptable living conditions for the future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 No.57 Hartington Grove is on the northern side of Hartington Grove and is a detached two storey dwelling. There is a right of way to west of the property to provide access to a garage for a neighbouring property. To the east of the property is the access gate to the rear garden of No.57. The surrounding area is predominantly residential and characterised by two storey properties of different design and built form. There are no site constraints.

- 1.2 The existing building comprises of two HMO's:
- Ground floor: 4 bed HMO
 - First Floor: 3 bed HMO

2.0 THE PROPOSAL

2.1 The proposal is for a change of use of the two existing HMO's to six 1 bed studio flats, a two storey rear extension and a side dormer. The proposal would retain the existing 3 car parking spaces and provide 6 cycle parking spaces.

2.2 A similar scheme was refused under planning application 14/0848/FUL and dismissed at appeal under reference (APP/Q0505/W/16/3150434). This application is a re-submission following the appeal decision. The appeal was dismissed for the following reasons:

- Storage of cycles/bin to the front of the property caused harm to the character and appearance of the area
- Impact upon privacy/outlook of unit 3 as all windows face west onto the right of way
- Sense of enclosure to unit 2 due to the hedge being less than 2m in depth

2.3 The application is accompanied by the following supporting information:

- Planning Statement
- Drawings

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

- Bin storage moved from access way to the rear garden
- Gate to the rear garden widened from 0.8m to 1m
- Proposed dormer serving unit 4 obscure glazed

3.0 SITE HISTORY

Reference	Description	Outcome
13/1255/FUL	Conversion of existing property into 9 self contained bedsits	Refused

14/0848/FUL Conversion of existing first floor and ground floor HMO (7 occupants) into 6 self contained bedsits Refused/Appeal dismissed

4.0 PUBLICITY

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

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	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

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

Central Government Guidance	National Planning Policy Framework 2018 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)
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.3 Status of Proposed Submission – Cambridge Local Plan

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site 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.

Environmental Health

- 6.2 No objection subject to a condition regarding construction hours.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 31 Rock Road
- 33 Rock Road
- 37 Rock Road
- 41 Rock Road
- 59 Hartington Grove
- 68 Hartington Grove

7.2 The representations can be summarised as follows:

- New first floor dormer window needs to be obscured glazed otherwise it would overlook Rock Road properties
- Local need for family accommodation, not single units
- Insufficient parking and cycle parking – potential need for 7-12 car parking spaces
- Loss of green space
- Out of keeping with adjacent family Victorian and Edwardian homes
- No communal space
- The accommodation could be used for air B&B
- Loss of privacy even when obscured glazed windows could be opened.
- 1.7m planting insufficient height to protect privacy

- Noise and disturbance from occupants – day and night time from up to 12 occupants
- Noise and disturbance during construction, needs a construction management plan condition
- Overshadowing and overlooking of 59 Hartington Grove
- Inadequate and awkward cycle/bin storage
- Overdevelopment
- Poor level of amenity for future occupiers
- Occupancy rates – could be 12 occupants
- Object to extension to the north, ample space within current footprint for redevelopment
- Bedsits not suitable for students who require communal space for good health

7.3 A further representation has also been received from Camcycle:

- We object to application 18/0758/FUL under policy 8/6 of the 2006 Local Plan because the cycle parking area does not appear to meet the requirements laid out in Appendix D nor the Cycle Parking Guide for New Residential Developments.
- The indicated cycle shed measures only approximately 1.75m by 1.75m, which is insufficient to fit a single typical bicycle much less six. Furthermore the access door to the garden is only 0.8m wide, which is less than the needed 1.0m. In order to withdraw our objection the applicant must upload a revised version of the plans having a policy-compliant cycle parking area and an accessway that is at least 1.0m wide.

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

Principle of Development

- 8.2 While the proposal would result in the loss of two HMO's, it would result in the provision of 6 new residential units. In my opinion, the principle of the development is therefore acceptable and in accordance with the NPPF and Local Plan policies 5/1 subject to other material planning considerations discussed below.

Context of site, design and external spaces

- 8.3 The proposed side dormer on the west facing elevation serving unit 4 would be visible from the street scene but given the variety of designs and built forms within the immediate vicinity, it would not have an adverse impact upon the street scene in my opinion. The proposed two rear extension would not be visible from the street. Notwithstanding this, the ridge height of the proposed extension would be lower than the ridge height of the existing building, and therefore would appear subservient to the host building. The proposal would also incorporate materials to match the existing which would result in a coherent development.
- 8.4 The proposed two storey rear extension would replace an existing single storey rear extension. There would be sufficient room in the rear garden to house a bin/cycle store, the proposed private amenity space and some communal garden space. In consideration of the above points, the proposed development in my view would not be an overdevelopment of the site. The proposal would also result in the loss of a tree, but given that the tree is located to the rear of the garden and is not protected, officers do not object to this loss.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 & 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- *59 Hartington Grove*

8.6 The proposed two storey rear extension would not result in a significant overbearing impact as the extension would be set off the boundary with No.59 Hartington Grove and would have an eaves height of 2.9m. I acknowledge that the proposal would result in a degree of loss of afternoon light to the rear garden of No.59 but given the orientation of the properties, this is not considered to be significant to warrant a refusal of the application. The plans indicate that the proposed dormer window on the east facing elevation of the proposed extension would be obscured glazed. A condition is recommended to ensure this would be obscured glazed and non-opening up to a minimum of 1.7m above the finished floor level to ensure the proposed window would not overlook No.59.

- *Rock Road properties*

8.7 Both of the proposed dormers on the west facing elevation are indicated to be obscure glazed on the plans. A condition is recommended to ensure these would be obscured glazed and non-opening up to a minimum of 1.7m above the finished floor level to ensure the proposed windows would not overlook the adjacent Rock Road properties. There is an existing small rooflight, and the proposal would result in an addition of another rooflight adjacent to it. However given the size of these and the roof slope, I do not consider it would be necessary to require it to be obscure glazed. Given the distance between the proposed extension and the neighbouring properties on Rock Road, I consider the proposed extension would not have an adverse impact on their residential amenity.

- *Wider area*

8.8 The Environmental Health Team has recommended a condition to control construction hours in order to protect the residential amenity of occupiers of properties in the wider area during construction. I accept this advice and have recommended the condition accordingly. The Inspector concluded in the appeal decision (APP/Q0505/W/16/3150434) that the 'proposed use of

the rear amenity area and side access would not significantly materially change the current situation nor result in an unacceptable level of noise, disturbance and activity to the occupiers of the neighbouring properties'. I have considered the impact of additional demand for car parking spaces on residential amenity in the 'car parking' section below.

- 8.9 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

- 8.10 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, the majority of the flats comply and some even exceed the recommended size. Only two of the flats are marginally below the National Space Standards. In my opinion, the units would provide a high quality internal living environment for the future occupants.

Unit	Floor space (sqm) 14/0848/FUL	Floor space (sqm) proposed	NSS (sqm)
Flat 1	32	37	37
Flat 2	38	38	37
Flat 3	37	40	37
Flat 4	32.5	36	37
Flat 5	34	35	37
Flat 6	40	37	37

- 8.11 Unit 2 and Unit 3 both have a window on the rear elevation and direct access via door to the rear garden. However, as these units would face the communal space and cycle/bin storage, the application provides private rear amenity areas for each unit. Previously the private rear amenity area had a depth of less than 2m on 14/0848/FUL and the Inspector considered that it would result in a sense of enclosure for the future occupants. As the depth of the private amenity area has been increased to 3m with a height of 1.7m, I consider it would not result in a sense of enclosure and would protect the privacy of the occupiers of Units 2 & 3. Previously under 14/0848/FUL, unit 3 only had outlook onto the right of way but as unit 3 would now

have outlook to the rear and access to a private amenity area, it is considered that unit 3 would enjoy an acceptable level of amenity.

- 8.12 To protect the amenity of the future occupiers of unit 1, unit 2 and unit 3, a condition is recommended to ensure that the ground floor windows on both the west facing elevation and east facing elevation are obscure glazed. I consider this to be a reasonable approach as unit 1 would enjoy outlook from a window on the front elevation (this mimics the existing layout of the property), unit 2 and unit 3 would enjoy outlook from windows on the rear elevation.
- 8.13 These studios are the only units that would have private amenity areas. All the units are 1b studios. These 1b studios are likely to be occupied by individuals or couples and whilst it is desirable to have a rear private amenity area, the fact that no private amenity areas are provided for the other units would not warrant a refusal of the application in my opinion. It is also to be noted that there is a small communal area within the rear garden and the site is within a reasonable distance of Coleridge Recreation Ground.
- 8.14 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.15 The bins would be located in the rear garden within a store. A condition is recommended requesting further details of this storage. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.16 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 informed that future occupants would not qualify for parking permits. This is dealt with in the below car parking section.

- 8.17 A neighbour has requested the submission of a construction management plan. The Highway Authority has not recommended the inclusion of a condition to secure this. As the application is of a small scale, with limited external changes such as alterations to windows and an extension to the rear, I do not consider it reasonable or necessary to impose a Construction Management Plan in this instance.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.19 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 the applicant of this.
- 8.20 There is a driveway area to the front of the property which has space for 3 car parking spaces. 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 just off Cherry Hinton Road. Cherry Hinton 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.
- 8.21 6 cycle parking spaces are proposed for the flats. The cycle parking would be located to the rear of the development within a secure cycle store and has been indicated on the plans. This level of cycle parking would comply with policy. Camcycle objected to the application on the basis of the inadequate size of the cycle store and the access being only 0.8m instead of 1m. As there is enough room in the rear garden to accommodate the cycle storage, a condition is recommended to secure further details of the cycle parking. The applicant amended the proposed block plan to widen the rear garden gate access to 1m to comply with the above.

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

Third Party Representations

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

Concern	Response
Local need for family accommodation and not single units	There is no policy requirement for this.
The accommodation could be used for air B&B	This proposal is for residential units and not short term lets. It should be considered on this basis.
Student accommodation	This proposal is for residential units and not set student accommodation. It should be considered on this basis.
Occupancy levels could be between 6 -12 people.	No limit can be placed on this type of proposed development. However, I do not consider the proposal would result in a significant intensification of the site that would result in harm to the neighbouring properties. The Inspector concluded on (APP/Q0505/W/16/3150434) that the additional noise and disturbance arising from the proposed use would not be significantly greater than the existing HMO.

9.0 CONCLUSION

9.1 I consider that the proposal has addressed the points raised in the appeal decision (APP/Q0505/W/16/3150434) as the bin/cycle store would be located in the rear garden, and the ground floor units have been re-configured. Therefore 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 proposal.

10.0 RECOMMENDATION

APPROVE subject to 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 following windows shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be non-opening unless the part of the window, door or opening is more than 1.7m above the finished floor level of the room in which it is installed. For the avoidance of doubt, these windows are:

- The ground floor windows on the west facing elevation serving unit 3
- The ground floor windows on the east facing elevation serving unit 1 and unit 2
- The dormer window on the west facing elevation of the approved extension serving unit 6
- The dormer window on the east facing elevation of the approved extension serving unit 6
- The proposed dormer on the west facing elevation serving unit 4

The development 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).

4. No development shall commence until details of facilities for the covered, secured parking of bicycles and facilities for the storage of bins in the rear garden of the site, for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles and appropriate storage of bins (Cambridge Local Plan 2006 policies 3/4, 3/7 and 8/6).

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

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

INFORMATIVE: The residents of the approved development will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

Application Number	18/0827/FUL	Agenda Item	
Date Received	22nd May 2018	Officer	Sophia Dudding
Target Date	17th July 2018		
Ward	Newnham		
Site Proposal	108 Grantchester Meadows Cambridge CB3 9JN Demolition of a two storey house and construction of a new dwelling		
Applicant	Mr Matthew Cleevely 13 Owlstone Road Cambridge CB3 9JH Cambridgeshire		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1) The proposed new dwelling would be in keeping with the area and would not give rise to significant harm to the character of the Conservation Area. 2) The proposed new dwelling would not give rise to significant harm to the residential amenity of the neighbouring properties. 3) The proposal would provide high quality of living condition for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is occupied by a two storey detached residential 1960's house located on the south side of Grantchester Meadows. The site is bounded to the front with high hedges and vegetation. There is a footpath running along the western side of the property accessing the River Cam. Skater's Meadow and Grantchester Meadows lie beyond the western and southern boundaries respectively. To the eastern

side are located two similarly designed detached properties also dating from the 1960's.

- 1.2 The site is located within the Newnham Croft Conservation Area and comprises a mix of Victorian, Edwardian and 1960's houses. The road forms an architectural contrast between the northern characteristic 19C and pre-war buildings and the southern late built simple buildings which includes the application site. The adjacent land to the west and south lies within the Cambridge Green Belt. The southern part of the site falls within Flood Zone 2 and 3. The adjacent land to the west, Skater's Meadow, is a County Wildlife Site.
- 1.3 The site is neither a listed building nor a building of local interest.

2.0 THE PROPOSAL

- 2.1 Full planning consent is sought for the demolition of the existing two storey building and construction of a new dwelling.
- 2.2 The new dwelling would be erected over a similar footprint as the existing dwelling with a slight increase to its south and west side (136m² to 145m²). It would be a two storey pitched roofed building with a steeper roof (9.9m ridge height, 5.8m eaves height) with a raised ridge height which would be about 1.8m higher than the existing building. It would retain a similar eaves height to match the row of neighbouring buildings. The new building would step down to two side wings of which the eastern side would be a shallow single storey lean-to element, whilst the western side would be a modest two storey pitched roof element (7.9m ridge height, 5.8m eaves height) extending onto a roof terrace and patio area overlooking the meadows.
- 2.3 Three rows of solar panels would be installed to the southern roof plane to supply green energy for the building. The new building would be characterised by its symmetrical arranged façade, a row of horizontal band front windows with stone fins and a chimney to be installed in the roof centre.
- 2.4 The proposal would provide a single car parking space, bin and cycle storage in the front garden, and it would not remove or involve any works to the existing seven trees within the site. A new tree was originally proposed to be planted to the northwest

side, but during the course of application it has been removed from the revised plan to address the Highway Authority's comments.

2.5 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Preliminary Ecology Appraisal
3. Flood risk Assessment
4. Drawings

3.0 RELEVANT PLANNING HISTORY

Reference	Description	Outcome
C/65/0604	Addition of playroom and w.c. and extension of dining room.	Application permitted
C/66/0337	Erection of Prefabricated Home Extension.	Application permitted
17/1371/FUL	<u>113 Grantchester Meadows</u> - New single storey annex	Application permitted
16/1415/FUL	<u>113 Grantchester Meadows</u> -Part single storey and part two storey rear extension, First floor side extension, Alterations to existing single storey side extension.	Application permitted
12/0684/FUL	<u>99 Grantchester Meadows</u> - Demolition of existing single storey side extension and replacement with three storey side extension, third storey including loft conversion plus single storey rear extension.	Application permitted
06/0250/FUL	<u>103-107 Grantchester Meadows</u> - Redevelopment to erect 3 no. new dwellings (1 no. four bedroom house and 2 no. three bedroom house).	Appeal allowed

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework 2018 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

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

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Original comments

6.1 Objection –

The development encroaches onto the existing highway verge.

The red line does not include this area of public highway, and so the application would appear invalid, however the Highway Authority object to the stopping up of the verge, without which the development could not proceed.

The Highway Authority therefore objects to the proposal unless and until the proposed structure and works to the public highway are removed from the proposal.

Final comments

6.2 Support-

The revised plans no longer encroach onto the highway with structures and so resolve the concerns raised.

Environmental Health

6.3 Support- subject to conditions regarding construction hours, collection during construction, piling and dust.

Urban Design and Conservation team

6.4 Supports- subject to recommended conditions for sample materials, roofing details and solar panel details.

The existing building is not considered to be important to the character of the conservation area. Therefore a replacement that preserves or enhances the character of the conservation area can be considered. The context of the existing 1960s building is of a structure at the end of a group of three buildings of the same age, on the edge of the open meadows. There are clear views of the building from the adjacent footpaths and meadows. The three 1960s buildings are of similar character, but of differing design and materials. The scale of each also differs, with the centre property occupying a larger footprint. It is therefore considered that the loss of this building would not have a detrimental impact on the adjacent properties.

The properties on the north of Grantchester Meadows are on higher land, so those on the south side, such as no. 108, are lower reducing their impact on the street. The proposed new dwelling has a higher ridge height than the existing and nos. 106 and 104 adjacent, however the eaves height is comparable. The lack of consistent ridge heights in this part of the conservation area can accommodate this increase in height. It is noted that no. 102, a Victorian property at the other end of the 1960s houses, gable end onto the street, has a higher ridge line and is of greater scale than the adjacent properties. The scale and massing is appropriate to this location. The sense of

openness and link with the surroundings will not be affected by the development.

The elevations are acceptable. Concerns have been raised over the rows of PV panels and rooflights on the south roof slope. While installing methods for allowing natural light into the building and generating energy is welcomed, it is queried whether these elements will have a negative impact on the tranquillity of the meadows south of the site. Will the sun be glinting on the PV panels and rooflights? Further information needs to be submitted to show that these elements will not cause harm to the character of the conservation area.

Landscape Architects

6.5 Additional information required –

There is a concern that the combination of PV panels along with a long bank of roof lights will have a visual impact on the Greenbelt. Individually, the elements are not necessarily harmful but the combination of a tall and fairly steep roof form, 3 rows of pv panels and a long continuous roof light will likely cause considerable reflectivity or glare from sensitive landscape and visual receptors. We feel there should be further consideration of the detail of these elements to reduce their impact on the surrounding landscape and amenity features of the Greenbelt and River Cam. Photography of key views may aid in the assessment of this. Additional tree planting at the bottom of the garden may serve to buffer the site but without further information, it is not able to be considered.

Conditions requiring details of landscaping and boundary treatments are recommended.

Drainage Officer

6.6 Support- subject to a condition requiring details of surface water drainage.

Nature Conservation

6.7 Support- subject to conditions prohibiting external lighting to the western boundary and requiring details of bird and bat boxes.

Streets and Open Spaces (Trees)

6.8 Support-

The topographical survey indicates a large lime in the front garden that it is not believed exists; a tree like this would be a constraint to development.

However, it is believed that while the vegetation that will be impacted by the development contributes generally to the verdant character of the area, it would not be a reasonable constraint to development. Therefore no formal objection to the proposal subject to a suitable landscape scheme that seeks to enhance the contribution the site makes to the area's verdant character. It is recommended that a landscape scheme include suitable tree planting along the site frontage and western boundary.

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

7.0 **REPRESENTATIONS**

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

- 106 Grantchester Meadows (Support)
- South Newnham Neighbourhood Forum (Support)
- 111 Grantchester Meadows (Objection)

7.2 The objection representation can be summarised as follows:

- The height of the new building would not be in keeping with the character of the area, and would intrude into the adjacent landscape.
- The applicant should consider a gambrel roof design that would reduce the height of the house.
- The obscure glazing in the façade would not be in keeping with the area.
- There is no precedent for bronze powder coated window frames in the area.

7.3 The support representations can be summarised as follows:

- The letters from No.106 and South Newnham Neighbourhood Forum note that the applicant has engaged in considerable consultation with neighbours and with the South Newnham Neighbourhood Forum and taken account of their 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 including impact on the Conservation Area and adjacent Green Belt
3. Residential amenity
4. Cycle parking and refuse arrangements
5. Car parking and highway safety
6. Tree issues
7. Ecology
8. Flood risk
9. Third party representations

Principle of Development

8.2 Policy 5/1 states proposals for housing development will be permitted on windfall sites subject to the existing land use and compatibility with adjoining uses. As the site is already occupied by a dwelling and the surrounding area is predominantly residential, I consider the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces including impact on the Conservation Area and adjacent Green Belt

Layout, Scale, height and form

- 8.3 The proposed new dwelling would be erected over a similar footprint as the existing dwelling by following similar front and rear building lines to match the building arrangement of the row of neighbouring properties. The new building would follow a relatively simple form similar to the existing dwelling with a pitched roofed central element and two subservient side wings.
- 8.4 The new building would have increased physical massing and roof height compared with the existing dwelling and the immediately adjacent properties, No.106 and No.104. It would have a steep roof slope and a two storey side element at the western side of the property. Although the new building would be approx. 1.9m higher than the existing house and neighbouring dwellings, Grantchester Meadows comprises buildings with a diverse range of building heights and physical massing. The opposite side of the street in particular has much architectural diversity, ranging from No. 113, a relatively low and modest scale cottage, to grand and relatively tall Victorian and Edwardian houses at Nos. 103-111. As the road has a diverse range of properties, I consider the new building would fit in well with the surrounding area in terms of its scale, height and building form. The Conservation Officer supports the application, making reference to the lack of consistent ridge heights in this part of the conservation area. I concur with her view that the site can accommodate this increase in height, and that the scale and massing of the new dwelling would be appropriate to this location.

Materials and detailing

- 8.5 The new building would be constructed from buff brick and slate. Both materials are common in the area, and I consider they are acceptable subject to sample being provided. The main part of the new building would have a symmetrical arrangement to the front and rear elevation and a horizontal band of windows along the full width of the central element with stone mullions. I consider the design is acceptable. The proposed materials and simple building form would successfully reflect the character of the adjacent buildings.

- 8.6 The owners of No.111 objects to the obscure glazing in the horizontal band of windows and powder coated window frames, and states they would not be in keeping with the area and set a precedent. Whilst there may not be other examples of such materials in the vicinity, this does not mean the development would be harmful. I consider these materials to be of a high quality and that, subject to agreeing samples of materials by condition, that the new dwelling would have an acceptable impact on the character of the area.
- 8.7 The Conservation Officer and the Landscape Architect have raised concerns regarding the potential visual impact of the solar panels on the south facing roof plane. As the property is located at the western end of the road and would have key views from Skater's Meadow, both consultees have concerns that the panels would give rise to reflection which would harm the tranquility of the meadows. I have recommended a condition to require details of the PV panels to ensure the panels would not have a negative effect on the area.

Landscape

- 8.8 The existing hedge bounding the front garden is proposed to be retained. Further to the advice received from the Landscape and Trees Officers, I have recommended that a hard and soft landscaping condition be added to any consent.
- 8.9 In summary, I consider the proposal would provide a high quality contemporary designed new dwelling which would be in keeping with the area and would not give rise to harm to the character of the Conservation Area, and the openness of the adjacent Green Belt.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 4/1 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 There are two windows in the west side elevation of No.106 facing the new dwelling; one is the first floor bathroom window and the other one is the ground floor side window for the living

room which also has its main outlook and light source from a large area of glazing to the rear. Although the new building would have a higher ridge height than the existing dwelling which would give rise to enclosure and light loss to both aforementioned windows, they are not primary windows which we could take into account as material considerations. Therefore, I do not consider the impact on these two windows would be substantial.

- 8.12 The outlook of the new dwelling would be similar to the existing dwelling. Therefore, I do not consider it would give rise to any new overlooking issue to the neighbouring properties.
- 8.13 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/12 and 4/13

Amenity for future occupiers of the site

- 8.14 I consider the new dwelling would provide spacious and well-arranged interior habitable space and high quality amenity space with sufficient sunlight and well planned soft plantation for the future occupiers to enjoy. In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and 4/13.

Cycle Parking and Refuse Arrangements

- 8.15 The proposal provides bin storage in the west corner of the front garden that could accommodate three 120L bins. The cycle storage is provided in the east corner to accommodate 6 bikes. Both bin and cycle storage would be screened away from the public view by the front hedge. I have no objections to the proposed location of cycle and bin storage. A condition is recommended to require elevation details of the bin and cycle storage.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 3/12.

Car parking and Highway Safety

- 8.17 The Highway Authority initially objected to the proposal on the basis the frontage of the site would encroach onto the public highway. A revised ground floor drawing has been submitted to address the issue and the highways authority has confirmed this resolves their concerns.
- 8.18 A single car parking space would be provided in the front garden and I consider this would be sufficient for a single family to use.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2 and 8/10.

Tree issues

- 8.20 The submitted topographical survey suggests there is a large lime tree in the front garden. This is not the case but, notwithstanding this, the Tree Officer has no objections to the application subject to a suitable landscape scheme being provided.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

Ecology

- 8.22 As the site is adjacent to the Skater's Meadow which is designated as a Country Wildlife site, a preliminary ecological appraisal has been submitted to identify the potential for presence of protected species. The Nature Conservation officer has raised no objections subject to conditions to prohibit the external lighting of the eastern boundary to Skaters Meadow, and to require details of bird and bat boxes.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/3 and 4/6.

Flood risk

- 8.24 The site falls within Flood Zone 1 and its rear garden extends onto the Flood Zone 2 and 3. A flood risk assessment has been submitted and concludes that the redevelopment would have no

adverse impact upon the off-site risk of flooding. The Council's Sustainable Drainage Engineer has raised no objections to the proposal subject to a condition requiring details of surface water drainage.

Third Party Representations

- 8.25 The matters raised in the third party representations have been addressed in this report.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:-

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

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

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

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

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

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

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

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

5. Prior to installation of any solar panels and/or photovoltaic cells, full details including type, dimensions, materials, location and fixing shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

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

6. No development hereby permitted shall be commenced until a surface water drainage scheme based on sustainable drainage principles and following the drainage hierarchy has been submitted to and approved in writing by the local planning authority. The drainage system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding of third party land for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:
 - a. identify the existing and proposed method of surface water disposal;
 - b. provide information about the design storm period and intensity, the existing and proposed drained areas, the method employed to delay and control the surface water discharged from the site to ensure no increase in surface water runoff from the site and achieve an overall reduction where possible;
 - c. provide information on the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - d. provide a management and maintenance plan for the proposed SuDS features.

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

7. No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

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

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

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

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

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

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

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

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

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

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

14. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

15. Notwithstanding the approved plans, no development shall take place until full details of the bin stores, including their location, elevations and details of materials, have been submitted to and approved in writing by the local planning authority. The bin stores shall be carried out in accordance with the approved details before the dwelling is occupied and retained as such thereafter.

Reason: To ensure that the location and external appearance of the bin stores is appropriate (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

16. No development shall commence until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and bat boxes on the new buildings. This should include suitable provision for swallows. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: To provide ecological enhancements for protected species on the site (Cambridge Local Plan 2006, Policy 4/3)

17. Prior to the installation of any external lighting to the western boundary of the site, details shall be submitted to and approved in writing by the Local Planning Authority, and the lighting installed and thereafter retained in accordance with the approved details.

Reason: To ensure that any lighting along this boundary would not harm the ecological value of the adjacent land which is designated as a County Wildlife Site (Cambridge Local Plan 2006 policies 4/3 and 4/6).

INFORMATIVE: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and shrubs are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting

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