



Cambridge City Council Planning

Date: Wednesday, 7 November 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
Start time: At conclusion of Part Two

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

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

2 Apologies

3	Declarations of Interest	
4	Minutes	(Pages 19 - 26)
Part 1: Major Planning Applications (10am)		
5	Planning Report 16/1884/FUL - St Marys School Playing Field	(Pages 27 - 72)
6	18/0002/FUL - Planning Report - Romsey Labour Club, Mill Road	(Pages 73 - 154)
7	17/1815/FUL - Planning Report - 143 - 147 Newmarket Road And 149 Newmarket Road	(Pages 155 - 214)
Part 2: Minor/Other Planning Applications (12.30pm)		
8	17/1484/OUT - Planning Report Land adjacent to Barnwell Lake	(Pages 215 - 266)
9	18/1414/FUL - Planning Report - Colville Road Garages	(Pages 267 - 286)
10	18/1309/S73 Planning Report - 2 Barrow Road	(Pages 287 - 304)
11	18/0861/FUL - Planning Report - 7 Durnford Way	(Pages 305 - 318)
Part 3: General and Enforcement Items		
12	TPO 16/2018 - Report - Selwyn College	(Pages 319 - 328)
13	General Report - Affordable Housing Threshold	(Pages 329 - 336)

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

Alternates: Gillespie, Green and Holt

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

(Updated October 2018)

1.0 Central Government Advice

1.1 **National Planning Policy Framework (July 2018)** – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

1.2 Planning Practice Guidance (March 2014)

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

Guidance is provided in relation to the following:

- Advertisements (March 2014)
- Air quality (March 2014)
- Appeals (March 2014)
- Before submitting an application (February 2018)
- Brownfield land registers (July 2017)
- Climate change (June 2014)
- Community Infrastructure Levy (March 2018)
- Conserving and enhancing the historic environment (February 2018)
- Consultation and pre-decision matters (June 2018)
- Crown Development (July 2017)
- Design (March 2014)
- Determining a planning application (July 2017)
- Ensuring effective enforcement (February 2018)
- Ensuring the vitality of town centres (March 2014)
- Environmental Impact Assessment (July 2017)
- Flexible options for planning permissions (March 2014)
- Flood Risk and Coastal Change (March 2014)
- Hazardous Substances (July 2017)
- Health and wellbeing (July 2017)
- Housing and economic land availability assessment (September 2018)
- Housing need assessment (September 2018)
- Land affected by contamination (June 2014)
- Land stability (March 2014)
- Lawful development certificates (March 2014)

Light pollution (March 2014)
Local Plans (September 2018)
Making an application (June 2018)
Minerals (October 2014)
Natural Environment (January 2016)
Neighbourhood Planning (September 2018)
Noise (March 2014)
Open space, sports and recreational facilities, public rights of way and local green space (March 2014)
Permission in principle (June 2018)
Plan making (September 2018)
Planning obligations (May 2016)
Renewable and low carbon energy (June 2015)
Rural housing (May 2016)
Self-build and custom housebuilding (July 2017)
Starter homes (March 2015)
Strategic environmental assessment and sustainability appraisal (February 2015)
Transport evidence bases in plan-making and decision-taking (March 2015)
Travel plans, transport assessments and statements in decision-taking (March 2014)
Tree Preservation Orders and trees in conservation areas (March 2014)
Use of Planning Conditions (June 2018)
Viability (July 2018)
Water supply, wastewater and water quality (March 2015)
When is permission required? (June 2018)

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.

1.5 **Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015**

Sets out changes to national planning policy to make intentional unauthorised development a material consideration, and also to provide stronger protection for the Green Belt.

1.6 **Technical housing standards – nationally described space standard** – published by Department of Communities and Local Government March 2015 (material consideration).

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 (2012) : 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 2018

- Policy 1: The presumption in favour of sustainable development
- Policy 2: Spatial strategy for the location of employment development
- Policy 3: Spatial strategy for the location of residential development
- Policy 4: The Cambridge Green Belt
- Policy 5: Strategic transport infrastructure
- Policy 6: Hierarchy of centres and retail capacity
- Policy 7: The River Cam
- Policy 8: Setting of the city
- Policy 9: Review of the Local Plan
- Policy 10: The City Centre
- Policy 11: Development in the City Centre Primary Shopping Area
- Policy 12: Fitzroy/Burleigh Street/Grafton Area of Major Change
- Policy 13: Cambridge East
- Policy 14: Areas of major change and opportunity areas – general principles
- Policy 15: Cambridge Northern Fringe East and new railway Station Area of Major Change
- Policy 16: South of Coldham's Lane Area of Major Change
- Policy 17: Cambridge Biomedical Campus (including Addenbrooke's Hospital) Area of Major Change
- Policy 18: Southern Fringe Areas of Major Change
- Policy 19: West Cambridge Area of Major Change
- Policy 20: Land between Huntingdon Road and Histon Road Area of Major Change
- Policy 21: Station Areas West and Clifton Road Area of Major Change
- Policy 22: Mitcham's Corner Opportunity Area
- Policy 23: Eastern Gate Opportunity Area
- Policy 24: Mill Road Opportunity Area
- Policy 25: Cambridge Railway Station, Hills Road Corridor to the City Centre Opportunity Area
- Policy 26: Old Press/Mill Lane Opportunity Area
- Policy 27: Site specific development opportunities
- Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use
- Policy 29: Renewable and low carbon energy generation
- Policy 30: Energy-efficiency improvements in existing dwellings
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood risk

- Policy 33: Contaminated land
- Policy 34: Light pollution control
- Policy 35: Protection of human health from noise and vibration
- Policy 36: Air quality, odour and dust
- Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding Zones
- Policy 38: Hazardous installations
- Policy 39: Mullard Radio Astronomy Observatory, Lord's Bridge
- Policy 40: Development and expansion of business space
- Policy 41: Protection of business space
- Policy 42: Connecting new developments to digital infrastructure
- Policy 43: University development
- Policy 44: Specialist colleges and language Schools
- Policy 45: Affordable housing and dwelling mix
- Policy 46: Development of student housing
- Policy 47: Specialist housing
- Policy 48: Housing in multiple occupation
- Policy 49: Provision for Gypsies and Travellers
- Policy 50: Residential space standards
- Policy 51: Accessible Homes
- Policy 52: Protecting garden land and the subdivision of existing dwelling plots
- Policy 53: Flat conversions
- Policy 54: Residential moorings
- Policy 55: Responding to context
- Policy 56: Creating successful places
- Policy 57: Designing new buildings
- Policy 58: Altering and extending existing buildings
- Policy 59: Designing landscape and the public realm
- Policy 60: Tall buildings and the skyline in Cambridge
- Policy 61: Conservation and enhancement of Cambridge's historic environment
- Policy 62: Local heritage assets
- Policy 63: Works to a heritage asset to address climate change
- Policy 64: Shopfronts, signage and shop security measures
- Policy 65: Visual pollution
- Policy 66: Paving over front gardens
- Policy 67: Protection of open space
- Policy 68: Open space and recreation provision through new development
- Policy 69: Protection of sites of biodiversity and geodiversity importance
- Policy 70: Protection of priority species and habitats
- Policy 71: Trees

- Policy 72: Development and change of use in district, local and neighbourhood centres
- Policy 73: Community, sports and leisure facilities
- Policy 74: Education facilities
- Policy 75: Healthcare facilities
- Policy 76: Protection of public houses
- Policy 77: Development and expansion of visitor accommodation
- Policy 78: Redevelopment or loss of visitor accommodation
- Policy 79: Visitor attractions
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management
- Policy 83: Aviation development
- Policy 84: Telecommunications
- Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

4.0 Supplementary Planning Documents

(These have been prepared in parallel with the Local Plan preparation and will be shortly adopted by the Executive Councillor by an out of cycle decision. Significant weight can be attached to them; they were brought before Development Plan Scrutiny Sub-Committee for prior consideration and comment on the dates shown)

- 4.1 The New Museums Site Development Framework (March 2016)** – Sets out the joint aspirations of the council and the University of Cambridge regarding future changes to the site. These should improve the urban form with changes to the public realm, provide better access for all and adopt more sustainable forms of development while respecting the site’s heritage and surroundings. Future development on the site offers an opportunity to create an improved, more coherent development and especially to improve the public realm on the site.
- 4.2 Ridgeons site Planning and Development Brief (July 2016)** – created to ensure that any future development on this site, allocated for residential development in the 2018 Local Plan as R12, is appropriate to its context and delivers the aspirations as set out in the Local Plan.
- 4.3 Cambridgeshire and Peterborough Flood and Water (December 2016)** - produced by Cambridgeshire County Council in its role as Lead Local Flood Authority, in partnership with the city and district council. It provides detailed guidance to support the implementation of flood and

water related policies in each of the Cambridgeshire local planning authorities' local plans.

- 4.4 **Mitcham's Corner Development Framework (January 2017)** - supports Local Plan Policy 22: Mitcham's Corner Opportunity Area and is designed to ensure that future development in the area is appropriate to its context and delivers the aspirations as set out in the Local Plan. It provides greater certainty and detail to support delivery of development in the coming years.
- 4.5 **Mill Road Depot Planning and Development Brief (March 2017)** - supports Local Plan Policy 24: Mill Road Opportunity Area and is designed to ensure that future development on this site, allocated for residential development in the 2018 Local Plan as R10, is appropriate to its context and delivers the aspirations as set out in the Local Plan. It provides greater certainty and detail to support delivery of development in the coming years.
- 4.6 **Land North of Cherry Hinton (February 2018)** - supports Local Plan Policy 13: Cambridge East, and is designed to ensure that future residential-led development on this site is delivered successfully. It provides greater certainty and detail to support delivery of development in the coming years. It outlines the aspirations for the area, as well as the key issues, constraints and opportunities that will influence how new development will take place.
- 4.7 **Grafton Area of Major Change - Masterplan and Guidance (February 2018)** - Prepared in partnership with local stakeholders to help guide the development of the area, supporting Policy 12 of the Local Plan. The area is designated in the Plan as the primary location for providing additional comparison retail in the City Centre along with other mixed uses including leisure uses, and the SPD promotes a number of key strategies for change. These aim to take advantage of the opportunities to provide an improved street environment including public realm enhancements as well as a positive and attractive destination to support the vitality and viability of the centre for retail and associated uses. The SPD envisages a phased approach to ensure the area continues to perform as a mainstream City Centre leisure and retail location while ensuring phased improvement will deliver the area's longer-term strategy.

5.0 Former Supplementary Planning Documents

(These documents, prepared to support policies in the 2006 local plan, are no longer SPDs, but are still material considerations.)

- 5.1 **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.
- 5.2 **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.
- 5.3 **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.
- 5.4 **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.
- 5.5 **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.

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

5.7 **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.

6.0 Other Material Considerations

6.1 City Wide Guidance

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 complements the Sustainable Design and Construction Supplementary Planning Document.

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

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

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.

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

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 and South Cambridgeshire Level 1 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.

Cambridge City Council Draft Air Quality Action Plan 2018-2023 - Sets out Cambridge City Council's priority actions for improving areas of poor air quality in the city and maintaining a good level of air quality in a growing city.

The plan responds to the evidence gathered from air quality monitoring across Cambridge and analysis of the sources of air pollution contributing to the problem. The Identified actions fall in to three main categories: reducing local traffic emissions as quickly as possible to meet national objectives, maintaining pollutant levels below national objectives, and improving public health by reducing population exposure to air pollutants.

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

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.

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

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

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

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

Cambridgeshire County Council Transport Assessment Guidelines (2017) - Provides guidance to applicants, developers, their agents and local authority officers on when a Transport Assessment (TA) is required and what it should contain. It also gives guidance on what information may be required for smaller applications through a Transport Statement (TS).

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.

Cambridgeshire Green Infrastructure Strategy (2011) - Designed to assist in shaping and co-ordinating the delivery of Green Infrastructure in the county, to provide social, environmental and economic benefits now and in the future. It demonstrates how Green Infrastructure can be used to help to achieve four objectives:

- 1) To reverse the decline in biodiversity
- 2) To mitigate and adapt to climate change
- 3) To promote sustainable growth and economic development
- 4) To support healthy living and well-being.

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

Contaminated Land in Cambridge - Developers Guide (2009) – Aims to ensure developers are aware of their responsibilities regarding contaminated land. Outlines the Council's requirements and the information needed in order to assess planning applications.

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

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.

Indoor Sports Facility Strategy 2015-2031 (updated June 2016) – With the Playing Pitch Strategy, forms a guide for the future provision and management of sports pitches, built facilities and community use services to serve existing and new communities in the City and South Cambridgeshire. In line with the NPPF, the strategies set out to evaluate existing built facilities, and assess the future need for sport and active recreation, as the region grows and develops, identifying opportunities for new provision, and the expansion of existing facilities.

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

Playing Pitch Strategy 2015-2031 (updated June 2016) – With the Indoor Sports Facilities Strategy, forms a guide for the future provision and management of sports pitches, built facilities and community use services to serve existing and new communities in the City and South Cambridgeshire. In line with the NPPF, the strategies set out to evaluate existing built facilities, and assess the future need for sport and active recreation, as the region grows and develops, identifying opportunities for new provision, and the expansion of existing facilities.

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.

6.2 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 Plans 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.

Barrow Road Conservation Area Appraisal (2016)

Brooklands Avenue Conservation Area Appraisal (2013)

Cambridge Historic Core Conservation Area Appraisal (2015)

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 (2014)

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 (2018)

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)

Christ's 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.

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PLANNING

29 August 2018

10.00 am - 2.35 pm

Present:

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

Officers:

Interim Planning Delivery Manager: Eileen Paterson

Principal Planner: Nigel Blazeby

Principal Planner: Lorraine Casey

Senior Planner: Charlotte Burton

Planner: Mairead O'Sullivan

Legal Advisor: Rebecca Williams

Committee Manager: Toni Birkin

Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL

18/126/PlanApologies

Apologies were received from Councillor Nethsingha.

Councillor Hipkin left after the consideration of item 18/2163/FUL.

18/127/PlanDeclarations of Interest

No declarations of interest were made.

18/128/PlanMinutes

The minutes of the meeting held on 4 July 2018 were approved as a correct record and signed by the Chair.

18/129/Plan18/0806/FUL - 291 Hills Road

The Committee received an application for full planning permission.

The application sought approval for a 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.

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

The representation covered the following issues:

- i. Suggested there were sound material considerations to refuse the application. (As below.)
- ii. Avoidance of affordable housing provision by dropping the number of units on-site from 15 to 14 to avoid the threshold.
- iii. Cramped accommodation and lack of usable amenity space.
- iv. Noise concerns.
- v. Failure to provide a high quality living environment.
- vi. The application should be assessed against policies in the new National Planning Policy Framework and emerging Local Plan, even if these were not signed off by the Planning Inspector.

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

Councillor McGerty (Queen Edith's Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Objected to the lack of affordable housing provided on-site. This was a concern about the previous application too.
- ii. Thanked the Applicant for responding in some way to the points made at the earlier Development Control Forum.
- iii. Queried why the Applicant had used minimum space standards for rooms if the Applicant was keen to provide high quality/affordable housing where possible. Queried if units were crammed onto the site (to get maximum numbers).

Councillor Pippas (Queen Edith's Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Hills Road is a gateway to the city.
- ii. Suggested the application was contrary to policies in the emerging Local Plan.
- iii. Residents and local councillors had identified 10 ways where they believed the application did not meet (new) Local Plan policies eg amenity space and responding to context.
- iv. Cambridge is an attractive city due to its architecture, this needed to be protected.
- v. Concern over demolition and replacement of the existing building. This should be kept and reconfigured internally for re-use.

The Chair re-iterated points made by the Senior Planning Officer in her introduction:

- i. This was a new application that should be considered on its own merits.
- ii. The 4 reasons for refusal given for the last application were material considerations.
- iii. The Committee were obliged under planning law to consider the application under the current Local Plan and National Planning Policy Framework, as the emerging ones were not adopted.

The Committee:

Resolved (by 4 votes to 3) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers, with delegated authority to agree the wording of the S106 Agreement.

18/130/Plan17/1815/FUL - 143-147 Newmarket Road and 149 Newmarket Road

The Committee received an application for full planning permission.

As applications for *143-147 Newmarket Road and 149 Newmarket Road* and *Abbey Church* impacted on each other, the Committee were advised to listen to the Planner's introductory report on both, listen to public speakers on both, then deliberate on both applications before voting separately on each.

The application sought approval 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.

The Planner updated her report by referring to text amendments and pre-committee amendments to recommendation on the amendment sheet. The Planner said the report contained a typographical error, there were 2 windows not 1 at the rear of the property.

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

The representation covered the following issues:

- i. Circulated a handout of pictures (already in the public domain) listing residents' concerns.
- ii. The application would have an overbearing impact on the Conservation Area and Beche Road residents.
- iii. The application would have a negative impact on green space and the grade II listed Abbey Church.
- iv. Residents were concerned that the Logic House Applicant broke an agreement to do a joint scheme with Abbey Church. By taking their own application forward, the Logic House development would block the Church's.
- v. Suggested the uncoordinated development of the area was contrary to Local Plan policy 3/6.

The Appointed Person on the Parish Church Council of Christ Church representation covered the following issues:

- i. Objected to the application process rather than the design itself.
- ii. The Abbey Church was a key historic building his organisation wanted to bring back into use.
- iii. The Church was working with this site's Applicant on a joint scheme, but the Applicant had broken the joint working arrangement.
- iv. The Church would prefer a joint working arrangement in future.

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

Councillor Johnson (Abbey Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Re-iterated residents' comments that the application would impact on residents of Beche Road and Abbey Road.
- ii. The Developer broke joint working arrangements with the Church.
- iii. Asked the Committee to defer considering the application to give the Church more time to revise their application or re-instate joint working arrangements with this site's developer.
- iv. Suggested the application could be refused due to:
 - a. Impact of uncoordinated development on Beche Road/Church (Local Plan policy 3/6).
 - b. Harm to a historic building (Local Plan policy 3/10).
 - c. Negative impact on public amenity:
 - i. Loss of post office.
 - ii. Lack of acceptable space.
 - iii. Lack of light.

The Committee:

Resolved (by 7 votes to 1) to reject the officer recommendation to approve the application.

The Chair decided that possible reasons for refusal should be voted on and recorded separately:

- i. Scale, mass and height of the application prejudiced the development of the Abbey Church site.

Agreed unanimously to accept as a reason for refusal.

- ii. Impact of sense of enclosure and overbearing on Beche Road.

Agreed by 6 votes to 0 to accept as a reason for refusal.

- iii. Scale, design, massing and streetscape did not enhance the character of the Conservation Area.

Agreed by 7 votes to 1 to accept as a reason for refusal.

(Reason (iii) was originally agreed without streetscene reference, so Committee voted 6-2 to annul the reason then re-voted 6-1 to include the streetscene reference.)

- iv. Poor quality of living and amenity space.

Agreed by 7 votes to 1 to accept as a reason for refusal.

Agreed by 6 votes to 1 to accept the reasons for refusal as listed above.

Resolved (by 7 votes to 1) to refuse the application contrary to the officer recommendation for the following reasons:

1. By virtue of its scale, mass, and height adjacent to the boundary with the pan handle strip of land which forms part of the Abbey Church site, the proposal would prejudice the future development potential on the adjacent site and would therefore be contrary to Policy 3/6 of the Cambridge Local Plan (2006).
2. By virtue of its scale, mass, height, and proximity to the northern boundary of the site, the proposal would have an unacceptable enclosing, overbearing, overshadowing and overlooking impact on the gardens of dwellings in Beche Road to the north, which are approximately 3.5m lower than the application site. The proposal would therefore harm the amenities of occupiers of the adjacent dwellings contrary to Cambridge Local Plan (2006) policies 4/7 and 3/12.
3. By virtue of the scale, massing and design of the buildings, the development would have a detrimental impact on the streetscene of this part of Newmarket Road and would fail to preserve and enhance the character and appearance of the Conservation Area and would have a detrimental impact upon the setting of the adjacent Grade II Listed Abbey Church. The proposal would therefore be contrary to policies 3/4, 3/7, 3/12, 4/10 and 4/11 of the Cambridge Local Plan (2006) and the National Planning Policy Framework (2018).
4. The proposed development, by virtue of the overly cramped and small internal living spaces within the dwellings and the poor quality of external amenity space for all of the units, would fail to provide a satisfactory quality of living environment and standard of amenity for future occupiers. Consequently, the proposal would be contrary to the requirements of policy 3/7 of the Cambridge Local Plan (2006) which seeks to provide high quality living environments within new developments.

18/131/Plan17/2163/FUL - Abbey Church, St Andrew The Less, Newmarket Road

The Committee received an application for full planning permission.

The application sought approval 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).

The Appointed Person on the Parish Church Council of Christ Church addressed the Committee in support of the application.

The Committee:

Unanimously resolved to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report.

18/132/Plan18/0765/FUL - Garage Block, Markham Close

The Committee received an application for full planning permission.

The application sought approval for the demolition of existing garages and erection of 5 no. affordable apartments with associated car parking.

The Committee noted that the planning application had been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership.

The Committee received a representation in objection to the application from a local resident speaking on behalf of residents of Markham Close flats.

The representation covered the following issues:

- i. Welcomed the fact that concerns regarding safeguarding had been addressed.
- ii. Raised concerns regarding the loss of the parking provided by the garages that would be lost.
- iii. Alternative garage provision was over half a mile away.
- iv. Pressure on on-street parking would increase both from the increase in housing units and the loss of the garages.
- v. Inadequate consideration had been given to the needs and concerns of the existing community.

Stephen Longstaff (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.

18/133/Plan18/0758/FUL - 57 Hartington Grove

Withdrawn from the agenda and not discussed.

18/134/Plan18/0827/FUL - 108 Grantchester Meadows

The Committee received an application for full planning permission.

The application sought approval for the demolition of a two storey house and construction of a new dwelling.

Richard Owers (Applicant's Architect) addressed the Committee in support of the application.

Some members of the committee had concerns regarding the visual impact of the PV panels when viewed from the riverside and Grantchester Meadows.

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.

The meeting ended at 2.35 pm

CHAIR

Application Number	16/1884/FUL	Agenda Item	
Date Received	22nd November 2016	Officer	Mr David Spring
Target Date	21st February 2017		
Ward	Trumpington		
Site	St Marys School Playing Field Long Road Cambridge CB2 8PX		
Proposal	Demolition of an existing sports pavilion, erection of a new sports pavilion, alterations to an existing car park and a vehicular access, a cycle shelter, new flood-lit artificial surfaced sports pitches and associated soft and hard landscaping.		
Applicant	Mr Duncan Askew Bateman Street Cambridge CB2 1LY		

SUMMARY	The proposal amounts to inappropriate development in the Green Belt, however, this harm and other harm identified is clearly outweighed by the very special circumstances. The development therefore accords with the Development Plan and the NPPF
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located approximately 3.2 km south of Cambridge city centre and is 4.5 hectares in area. It is accessed off the southern side of Long Road, and bordered by the railway line and Addenbrookes to the east and the Trumpington Guided Busway and Hobsons Brook to the west. To the south is Cycle Route 11 and beyond is Clay Farm Country Park.

- 1.2 Currently the site contains a number of informal grass pitches and a tarmac Multi Use Games Area (MUGA) containing 4 tennis courts. There are currently only two small structures on this site including a small single pavilion/changing room building of 36 square metres in area and a container for storage of equipment.

There is an existing graveled area used informally for vehicle parking in the north eastern area of the site.

- 1.3 There is an 'L-shaped' line of mature trees that all have Tree Protection Order (TPO) status (15 trees including 11 Beech trees and 4 Lime tree) and there is a blanket TPO on the wooded area to the north of the site separating it from Long Road.
- 1.4 The site varies in level with Long Road being nearly 7 metres above the area at the north of the site where the existing pavilion building is located. This steeply banked area is heavily wooded and contains a single lane access track. This access track also has network rail access to the railway track. The level difference across the grassed area used for pitches is less pronounced as the site slopes 1 metre downward toward the south western corner of the site.
- 1.5 The subject site is located within the Green Belt. Hobson Brook on the western boundary of the site is a City Wildlife, County Wildlife and Local Nature Reserve. The northern half of the site is designated as a protected open space. The south-west corner of the site is in Environment Agency Flood Zone 2.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the demolition of an existing sports pavilion, erection of a new sports pavilion, alterations to an existing car park and a vehicular access, a cycle shelter, new flood-lit artificial surfaced sports pitches and associated soft and hard landscaping.
- 2.2 The proposal is intended to provide facilities for students studying at St. Mary's school and Homerton College but also to allow community access for local community clubs and other groups. A statement of community use, submitted by the applicants, is attached as appendix 1.
- 2.3 The existing single storey pavilion has 36sq.m of internal floor area and does not provide adequate changing and storing facilities. The proposed new building would have an internal floor area of 550sq.m (an approximately 1,500% increase) The proposal also includes an all-weather (astro-turf) hockey/lacrosse pitch, an all-weather (astro-turf) rugby/football pitch, three hard surfaced tennis/netball courts, a hard surfaced high jump area, 2 long jump

facilities with sand pit and a grass football pitch/athletics track. All pitches are proposed to have flood lights.

- 2.4 The layout of these facilities has been amended several times. The currently proposed pavilion building consists of 3 linked single storey elements each with a mono-pitched roof. These would be linked by a flat roof to a larger element on the northern side which would also have a mono-pitched roof. Solar thermal panels are proposed for the roof area which would be used in conjunction with underfloor heating and hot water supply.
- 2.5 This proposed pavilion would contain 4 team changing rooms, 2 officials' changing rooms, 5 equipment store rooms, a cleaner's store, 7 bathrooms, an office/first aid room and a club room with an associated kitchen.
- 2.6 The proposed provision of car parking has also been amended since the original scheme. Originally the existing was proposed to be upgraded to accommodate up to 4 mini-buses and 17 private cars, including 3 disabled and 3 drop-off bays. A larger overflow car parking for 82 vehicles was proposed between the sport pitch and the eastern site boundary. The amended scheme has reduced the number of overflow parking spaces to 37. This overflow area would only be used during sports days and for community use. A grass reinforcement of the type of 'Grassroad' or similar is proposed for this area. The surface of the current access track is proposed to be upgraded and the width of the junction head with Long Road increased in depth.
- 2.7 11 trees with Tree Protection Order status are proposed to be felled as part of this development along with some pruning of existing trees and vegetation. This scheme also proposes planting of replacement trees.
- 2.8 Drainage mainly relies on permeable surfaces and channel drains with free discharge to adjacent sub-base dispersal and infiltration. A swale with a pond is to be located at the lowest part of the site.
- 2.9 The application is accompanied by a Design and Access Statement, a Sustainability Statement, Flood Risk Assessment, Transport Statement and Travel Management Plan, Noise Impact Assessment Report, Lighting Report, Infiltration Test Report, Visual Assessment, Ecological Assessment (including Phase 1 Habitat Survey), Arboricultural Report, Statement of Community use,

3.0 SITE HISTORY

Reference	Description	Outcome
C/92/0030	Change of use from agricultural use to sports field.	Approved

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 of the agenda pack for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2014	Policy 4: The Cambridge Green Belt Policy 8: Setting of the city Policy 29: Renewable and low carbon energy generation Policy 31: Integrated water management and the water cycle Policy 32 Flood risk Policy 33: Contaminated Land Policy 34: Light pollution control Policy 35: Protection of human health from noise and vibration Policy 55: Responding to context Policy 56: Creating successful places Policy 57: Designing new buildings Policy 67: Protection of open space Policy 68: Open space and recreation provision through new development Policy 69: Protection of sites of biodiversity and geodiversity importance Policy 71: Trees Policy 73: Community, sports and leisure facilities

	<p>Policy 74: Education facilities</p> <p>Policy 81: Mitigating the transport impact of development</p> <p>Policy 82: Parking management</p> <p>Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy</p>
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5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework July 2018</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2018</p> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</p>
Supplementary Planning Guidance	<p>The Greater Cambridge Area Encompassing Cambridge City Council & South Cambridgeshire District Council Playing Pitch Strategy 2015-2031 June 2016</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>Open Space and Recreation Strategy October 2011</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Initially the Local Highway Authority (LHA) objected to the scheme as it had concerns with the impact on highway Safety along Long Road with regard to the amount of traffic that would use the large

overflow car park that was originally proposed. The LHA stated:

Whilst the Highway Authority has no objection to, and can see the benefit of, improving the access, I have grave concerns about the significant increase in car parking provision, particularly in reference to the large overflow car park.

The access, even following improvement, is not ideal as it is located close to a railway bridge on a busy road.

The use during sports day would seem an ideal opportunity to minimise access by private cars through a suitable Travel Plan. Similarly use by the community should rely upon sustainable modes, given the accessibility of the site.

The Highway Authority therefore recommends that the application be REFUSED planning permission unless and until the overflow car parking is removed and a suitable Travel Plan put in place.

The applicant then provided an amended Transport Statement. This decreased the size of the overflow car park to 37 parking spaces. The Highway Authority removed its objections on this basis. However, it felt that some concerns about the proposal still remained. In its latest consultee response on the amended scheme it states:

Whilst I remain concerned about the use of the access, even when improved, by drivers unfamiliar with the site (the tracking diagrams indicate how constrained the movement of a vehicle entering the site from the east is), the report demonstrates adequately that such a manoeuvre is physically possible, albeit at slow speed and that the visibility requirements of Manual for Streets for a 30 MPH road are fulfilled.

My main concern relates to vehicles unfamiliar with the site exiting into the path of oncoming traffic at the junction.

Although my concerns remain they demonstrate a difference of professional opinion between myself and the Developer's Consultant.

On balance I do not feel that I could demonstrate severe detriment to highway safety, should the need arise at an appeal, however I would urge the Developer to minimise the use of this junction through a Travel Plan, as previously suggested.

The final comments received from the Highways Officer are as follows:

Provided that the access could be widened at the top to allow two minibuses to pass and visibility provided at the top junction to provide a 2.4 by 70 metre visibility in both directions, the community use could be considered, ideally a vehicle would be able to see down the ramp on entry to avoid conflict on the ramp itself.

Environmental Health

- 6.2 The Environment Health Team has assessed the proposal in terms of noise and light pollution and considers it is acceptable subject to the imposition of a number of conditions. Regarding noise it considers the 'playing fields noise review' dated 12th October 2018 provides an acceptable assessment of noise impacts from the use of the application site considering the location. Details will be required of the perimeter fencing serving the sports pitches to ensure they are installed with anti-vibration fixings to minimise noise. It is required that the hockey pitches are to be constructed with carpet faced striker boards that extend entirely around the perimeter fencing and include a prefabricated rubber shock pad material or similar to minimise impact noises. A condition is recommended to ensure these details are submitted and confirmed.

As regards light pollution Environmental Health state as this area currently has very low levels of artificial lighting, 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)*. A full artificial lighting impact assessment is required. It has been agreed that the artificial lighting impact assessment can be dealt with through condition with the details to be provided prior to the installation of the lighting. This has been agreed due to assurances from the applicants that acceptable mitigation of any artificial lighting

impacts will be provided and also considering the significant distances between the application site and receptors.

The lighting scheme, as requested by the condition, shall include details of any artificial lighting of the site and provide an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties. Artificial lighting installed on-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) at the nearest sensitive receptors and country park.

Vertical illuminance illustrations will be required measured flat on the glazing at the centre of the windows of the nearest sensitive properties.

A common software assessment technique of this is “The outdoor site lighting performance method (OSP)”. This software provides a transparent “shoebox” surrounding the development. It has vertical sides at the boundary and a flat ‘ceiling’ 10 m above the highest mounted luminaire in the installation or the highest point of the property illuminated. By identifying the location and magnitude of the maximum illuminance on the vertical surfaces of the shoebox, the potential for light trespass can be established.

Sport England has also produced “Artificial Sport Lighting – updated guidance for 2012” which provides beneficial guidance on lighting and preventing harm to the locality.

Hours of use

An email has been submitted by Ingleton Wood Martindales Ltd advising that the hours of use of the facility including the sports fields and pavilion are as follows:

- Monday to Saturday – 09:00hrs – 22:00hrs
- Sunday – 09:00hrs – 18:00hrs

These hours are acceptable and should be conditioned.

It is also acknowledged that the sports pitch artificial lighting is to be further restricted, prohibiting use between 21:00hrs – 06:00hrs between 1st April and 30th September. It is believed this

restriction has been requested for the purposes of bat conservation.

Environmental Health recommend the artificial lighting on site is restricted to the hours stipulated in the bullet points above, except between 1st April and 30th September where the artificial lighting can be used until 21:00hrs Monday to Saturday and to the standard 18:00hrs on Sunday to comply with the restrictions concerning bat conservation.

Contaminated Land

A 'Phase I Geo-Environmental Desk Study' (produced by EPS and dated October 2016) was submitted with the application documents. A review of historic records confirms that the site does not have any former industrial uses. The presence of former railway lines along the site boundaries was noted. The report concludes that the former uses pose minimal risk to future site users; no intrusive investigation is required. Environmental Health agree with the conclusions of the report and confirm that they do not require additional information relating to contaminated land.

Environment Agency

- 6.3 No objection to the proposal subject to conditions ensuring the development must proceed in line with the conclusions and recommendations of the submitted EPS ref: UK16.2387 - Phase 1 Geo Environmental Desk study. If contamination is found during the course of construction 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.

Biodiversity Officer

- 6.4 The Biodiversity Officer is content with the survey effort and Ecology report, detailing the survey methods, constraints and opportunities. He is supportive of all of the recommendations, summarised on the Ecological Constraints and Opportunities Plan (ECOP). The proposed native planting within the landscape, SUDs features and nest box specification and locations have the potential to provide a net gain in biodiversity for the site and compliment the

adjacent habitats within Hobson's Park.

- 6.5 Recommends an ecologically sensitive lighting condition to ensure boundary features and proposed habitat creation remain unlit.

Prior to installation, an external lighting plan for the site shall be submitted to and approved in writing by the local planning authority. The plan shall:

- a) identify those areas/features on site that are particularly sensitive for foraging and commuting bat species
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory

All external lighting shall be installed in accordance with the specifications and locations set out in the plan, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

Reason: To protect the foraging corridor for bat species along the site boundaries and within newly created onsite habitats.

Urban Design

- 6.6 The Urban Design Team has no objection to the amended design of the proposed pavilion building.

Access Officer

- 6.7 No objection, however the proposed overflow car-park should have five marked blue badge spaces and one minibus parking space would benefit from side and rear hatching around it to allow for better accessibility.

Tree Officer

- 6.8 The Tree Officer commented that there are a number of tree preservation orders present on the site, woodland belt along Long Road, eastern boundary and the trees across the centre of the site.

Of particular concern is the removal of the two mature Beech trees in the centre of the site, which cannot be supported.

While the access through the Long Road tree belt was a concern, following discussion with the applicant it was agreed that access could be achieved without material impact to the belt subject to tree protection conditions and replacement planting as part of the landscape conditions. A number of conditions are recommended should approval be recommended.

Head of Streets and Open Spaces (Landscape Team)

- 6.9 Originally the Landscape Team did not consider a sufficient amount of information had been provided to assess whether the proposal would have an acceptable impact on the openness of the Green Belt. The team stated that Verified Views were required. These views would show comparative views between the existing situation and that proposed at both day and night. These verified views were submitted as further information. The Landscape Team summarised its views in its consultee comments. On balance the team finds the proposal difficult to support:

We find the additional information submitted very helpful in further assessing the impact of the development on the Green Belt and setting of the city. It is now clear that the proposal would have a significant effect on part of the Green Belt green corridor. In particular the sports lighting would be very impactful from a landscape and visual perspective as well as an ecological one. The infilling of the dark corridor is a significant loss to the quality of this area of the Green Belt as well as a potential loss of foraging habitat.

The fencing remains rather unexplained but we would not support the use of metal security fencing on this edge of Green Belt location. We would also require a re-assessment of the visual impact on the AVRs which include the palisade fencing proposals.

The pavilion also causes some concern as it will be in a prominent location and will be of a fairly striking design. We

remain concerned about the loss of vegetation on the embankment, which will expose traffic entering the site as well as traffic and lighting on Long Road. The accumulative outcome of all these elements results in a significant urbanising effect on this valued dark, relatively quiet and green break in the urban edge of the city.

The landscape position with this proposal has been difficult to conclude. On the one hand we should be mindful of the context of this development with it being flanked by significant development particularly to the east. On the other hand the development introduces an urban interruption to the Green Belt green corridor. Importantly it also infills the dark corridor and creates a significant visual impact and ecological barrier at night with its lighting. It may also remove a considerable amount of vegetation on the Long Road embankment. On balance, and from a landscape perspective, we find the proposal difficult to support mainly because of the lighting impact which cannot be mitigated.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.10 The agents drainage consultants have been in contact with the Cambridge City Drainage Team regarding the provision of surface water drainage details, and have provided two Drainage Schematics and an Infiltration Test Report. This additional information outlines the proposed surface water drainage scheme. The Drainage Team does not believe a sufficient level of information has been provided upfront for it to be supportive of this scheme. It states:

Sufficient surface water drainage details have not been submitted to the local planning authority. The indicative surface water drainage scheme relies on the use of infiltration in order to be deliverable. No infiltration testing has been supplied which indicates this method of surface water disposal can be utilised and therefore modifications to the drainage scheme and site layout may be required in order to cater for the surface water drainage requirements of the site.

No information has been supplied which demonstrates this development can mitigate against the 1 in 100 year flood event plus 40% allowance for climate change. The development could therefore increase flood risk.

The drainage team state that in the event the Local Planning Authority is minded to go against its advice and approve the application that conditions should be attached to any planning permission in relation to the requirement for a surface water drainage scheme, foul water drainage scheme, no buildings erected until drainage works have been implemented and that all new or altered areas within the site must be of permeable construction.

6.11 Sustainability

The Sustainability Officer has been consulted on the Sustainability Statement submitted with the application and commented that the general approach to sustainable design and construction is supported. With regards to renewable energy, the Sustainability Statement makes reference to the use of a solar thermal system linked to the underfloor heating and hot water system, an approach that would be welcomed, although the revised elevations drawing (SMS-IWM-ZZ-ZZ-DR-A-0301 dated 27/09/18) now shows photovoltaic panels. Either approach would be welcomed. Passive stack ventilation through rooflights and the building overhang on the south elevation will help to shade the building in the summer months, helping to limit the risk of overheating. A reconsideration that would be encouraged is in relation to the reference to the possible use of air conditioning in prolonged periods of abnormally hot weather in paragraph. The Council's preference would be for the risk of overheating to be designed out as far as possible using the cooling hierarchy, which places the focus on architectural responses to limit unwanted solar gains, which they have done through the use of the building overhang, and the role of thermal mass and passive stack ventilation. If some form of cooling is still required for occasional use consideration should be given the lowest energy form of cooling possible. Air conditioning is not the preferred approach as these systems are energy intensive.

Anglian Water

- 6.12 Anglia Water asks that the following text be included within the decision notice should permission be granted:

“Anglia Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

Anglia Water also recommends a condition requiring a foul water strategy to be submitted and approved prior to commencement.

- 6.13 Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. Anglia Water therefore highly recommends that the applicants engage with Anglian Water at their earliest convenience to develop in consultation with them a feasible drainage strategy.

Sport and Recreation Team

- 6.14 Originally while the proposal did state there would be some public use outside of the site being used by St. Mary's School and Homerton College it did not give specific details about how often and to whom. This information has now been provided and the Sport and Recreation Team are satisfied with the community use proposed.
- 6.15 The City Council and South Cambridgeshire District Council developed a joint playing pitch strategy which was adopted by the authorities in June 2016. This strategic assessment to Sport England standards and modelling parameters, reviewed both adult and junior playing pitch provision of football, hockey, rugby and cricket across both grass and artificial pitches, in public and private use. The modelling also considered current and future provision, quality of provision, and the impact of future growth and new teams generation rates till 2032.

- 6.16 This Strategy has recorded the St.Mary's site as providing a grass junior football pitch for 9v9 play but is not used. The Strategy was not able to include or review any of the proposals under this application as it had not been submitted at the time the review was being undertaken.

The Outdoor Playing Pitch Strategy currently recommends for the site:

Protect: Ensure protection of the site for pitch provision

Enhance: Dialogue to sustain and provide pitch provision on the site. [p182 of the report]

- 6.17 The playing pitch strategy identifies a need for additional quality pitch provision across the City and the pitches proposed within this application will support the strategy in the following areas;

Junior Football - South Area [P116]

- 6.18 Requires an additional 3 Junior Pitches to meet team growth rates within the 'South Area' particularly for 9v9 under 11's play.

The addition of the grass pitch for 9v9 under 11's within this proposal will help meet this identified strategic need for junior grass pitches in the local Wards.

Rugby [P150]:

- 6.19 Identifies the need for 4G pitch provision within the City for Rugby as there are currently no artificial pitches for Rugby.

- Access – Ensure clubs have access to high quality pitches to facilitate training and match play
- Develop Women's and Girls Rugby

- 6.20 The addition of a 4G pitch will add significant match time and training facilities for Rugby within the City. The pitch would be in addition to those sites already identified within the Strategy, and will enable training at all levels to be undertaken and also provide a great opportunity to develop Women's and Girls Rugby with St. Marys and the College and wider participation through the community use agreement.

Hockey – [P163 & 168]:

- 6.21 Identifies the need for three additional artificial sand based hockey pitches to keep up with the team generation rates and requires 12 additional match play slots at weekends, to cope with demand, the Strategy also identifies the need to:
- 5.182.5 – Protect community use of Hockey facilities
 - 5.182.6 – Ensure primary use for hockey for midweek training and weekend match play
- 6.22 The Hockey Hub at Wilberforce Road is now operational with two new pitches adding to the existing floodlit pitch creating the “Hockey Hub” identified within the Strategy.
- 6.23 This additional pitch would therefore add the capacity still required for match play and training and along with the two new pitches at Wilberforce Road meet the additional 12 match play slots required.
- 6.24 The noted aim for hockey is also to help protect community use and as the site is currently listed as an “unsecured” site as there are currently no formal arrangements for public access to the site, the proposed community use agreement and associated hours for public access for use of these range of facilities again meets the strategic aims and objectives of the outdoor playing pitch strategy the Council has adopted.

Facilities:

- 6.25 The St.Marys proposal also includes floodlit tennis and netball facilities which are not identified sports within the playing pitch strategy. These floodlit courts are in short supply within the City with public access only available at a few sites such as Netherhall Academy, and North Cambridge Academy, and Hills Road Sports and Tennis Centre.
- 6.26 Use and demand for these facilities are increasing and the community use agreement for the whole site will enable public use of these courts.
- 6.27 The Athletics provision is also most welcomed with Wilberforce Road Athletics track providing the only public accessible facility within the City. This is a very well used facility and is at capacity for a lot of track and field disciplines, so the addition of the proposed

grass and dedicated athletic facilities would provide additional capacity that the sports in this area desperately require.

- 6.28 The changing rooms and pavilion layout has changed since the first draft and the revised submission is still fit for purpose for the range of sports on offer. The size of the changing rooms meets Sport England standards, and provides additional spaces for referees and umpires, and allows for gender and age segregation to meet good practice safeguarding practices.
- 6.29 The number of changing rooms has reduced down to four rooms, but with the addition of the large bag storage area and a suitable changing room operational management plan can facilitate the use of all the pitches for match play at weekends. This design and operational arrangement is similar in setup to the changing rooms for the pitches at the Abbey Sports and Leisure Centre catering for a large range of football and hockey games at the weekends.
- 6.30 The additional car parking and overflow parking is noted and is required not to meet the needs of the School and College, but that for community use of the facilities at evenings and weekends particularly for match play. If this provision for parking is scaled back it could detrimentally affect the community use of the pitches and training facilities.
- 6.31 The community use agreement is welcomed and provides a range of public access to the facilities of an evening, all weekends and during holiday times for public use. The introduction of a sports committee to review use and set up charging schemes is also welcomed and is similar to other community use agreements in operation at Academy sites.
- 6.32 It is the view of the Sport and Recreation Section that this proposal meets key strategic elements of the adopted Playing Pitch Strategy, and along with previous feedback and comments made to the case officer on 10/05/18, that this proposal should be supported to help increase the range of sporting facilities within the city, that can be publically accessible and will help improve the Health and Wellbeing of Students, and Residents alike.

Designing Out Crime (Cambridgeshire Police)

- 6.33 No objection to the proposal as consideration has been given to the document entitled Secured by Design Schools 2014.

6.34 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 No letters of representation have been received from Third Parties.

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

Principle of Development

Appropriateness within the Green Belt

8.2 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Local adopted Policy 4: The Cambridge Green Belt also reflects this.

8.3 Paragraph 144 states that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8.4 Paragraph 145 of the NPPF states that the construction of new buildings in the Green Belt is inappropriate, but lists exceptions,

which include provision of appropriate facilities for outdoor sport and outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This is the only potential exception within paragraph 145 that would apply to the proposal.

- 8.5 Paragraph 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Engineering operations are referred to as falling within the scope of this paragraph.
- 8.6 The applicant's agent has expressed the view that the development qualifies against paragraph 145 by virtue of providing 'appropriate facilities for outdoor sport and recreation'. In my view however, the agent has not had regard to the test within the paragraph which states: 'as long as the facilities preserve the openness of the Green Belt'.
- 8.7 For the purposes of paragraphs 145 and 146 I consider the pavilion, fencing and lighting columns would constitute a 'building operation' within the Green Belt. The laying of the 4G pitches and vehicle parking area would constitute an 'engineering operation'. There would be no material change of use of the land as it has a lawful use as a recreational/sports ground.
- 8.8 Together the proposed building and engineering operations comprise facilities for outdoor sports/recreation and therefore looking at the provisions of paragraphs 145 and 146 of the NPPF the main consideration in determining whether the proposed development does not represent inappropriate development is whether it preserves the openness of the Green Belt, and does not conflict with the purposes of including land within it. Policy 4 of the Cambridge Local Plan 2018 echoes this and supports proposals in the Green Belt that provide opportunities for outdoor sport and recreation, appropriate to the Green Belt, where they do not harm the objectives of the Green Belt.
- 8.9 The site lies within the Cambridge Green Belt corridor, which penetrates the built area and is valuable for amenity and wildlife. Access off Long Road and bordered by the railway line and Addenbrookes to the east, the Trumpington Guided Busway to the west and Cycle Route 11 to the south means that the potential for the site to be viewed is increased. The existing pavilion building

and car parking area are located at the northern end of the site, with the remaining land being open. It is my opinion that the significantly larger replacement pavilion building, which is some 1,500% larger than the existing, also at the Northern end, and the introduction of pitches which will be enclosed by fencing and, significantly, floodlighting, would introduce significant built form and create a sense of enclosure which would fail to preserve the openness of this particular section of the Green Belt. Although the fencing will be 'open-mesh' style it can have a relatively solid appearance depending on the angle from which it is viewed. For these reasons, I consider the proposed development would fail to preserve the openness of the Green Belt and is therefore inappropriate by definition.

8.10 Paragraph 144 of the NPPF states that:

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green belt. 'Very special circumstances' will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

8.11 As stated above I consider the development is harmful by definition in accordance with paragraph 145 of the NPPF. In addition to this it is necessary to consider whether there is 'any other harm' as referred to in paragraph 144. Also in accordance with paragraph 144 it is then necessary to consider the 'Very special circumstances' and whether such considerations clearly outweigh the harm. In the following paragraphs I identify the additional harm arising from the proposal and assess the 'very special circumstances' submitted by the applicants.

Context of site, design and external spaces

8.12 Currently the site is very open with there being no fencing surrounding it. There is a small pavilion building in the north of the site and some wire fencing around the existing 4 tarmac tennis courts. This is part of a valued green corridor that allows traffic free access from the city to the countryside and takes the countryside into the city from the south. It also plays an important part in the setting of the city particularly when arriving in the city by train. As well as an amenity resource, the green corridor provides an important break in the light pollution along the edge of the city. It

provides an ecological link with the rural landscape to the south; part of the ecological benefit is the provision of a dark corridor along which nocturnal species can forage and commute.

- 8.13 The key potential impacts on the surroundings are the proposed significantly larger pavilion building, floodlighting and fences.
- 8.14 To fully assess this impact, Accurate Visual Representations (AVRs) were provided as further information. There are three viewpoints and each viewpoint shows the existing situation, the proposals at Year 1 (opening year) and Year 15 when surrounding existing planting has had time to establish. The AVRs show views during daylight hours and night time hours, which importantly show the effect of the proposed flood lighting.

Floodlighting

- 8.15 The drawing entitled Proposed External Lighting Levels (Drawing No: 111108 – IW – XX – DR – E – 5001 P1) lays out the LUX levels across the site and the types of external lighting proposed. This was then visualised in the AVRs from different viewpoints.
- 8.16 In the hours of darkness, the AVR's, Views A and B, demonstrate the potential concern regarding the impact of the floodlighting on the character of this portion of the Green Belt. These views show that the visual impact of the introduction of artificial light where currently there exists a dark break in the urban landscape is significant.
- 8.17 In View B the car park and pavilion lighting does not appear but it is assumed there would be some light spill from these facilities which would add to the overall glow of the development. I also note that the low level lighting is not a light which will also add to the light levels.
- 8.18 Whilst this impact would be significant, I appreciate that the development proposal would be flanked by existing development some of which is itself significant such as the MRC Building and the Addenbrooke's complex in general which includes a substantial amount of lighting. Also lit is the new housing development at Clay Farm albeit that this is buffered by a woodland plantation and the sports pitches in the green corridor to the west of the site which are not lit. The CGB route northward is lit as is the east/west CGB route, on embankment, to Addenbrooke's.

- 8.19 In relation to the impact of the proposal on its surroundings, and particularly in relation to the floodlighting, the Landscaping Team comments as follows:

The landscape position with this proposal has been difficult to conclude. On the one hand we should be mindful of the context of this development with it being flanked by significant development particularly to the east. On the other hand the development introduces an urban interruption to the Green Belt green corridor. Importantly it also infills the dark corridor and creates a significant visual impact and ecological barrier at night with its lighting. It may also remove a considerable amount of vegetation on the Long Road embankment. On balance, and from a landscape perspective, we find the proposal difficult to support mainly because of the lighting impact which cannot be mitigated.

- 8.20 Having considered these comments I share the concerns regarding the impact of the lighting and I accept that there will be some harm to the surroundings and the openness of the Green Belt. I have considered the difference in levels across the site and had regard to the proposed tree removal from the bank between Long Road and the north of the site. I do not consider the lighting would be particularly apparent from Long Road and the north of the site. I do not consider the lighting would be particularly apparent from Long Road, however, it would be highly visible from the south of the site from cycle route 11, Clay Farm Country Park, the railway line and the Guided Busway track looking north. I accept this would lead to the periodic loss of the dark corridor during weekday evenings. Views A, B and C, however, depict it in the context of Addenbrooks, the Guided Busway track and the railway line. I consider in this context the proposal would not significantly impact the surroundings and the openness of the Green Belt, both at night and during the day. On balance, therefore I consider there is harm to the surroundings and that this harm has to be considered alongside the 'very special circumstances'.

The site in its current form provides an important gap between the rural and the urban edge of Cambridge. This is particularly apparent during the hours of darkness and I consider it would be therefore be desirable to limit the hours of use of the lighting as far as possible. The applicant accepts the need for such a restriction. The proposed hours of use are detailed in the recommended

conditions. Given this time restriction, and the ability to control the type and direction of lighting to limit light spill, it is my opinion that the harm could be limited to an acceptable degree although I accept that there remains a degree of harm to the surroundings and the openness of the Green Belt that needs to be considered within the context of the 'very special circumstances'.

Pavilion

- 8.21 The pavilion building as originally proposed was in my view unacceptable in terms of its massing, its one and a half storey height and its position away from the existing tree line within the site. I particularly noted that the whole of the top floor was not specifically required for any purpose relating to the provision of the additional sports facilities. In this regard I considered it would have been inappropriate development by definition and result in an unacceptable impact on the openness of the Green Belt. Through negotiation with the applicants the scheme has been significantly amended and I am now satisfied that the proposed level of floorspace is the minimum that could reasonably be provided in order to meet the functional requirements of the site as a sports facility. However, in my view the building does not preserve openness and remains inappropriate development by definition.
- 8.22 I recognise the effort that the applicant has made to reduce the bulk and to re-locate this building to better assimilate it into the open landscape of this site. It is now a single storey building and split into three linked elements. Each of the three elements are rectangular and would have a distinctive lean-to roof profile organised into an arch type shape by linking flat roofed elements. The amended central placement of the proposed pavilion building in the north of the site as well as the proposed roof profiles echo the levels of the land. The main bulk of this building is hidden between the low eaves height on the frontage and the high ridge height of the mono-pitched and steeply sloped roofs with the wooded bank beyond. I consider this design greatly minimises the impact on the openness of the Green Belt as is apparent from the AVRs provided.

I note the Landscape team would prefer that these sloping roofs would be green roofs to help further assimilate the building into its surroundings. However, there is a significant opportunity to mount solar panels due to the south facing orientation and the slope of the roofs and I note the support for the scheme from the

Sustainability Officer. It will be important that the material used for the roofs and the design of the panels are appropriate so that the building would fit in with its surroundings. I have recommended a condition to secure these details.

Trees

- 8.23 The proposal involves the loss of a number of trees. Of particular concern is the proposed felling of two mature Beech trees in the centre of the site, both protected by Tree Preservation Orders. During negotiations with the applicants, revised layouts were considered that might have enabled them to be retained but none were practicable. Regrettably it appears that the scheme necessitates the removal of these trees.

I note the objection from the Trees Officer and I consider the loss of these trees constitutes harm that needs to be assessed in the context of the 'very special circumstances'.

Fencing

- 8.24 It is noted that the updated proposed site plan states that the existing perimeter weldmesh fence is to be replaced with palisade fencing. It is assumed a metal security fence would have a much more significant impact on views of the site from the Green Belt than the existing weldmesh fence shown on the AVRs. A condition is recommended to ensure the proposed boundary treatment is in keeping with the AVRs submitted. A boundary hedge is recommended on the southern boundary. From assessing the AVRs provided the proposed weldmesh fencing around the artificial pitches and tennis courts would in my view have the least impact on the openness of this site due to its green colour and generally transparent appearance.

Surfaces

- 8.25 Currently the majority of the site is grassed. This proposal would introduce a number of different surface treatments. It is noted that the proposed astro turf would mimic the existing grass on this site albeit that its colour will remain constant throughout the seasons. The proposed car parking area would reuse the existing car parking area, while the proposed tarmac track through the site would be new. All of these new hard surfaces will have an impact on the appearance of the Green Belt. However, I do not consider

this to be harmful as they will not directly impact on openness and they would clearly be associated with a sport and recreation use that is appropriate in principle within Green Belts. Additionally as the trees in the Clay Farm Country Park on the southern boundary grow the surfaces will be less visible from open viewpoints from the south.

- 8.26 In conclusion I consider the proposal represents some harm to the rural surroundings and openness of the Green Belt, however, I believe this has been minimised as far as possible due to the redesign and relocation of the building and the proposed controls over the lighting hours and fencing details. This harm together with the harm resulting from the inappropriateness by definition needs to be considered within the context of the 'very special circumstances'. I assess these later in the report.

Renewable energy and sustainability

- 8.27 The Sustainability Officer is satisfied with the steps proposed to meet the sustainability requirements of the proposal. As outlined in the sustainability section above, underfloor heating, a hot water system and either solar thermal or photovoltaic panels would be used. The use of overhang and passive stack ventilation through rooflights will also help limit overheating. I have recommended a condition to secure the appropriate renewable energy requirements of the development as set out in policies 28 and 57 of the Cambridge Local Plan 2018.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.28 The Environmental Health team initially had concerns the proposal would adversely impact upon the occupiers of nearby dwellings in terms of noise and light pollution. A noise report has now been submitted and found to be acceptable by the Environmental Health team. In terms of light, the Environmental Health team considers a full artificial light assessment needs to be submitted and that this can be secured be a condition with the details to be provided prior to the installation of the lighting. The assessment would detail how much ambient light would increase in this location in term of lux levels taken from glazing of the nearest properties. Currently this site is not used in the evenings after dark and is part of Green Belt Corridor that also is not well used during the evenings.

Environmental Health therefore consider nearby properties in Clay Farm therefore enjoy a high level of tranquility and low levels of background noise and artificial lighting. It has been agreed due to assurances from the applicants that acceptable mitigation of any artificial lighting impacts will be provided and also considering the significant distances between the application site and receptors.

Distance

- 8.29 The site is around 260 metres away from Nos. 12 and 14 Plantation Avenue, 250 metres away from Nos. 3 and 5 Whitelocks Drive, 230 metres away from Nos. 7 and 9 Whitelocks Drive in Clay Farm and 198 metres away from No. 51 Long Road. I consider there is sufficient distance between the proposal and the properties in Clay Farm to dispel any potentially detrimental impacts. I also note there are two significant belts of trees between this site and this proposal. As Long Road is 7m above the ground level of the site and there is such a large distance between the proposal and properties on this road, I consider the impact to these properties from noise and light pollution will be acceptable.

Context

- 8.30 The impact in terms of noise and light pollution must be examined in the context. The London-Cambridge rail line borders the east side of the site and the Guided Busway track between Trumpington Park and Ride and Cambridge Railway Station which borders the west side of the site. I also note to the east of the site is Long Road Sixth Form College, the University Of Cambridge MRC Laboratory Of Molecular Biology and the whole research and development site of Addenbrookes beyond. It is my opinion all of the aforementioned buildings and transport links currently impact nearby properties in terms of noise and light pollution. The submitted noise report has been considered acceptable by Environmental Health and I expect the same to occur, for the above reasons, when the full light impact assessment, for which I am recommending a condition, would be submitted. I therefore do not consider, against this background, that residential amenity will be significantly harmed by this proposal.
- 8.31 It is therefore my opinion, on balance, 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: Towards 2031 (2018) policy 55 and 56.

Disabled access

- 8.32 In my opinion the proposal provides adequate disabled access. The Access Officer seeks five marked blue badge spaces within the overflow car-park and hatching around one minibus parking space. A condition is recommended to secure this.
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan 2018 policies 56 and 57.

Refuse Arrangements

- 8.34 The proposed bin store is considered adequate for this site and compliant with the *RECAP Waste Management Design Guide Supplementary Planning Document 2012*.
- 8.35 In my opinion the proposal is compliant with Cambridge Local Plan 2018 policy 57.

Highway Safety

- 8.36 The single point of access to the site is off Long Road. Long Road forms part of Cambridge's signed primary cycle network and is provided with shared-use foot/cycleways on both sides, extending eastwards towards Hills Road and westwards towards Trumpington Road. The access off Long Road comprises a steep track from Long Road that runs down through the woodland on an embankment. This track faces eastwards towards a Network Rail maintenance gate. It is recognised that the surfacing of the existing access road is in poor condition and the proposed upgrading of this surface is in my view to be welcomed. It is also proposed to widen the existing access to the site at the junction with Long Road to give room for buses to pass. In combination with widening this junction three trees are proposed to be moved to improve site lines. The Highway Authority welcomes these proposed works to the access and junction, stating in their initial response:

The Highway Authority has no objection to, and can see the benefit of, improving the access.

- 8.37 Originally the scheme proposed an overflow car park for 82 cars. The Highway Authority objected to this size of car park being on this site, as it considered it would attract too much traffic to use the

narrow steep access and impact traffic safety both on the access and on Long Road. The Highway Officer stated:

I have grave concerns about the significant increase in car parking provision, particularly in reference to the large overflow car park.

The access, even following improvement, is not ideal as it is located close to a railway bridge on a busy road.

The use during sports day would seem an ideal opportunity to minimise access by private cars through a suitable Travel Plan. Similarly use by the community should rely upon sustainable modes, given the accessibility of the site.

The Highway Authority therefore recommends that the application be REFUSED planning permission unless and until the overflow car parking is removed and a suitable Travel Plan put in place.

8.38 This overflow car park was then reduced to 37 car parking spaces and a Transport Statement and Travel Management Plan by SLR was provided. The most up to date version of this Transport Statement is dated June 2018 and this takes into account the proposed Community Access Agreement. It was stated that the principal use of the Playing Fields will continue to be by St Mary's School, and the School will continue to use mini-buses to transport students to the playing fields with a similar frequency as they do currently. The drivers are familiar with the access restrictions and therefore opt to approach the site from the west. It is envisaged that, primarily in the midweek all year around, St Mary's School would use the hockey pitch up to 18:00 and the football / rugby pitches up to 17:00. In addition, as well as hockey and football, the tennis and athletics facilities would be used during the summer term.

8.39 Homerton Students using the site would be encouraged where possible to use sustainable means of transport as Homerton is approximately only one mile walk or cycle to the site. Visiting teams would either use a mini-bus, public transport, cycle or walk, depending upon the origin. It is proposed that Homerton College would use the grounds primarily after 17:00 during the week, and at weekends. This would not conflict with St Mary's School or the proposed hours in which community use would take place.

8.40 Homerton College usage of the site is contained within the supporting information submitted with the application. This in particular confirms that whilst St Mary's School and Homerton College would be the principal users, there is potential for the proposed facility to also be available for other users, particularly in the evenings and at the weekends. With particular reference to traffic impact, it is predicted that the current use by St Mary's School will continue and so during school hours, during term time, and particularly during the peak traffic periods on Long Road, there will be no material changes in vehicular movements as a result of the proposals. However, in the evenings and during weekends, and also outside term time, the facility will be used by either Homerton College or, in the case of the holiday periods, for community uses. I note the comments of the Local Highways Authority and I do not consider that this frequency of use is likely to result in any highway safety concerns provided the access improvements are put into place before the intensification of the use commences and an appropriate travel plan is provided. I recommend conditions to secure both of these requirements.

8.41 In my opinion the proposal is compliant with Cambridge Local Plan: Towards 2018 policy 81.

Car and Cycle Parking

8.42 60 cycle parking spaces are proposed which exceeds the number required in the Local Plan 2018. The cycle parking area is at the back of the pavilion, with cameras being proposed to improve security.

8.43 The proposed parking for the main car park consists of space for 17 cars and 4 mini buses (included in this is 3 disabled parking spaces). As stated above, an overspill car park would cater for an additional 37 vehicles. I consider this provision to be relatively high to allow for the traffic during infrequent sports events or when the facility will be used by a community group that arrives predominantly by private cars. However this level is likely be required mainly during evenings and weekends only. To avoid creating a large, impermeable and heat-absorbing surface, a reinforced natural grass would be used. This would complement better with the character of the Green Belt and would reduce the extent of the soak-away drainage system. Ground protection would be required to ensure that vehicles will not churn up the surface

during the wet weather. I have recommended a condition to require that an appropriate surface is installed and maintained.

- 8.44 In my opinion the proposal is compliant with Cambridge Local Plan: Towards 2018 policy 82.

Third Party Representations

- 8.45 No letters of representation have been received.

Planning Obligations (s106 Agreement)

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

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

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

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

City Council Infrastructure (Open spaces and Community facilities)

- 8.48 The Developer Contribution Monitoring team does not seek specific project based financial contributions for projects of this type (sports pitches). They only seek contributions for housing with a net increase of 11 units.
- 8.49 I am satisfied that the proposal accords with the Planning

Very Special Circumstances

- 8.50 I have concluded that the proposal is inappropriate development by definition and thus harmful. One could argue, as indeed the applicant does, that the building amounts to the provision of appropriate facilities for outdoor sport and recreation and is therefore appropriate. However, NPPF paragraph 145 b) states “as long as the facilities preserve the openness of the Green Belt...” In my opinion the building fails to preserve openness. Similarly I regard the lighting and fencing as inappropriate as they serve to form a sense of enclosure which fails to preserve openness. In my opinion, only the engineering works i.e. the laying of new surfaces are specifically exempted by any of the criteria in NPPF paragraphs 145 and 146 and would not therefore be regarded as inappropriate as it will preserve the openness of the Green Belt.
- 8.51 In relation to ‘any other harm’, I consider that the development will introduce an urban interruption into this green corridor and the lighting will result in the loss of this dark corridor during the hours of darkness when the use is operating. I am also mindful of the comments of the trees officer and the concern regarding the loss of two significant TPO trees that currently provide an important amenity value to the area.
- 8.52 Whilst the applicant does not agree that the development amounts to inappropriate development within the Green Belt he has nevertheless, set out what he considers to be the very special circumstances that exist in this case. This is contained in the ‘Very Special Circumstances statement’ of 26th June 2018. The relevant section of the Planning Statement, is attached as Appendix 2.
- 8.53 The very special circumstances set out a significant shortfall of sports pitches in the Cambridge sub-region, and in particular floodlit all-weather pitches. The report states that the lack of such facilities can have an adverse impact on health and wellbeing. The proposed facilities would allow access for local community clubs and usage, in addition to students of St. Mary’s school and Homerton College.
- 8.54 Homerton College states that it has limited direct access to sports facilities, with much reliance of hiring of facilities, which restricts

potential use by students. The letter sets out the teams currently run by Homerton College, and in addition to the needs of these teams it refers to the other student sports teams and activities that require similar surfaces for training. The development and enhancement of all-weather sports pitches would provide much needed certainty and assurances that students would be able to access high quality facilities throughout the academic year. Floodlighting is considered crucial to allow use through winter months. Homerton College states that this better access reflects the expectations that students hold for a University of its scale with a reputation for sports, which it seeks to retain and enhance. The letter sets out how important the proposed development is to health and well-being of students, whilst also providing an essential resource for community use.

8.55 Homerton College, does not currently benefit from sufficient outdoor sports facilities. There are very limited other opportunities in the area to create such facilities.

8.56 The use, which already exists, is appropriate in the Green Belt and I am satisfied that the building has been carefully designed to assimilate into its surroundings. I am also mindful that it provides only what is required to support the use. However, as stated above, the proposed development is harmful by definition and there is additional harm in relation to, in particular, the impact of the floodlighting and the loss of two significant trees that have an amenity value as detailed above. I am satisfied that the most appropriate fencing could be secured by conditions although this too generates a degree of harm. Having considered the very special circumstances, however, I am mindful that the proposal would bring considerable benefits to the students of both St. Mary's school and Homerton College in relation to promoting their health and well-being. It would also provide a facility for use by the community in accordance with and complementary to The Greater Cambridge Area Encompassing Cambridge City Council & South Cambridgeshire District Council Playing Pitch Strategy 2015-2031 June 2016 as detailed by the Sport and Recreation Team. In my opinion these very special circumstances amount to significant benefits that in my view clearly outweigh the harm identified. I therefore consider the test in paragraph 144 of the NPPF is satisfied.

9.0 CONCLUSION

- 9.1 I consider the proposal amounts to inappropriate development in the Green Belt and is therefore harmful by definition. There is additional harm in relation to the impact of the lighting and the loss of trees, however, I have assessed the very special circumstances and in my opinion, subject to safeguarding conditions they clearly outweigh the harm identified and the proposal therefore accords with the NPPF and policy 4 of the Cambridge Local Plan 2018.

10.0 RECOMMENDATION

APPROVE subject to completion of a S106 to secure the community access:

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

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

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

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

3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The 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); 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.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: 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 2018 policies 55, 57 and 59)

4. Prior to the commencement of the use hereby permitted, 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). It shall also:

- o identify those areas/features on site that are particularly sensitive for foraging and commuting bat species
- o show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the plan, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protect the foraging corridor for bat species along the site boundaries and within newly created onsite habitats and in the interests of residential amenity and to protect. (Cambridge Local Plan 2018 policies 34, 55, 57, & 70)

5. Prior to the commencement of the use hereby permitted, the recommendations, summarised on the Ecological Constraints and Opportunities Plan (ECOP) shall be installed in accordance with the details and maintained thereafter in accordance with the strategy,

Reason: To ensure that the development of the site conserves and enhances ecology (Cambridge Local Plan: Towards 2031 (2018) policy 69 and 70).

6. Prior to the commencement of the use hereby permitted, 5 marked blue badge parking spaces shall be provided within the site and one minibus space with side & rear hatching shall also be provided. These spaces shall be retained as such thereafter.

Reason: To ensure adequate provision of parking spaces and ease of accessibility for all user groups (Cambridge Local Plan 2018 policy 82)

7. No development hereby permitted shall be commenced until surface water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
 - a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - b. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
 - c. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 Policy 31).

8. No development hereby permitted shall be commenced until foul water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, they should also be submitted to Anglian Water and their written acceptance of the scheme submitted to the local planning authority.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 Policy 31).

9. 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 2018 Policy 31).

10. All new or altered external areas within the site boundary must be of permeable construction.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 Policy 31).

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

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

12. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved 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 2018 policy 81)

13. Prior to the first occupation or bringing into use of the development, hereby permitted, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of highway safety and to ensure satisfactory access into the site (Cambridge Local Plan 2018 policy 81)

14. Prior to the first occupation or bringing into use of the development, hereby permitted, the manoeuvring area shall be provided in accordance with the approved drawings. The manoeuvring area shall be retained free of obstruction thereafter.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

15. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary. The access shall be retained free of obstruction thereafter.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

16. 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. Development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety (Cambridge Local Plan 2018 Policy 81)

17. The development must proceed in line with the conclusions and recommendations of the submitted EPS ref: UK16.2387 - Phase 1 Geo Environmental Desk study.

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 2018 policy 33.

18. Prior to commencement 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 tree works are carried and before 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 tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area (Cambridge Local Plan 2018 policy 71)

19. 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 LPA Tree Officer to discuss details of the approved AMS.

Reason: In the interests of visual amenity and safeguarding trees that are worthy of retention (Cambridge Local Plan 2018 policy 71)

20. 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 2018 policy 35)

21. Collection or deliveries to the site for the purposes of construction shall not be carried out outside the hours of 0730 to 1800 Monday to Friday, 0800 to 1300 on Saturdays nor at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in writing by the local planning authority pursuant to criteria D of the Construction Environmental Management Plan.

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

22. 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 2018 policy 35).

23. 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 the adjoining properties. (Cambridge Local Plan 2006 policy 4/13 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, Policy 36).

24. Prior to the commencement of the use hereby permitted, full details of the acoustic properties and design of the sport pitch perimeter fencing to reduce impact noise shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented and maintained thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57)

25. The sports pitches and pavilion use hereby permitted shall only be used between the hours of 09:00hrs to 22:00hrs Monday to Saturday and 09:00hrs to 18:00hrs Sunday.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57)

26. The artificial lighting hereby approved shall only operate between the hours of 09:00hrs and 22:00hrs Monday to Saturday and 09:00hrs to 18:00hrs on Sundays, except between the 1st April and 30th September when the permitted hours of use of the artificial lighting hereby approved shall be 09:00hrs to 21:00hrs Monday to Saturday and 09:00hrs to 18:00hrs on Sundays.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57)

27. 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 2018 Policy 33.

28. No occupation of the building shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking. The Travel Plan shall be implemented as approved upon the occupation of the development and monitored in accordance with details to be agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2018, policies 80 and 81).

29. No development above ground level, other than demolition, shall commence 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 in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59)

30. No development shall take place above ground level, other than demolition, until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

31. No development above ground level, other than demolition, shall commence until, a renewable energy statement, which demonstrates that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources, has been submitted to and approved in writing by the Local Planning Authority.

The statement shall include the following details:

- a) The total predicted energy requirements of the development, set out in Kg/CO₂/annum.
- b) A schedule of proposed on-site renewable energy technologies, their respective energy carbon reduction contributions, location, design and a maintenance programme.
- c) An assessment of any air quality, noise or odour impact and;
- d) Mitigation measures required to maintain amenity and prevent nuisance in accordance with the Council's Sustainable Construction And Design Supplementary Planning Document.

The approved renewable energy technologies set out in the Renewable Energy Statement 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 the approved maintenance programme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2018 policies 28, 35 and 38).

32. No development shall take place above ground level, other than demolition, until details of the integrated solar panels on the hereby permitted buildings has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution while maintaining an acceptable visual impact. (Cambridge Local Plan 2018 policies 28, 35, 38, 55, 57)

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: All foul sewage, and trade effluent, shall be discharged to the public foul sewer. It is an offence under Section 118 of the Water Industry Act 1991 to discharge trade effluent to a sewer without the prior consent of the statutory undertaker. 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.

INFORMATIVE: Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways will not be permitted to be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

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

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

INFORMATIVE: Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Lead Local Flood Authority (LLFA). The LLFA seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access.

The granting of planning approval must not be taken to imply that consent has been given in respect of the above.

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: The principle areas of concern within a traffic management plan that should be addressed are:

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

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

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.

PLANNING COMMITTEE

DATE: 7TH NOVEMBER 2018

Application Number	18/0002/FUL	Agenda Item	
Date Received	9th January 2018	Officer	Tony Collins
Target Date	10th April 2018		
Ward	Romsey		
Site	Romsey Labour Club Mill Road		
Proposal	Mixed use development comprising a Day Nursery at ground floor and 37 self-contained 1xbed student rooms at the rear and on the upper floors along with a vehicle drop-off zone, disabled car parking space, cycle parking and associated landscaping.		
Applicant	C/O Agent		

SUMMARY	<p>This application is returned to Planning Committee because there has been a key change in the planning policy background since an earlier Committee resolution to grant permission. As a result of this change, officers now recommend refusal.</p> <p>The development conflicts with the Development Plan for the following reason:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposal for student accommodation does not demonstrate that the applicant has entered into a formal agreement with at least one existing educational establishment within Cambridge providing full-time courses of one academic year or more.
RECOMMENDATION	REFUSAL

1.0 INTRODUCTION

1.1 This application was brought before Planning Committee on 28th March 2018. The officer report written for that meeting is attached to this report as Appendix A.

- 1.2 Planning Committee resolved to approve the application subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure provision of appropriate open space and recreation facilities, and to define the categories of permitted occupier and prohibit their use of cars.
- 1.3 Negotiations on that agreement continued for some time; the Agreement was eventually completed on Tuesday 28th August 2018. The application was not determined before the end of that working week (Friday 31st August).

2.0 CAMBRIDGE LOCAL PLAN 2018

- 2.1 Planning Committee is now asked to reconsider its earlier resolution to approve this application, because the Inspectors' report on the new local plan, and its subsequent adoption by the local planning authority create a very significant change in the planning policy background with respect to this application.
- 2.2 On the Monday following the completion of the Section 106 agreement referred to above, 3 September 2018, South Cambridgeshire District Council and Cambridge City Council published the Inspectors' Reports on the South Cambridgeshire Local Plan and Cambridge Local Plan. The Inspectors' concluded that both Local Plans were 'sound' subject to a number of modifications being made.
- 2.3 Consistent with NPPF paragraph 48, the publication of the Inspectors' Reports increased substantially the weight that can be attributed to the Local Plans in decision making. The Inspectors concluded at the end of the examination process that the Local Plans are sound (subject to the modifications which they recommended) and that there were therefore no longer unresolved objections to the Local Plans. As such, substantial weight could, from the date of publication of the Inspectors' report (Monday 3rd September 2018) be attached to the policies of the Local Plans when making planning decisions.
- 2.4 Generally, from the moment of publication of an Inspector's report which rules that an emerging local plan is sound, the context for making a planning decision changes. From that moment onwards, where there is a conflict between the

outcome which arises from the application of policies of the adopted development plan and those of the new local plan, the new local plan will generally outweigh the adopted plan and will prevail.

- 2.5 On Thursday 18th October 2018, the new local plan was adopted as the Cambridge Local Plan 2018. It now carries full weight in the determination of planning applications, and the Cambridge Local Plan 2006 has no status in decision-making at all.

3.0 POLICY

- 3.1 In this instance there is a clear and absolute conflict between the policies of the Cambridge Local Plan 2006 and the Cambridge Local Plan 2018 with respect to an issue central to this application, the provision of student accommodation.

- 3.2 The Cambridge Local Plan 2006 contained a policy (7/10) on speculative student accommodation, but it was accepted at the time of the Committee resolution that this policy was not engaged by the present application, because it covered only 'student hostels' (see paragraphs 8.5-8.8 of Appendix A), and that the proposal for student studios on this site was in itself not in conflict with any policy in the 2006 local plan. The Committee report for that meeting (Appendix A: paragraphs 8.9-8.23) also sets out both how policies 3/7, 3/11 and 3/12 of the Cambridge Local Plan 2006 applied to the student accommodation aspect of the proposal, and how the requirements of that policy were satisfied either by the proposal itself or the conditions then recommended by officers.

Proposals for new student accommodation will be permitted if they meet identified needs of an existing educational institution within the city of Cambridge in providing housing for students attending full-time courses of one academic year or more. Schemes should demonstrate that they have entered into a formal agreement with at least one existing educational establishments within Cambridge providing full-time courses of one academic year or more. The council will seek appropriate controls to ensure that, within academic terms, the approved schemes are occupied solely as student accommodation for an identified institution. Applications will be permitted subject to:

- a. there being a proven need for student accommodation to serve the institution;
- b. the development not resulting in the loss of existing market housing and affordable housing;
- c. it being in an appropriate location for the institution served;
- d. the location being well served by sustainable transport modes;
- e. having appropriate management arrangements in place to discourage students from keeping cars in Cambridge;
- f. rooms and facilities being of an appropriate size for living and studying; and
- g. minimising any potential for antisocial behaviour and, if appropriate, being warden-controlled.

The loss of existing student accommodation will be resisted unless adequate replacement accommodation is provided or it is demonstrated that the facility no longer caters for current or future needs.

Where students do not attend full-time courses of one academic year or more, their accommodation requirements will be expected to be provided within the site of the institution which they attend; or by making effective use of existing student accommodation within the city outside term time; or by use of home-stay accommodation.

Permanent purpose built student accommodation will not be supported on sites allocated for housing, or with either an extant planning permission for residential development or sites identified as potential housing sites within the Council's Strategic Housing Land Availability Assessment.

- 3.3 The present application does not demonstrate a formal agreement with any educational institution, and so cannot show that it would meet an existing identified need for any such institution. It is therefore contrary to Policy 46 of the Cambridge Local Plan 2018. This conflict was identified in the previous Committee report, but as that report indicated (Appendix A:

paragraphs 8.3, 8.4, 8.6 and 8.7), it did not then form a basis on which to refuse the application, because the Inspector had not reported on the emerging plan, and consequently only limited weight could be attached to the policy.

- 3.4 The Cambridge Local Plan 2018 does not significantly change the policy background affecting this proposal with respect to design in context, sustainability, water management, residential amenity, loss of leisure facilities, disabled access, waste, transport and highway safety or parking management, and the assessment of these issues contained in the previous Committee report remains valid.

4.0 CONCLUSION

- 4.1 After Planning Committee resolved to approve this application, but before a decision was issued, a major change in planning circumstances took place. The issuing of the Inspectors' report on the Cambridge Local Plan 2013 Proposed Submission (2014), as amended by the Inspectors' Main Modifications, and the subsequent adoption of that document as the Cambridge Local Plan 2018, change the policy background with respect to proposals for student accommodation. Such proposals are now required to demonstrate a formal agreement with an educational institution providing full-time courses of one year or longer. This application does not demonstrate any such agreement and is consequently in conflict with Policy 46 of the Cambridge Local Plan 2018.

5.0 RECOMMENDATION

REFUSE for the following reason:

1. The proposal does not demonstrate that the applicant has entered into a formal agreement with at least one existing educational establishment within Cambridge providing full-time courses of one academic year or more, and so cannot show that it would meet an existing identified need for any such institution. It is therefore contrary to Policy 46 of the Cambridge Local Plan 2018.

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PLANNING COMMITTEE**DATE: 28TH MARCH 2018**

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

1.0 SITE DESCRIPTION/AREA CONTEXT

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

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

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

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

2.0 THE PROPOSAL

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

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

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

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

3.0 RECENT RELEVANT SITE HISTORY

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

Overcoming previous reasons for refusal

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

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

2. *The proposed courtyard space for the scheme would be small, cramped and feel hemmed-in for potential users. Given that the external environment to the site is onto a busy highway, the amenity space provided by the courtyard is inadequate and would provide little relief to the busy external environment. To this extent, the proposal represents a poor and inflexible layout and poor design and would fail to provide an external space that would be enjoyable to use for proposed existing and future users of it. As such, the proposal is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11 and is contrary to the NPPF (2012) at paragraph 17 in that it would fail to secure a high quality external space design and good standard of amenity for future users.*

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

1. To overcome the first reason the proposed block facing Coleridge Road has been amended from entirely four storeys to a stepped design of a mixture of four, three and two storeys. The element closest to Ruth Bagnell Court is now two storeys in height. The depth of this block has also been altered so that the two storey element closest to Ruth Bagnell Court is triangular in shape rather than the rectangular shape of the previous proposal. This has led to the loss of 3 student flats as the total number of flats for this scheme is 37. It is stated this design has been informed by the attached Sunlight Daylight Assessment which indicates more favourable impacts to the daylight of habitable rooms in adjoining flats in Ruth Bagnal Court.

2. The internal courtyard for student accommodation use of the previous scheme had an area of circa 204 square metres and this proposal has an area of circa 236 square metres. Six balconies that were not part of the previous scheme have also been introduced to student flats further adding to this proposals amenity space. The internal courtyard for nurse use of the previous scheme had an area of circa 47 metres and this proposal has an area of circa 85 square metres.

3.3 Other differences include:

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

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 4/4 4/11 4/12 4/13 4/15 5/1 5/4 5/5 5/7 5/11 5/12 5/14 6/1 7/10 8/1 8/2 8/4 8/6 8/9 8/10 8/16 8/18 10/1

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

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

	Planning Obligations Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge City Council (2011) – Open Space and Recreation Strategy Balanced and Mixed Communities – A Good Practice Guide (2006) Cycle Parking Guide for New Residential Developments (2010) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

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

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

Policy 46 - Development of student housing

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

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

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

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

Environmental Health

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

Refuse and Recycling

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

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

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

Sustainability Design and Construction

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

Urban Design and Conservation Team

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

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

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

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

Courtyard area

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

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

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

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

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

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

Relationship with Ruth Bagnall Court

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

Access Officer

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

The proposal has a good access statement, however

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

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

Head of Streets and Open Spaces (Tree Team)

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

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

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

Head of Streets and Open Spaces (Landscape Team)

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

Cambridgeshire County Council (Flood and Water Management)

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

Acceptable subject to a standard condition on Surface Water Drainage.

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

Cambridge City Council Drainage Team

- 6.10 No objection to standard surface water drainage conditions.

Policy

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

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

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

Developer Contributions Monitoring Unit (DCMU)

6.12 Indoor Sports:

The proposed development is within a mile of the Abbey Sports Centre and Gym sporting facility, which is on the Councils 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development. This target list was agreed by the City Councils Executive Councillor for Communities in June 2016.

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

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

Outdoor Sports:

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

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

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

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

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

Informal Open Space:

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

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

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

Play provision for children and teenagers:

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

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

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

Cambridge County Council Growth & Development team

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

7.0 REPRESENTATIONS

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

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

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

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

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

7.2 The representation in support can be summarised as follows:

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

7.3 The representations in objection can be summarised as follows:

Loss of heritage

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

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

Loss of building of architectural significance

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

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

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

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

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

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

Poor design

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

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

Contrary to policy

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

Over provision of student accommodation

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

there is too much student/affordable housing development up and down the length and breadth of the street.

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

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

Overdevelopment of the site

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

Poor quality accommodation

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

Poor drop off arrangements for both the Nursery and student accommodation

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

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

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

Nursery use is not fit for purpose

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

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

Lack of parking

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

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

The overshadowing and enclosure of the amenity spaces of adjoining neighbours

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

Loss of daylight to habitable rooms

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

Impacts to neighbours from the occupiers of student accommodation

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

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

Landscaping

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

Miscellaneous

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

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

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

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

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

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

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

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

7.6 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file. Any further comments on amended scheme dated 27/03/2018 will be added to the amendment sheet.

8.0 ASSESSMENT

Background

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

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

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

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

Principle of Development

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

Student Use

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

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

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

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

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

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

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

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

Car Parking and Management

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

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

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

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

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

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

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

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

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

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

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

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

Proximity

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

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

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

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

Provision for Disabled Students

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

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

- External surfaces and parking areas will be paved in a smooth hard material suitable for use by wheelchairs.
- All doors are to have level thresholds.
- Double doors are to have one leaf of minimum 900mm width.
- An internal lift is to be provided of sufficient size at 2m x 2m (minimum internal car size 1.8m x1.8m) for use by a wheelchair user and attendant. Control buttons are to be at a height suitable for wheelchair users and will include tactile indications and visual and audible indication of the floor reached.
- WC accommodation within each unit has been designed for use by the visiting disabled.
- Light switches, electrical socket outlets and intercom door entry systems are to be located at a height suitable for disabled use.
- One flat is fully kitted out for a wheelchair user including a wet room.
- Consideration is to be given to the interior colour contrast
- The communal garden is to be fully accessible.
- A charging point for disabled buggies is to be provided in the downstairs lobby.
- Hearing loops are to be provided in communal areas.

8.23 Notwithstanding that policy 7/10 is not engaged with regard to criterion d), policies 3/11 and 3/12 are still applicable. My view is that the applicants have suitably addressed this issue.

Loss of Flat

8.24 The existing building has one first floor flat on the rear south eastern wing above the Tsunami Fight Club. This will be lost as

part of the redevelopment of the scheme. A recent appeal decision at 115-117 Grantchester Meadows (16/1529/FUL) has clarified that the replacement of a dwelling with student accommodation does not conflict with policy 5/4 as both forms of accommodation are residential. Given that there would be an increase in residential floorspace overall the scheme complies with policy 5/4.

Affordable Housing

- 8.25 The Council's adopted and emerging policies regarding student accommodation together with the Council's draft Affordable Housing SPD (2014) do not require student schemes to contribute towards the supply of affordable housing. As the proposal is for studio units which are a C3 use, without a S106 to ensure the units would remain in student use, adopted policy 5/5 would be engaged and the scheme would be required to provide 40% or more of the units or an equivalent site area as affordable housing. That notwithstanding, the scheme is clearly designed for student use and has limited amenity space associated with it. As such, I am doubtful that occupation other than by students on a temporary basis of an academic year would be appropriate.

Studio Units

- 8.26 The Study evidence base suggests that the Colleges of the University predict an increasing demand for self-contained studio flats, that expansion of the post-graduate population is predicted and there is a lack of studio style accommodation for this sector (see paras 4.25, 4.27, 4.32, 4.42 and 4.57 of the Study). Provision for this sector could release existing housing stock (a position taken by the Inspector in the Mill Road appeal 14/1496/FUL and put forward by the applicants) albeit the Council policy position is that there is no evidence to support this. The applicant's QC's advice on this issue is that emerging policy in respect of studio accommodation 'sets its face against the provision of student flats' and that no weight can be given to this emerging policy. The Council's QC considers it 'doubtful that the 2017 Assessment [the Student Study], when considered as a whole, can properly be relied upon by the Council to oppose that element of Duxford's [the applicant] proposed development which seeks to provide self-contained student accommodation'.

8.27 As such, my conclusion is that the Study demonstrates an objectively assessed need for studio accommodation for students and there are no grounds to resist the application on this basis.

Summary of Principle of Student Use

8.28 Policy 7/10 is not engaged by the proposal and no conflict therefore arises. The site is not presently allocated for any particular land use and no other adopted policy regarding the principle of the student accommodation is engaged. This is a mixed use area and student accommodation is capable of being provided in principle on this site. As such, the principle of student accommodation on this site raises no conflict with the development plan and the proposal would help to meet the identified student accommodation need within Cambridge. Whilst the proposed development is in conflict with emerging policy 46, only limited weight can be attached to this because substantial objection has been raised to it. There is no sustained basis for objection arising from the Student Study in relation to the studios. The site is located in a sustainable location. Measures can be put in place and secured through a S106 for the management of the accommodation in terms of full-time student occupation and the keeping of cars.

A S106 could secure the following:

- A management plan to be submitted, agreed and implemented for all units with a specific requirement for overarching control through appointment of a management company with responsibility for all the student units concerning the monitoring and management of car parking etc.
- Occupation only by full time students attending an educational institution within Cambridge.
- Requirement for minimum tenancy period of 48 weeks for all student occupants
- Requirement for request of information in relation to car parking management and occupier details (name, educational institution, tenancy length and course length)

Allowance for out of term time use subject to submission of management information to the satisfaction of the LPA regarding the protection of residential amenity.

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

Response to context

- 8.29 This scheme has gone through the pre-application process since the previous scheme was refused at Planning Committee. This section of Mill Road predominantly comprises of fine grain two storey domestic scaled terrace houses, whilst directly opposite the site lies the two storey Romsey Mill Community Centre which is also designated as a BLI. Directly to the south of the site, outside of the Conservation Area lies the Ruth Bagnall Court, a part three and four storey shallow pitched roof flat block. The scale and massing of this flat block forms a contrast to the prevailing two storey semi-detached properties on Coleridge Road. Opposite Ruth Bagnall Court lies a smaller two storey flat block (Denham Place) which is setback from the road frontage behind mature tree planting.

Mill Road frontage

- 8.30 In my opinion part of the reason for designating Romsey Labour Club as a Building of Local Interest (BLI) is because of its historic use and links to being a building for party members and built by local party members. This use is historic and the building has not been in this use for decades. All the most valuable architectural features as listed in the BLI description are located on the front façade and side elevations of the Romsey Labour Club. The rest of the building has been heavily altered and is not considered of particular architectural merit. I consider the rear of this building currently has little links to the aforementioned historic Labour Club use. The retention of the front façade and side elevations is welcomed as a link to an important social building in Romsey.
- 8.31 The proposed two storeys above this single storey element are contemporary in design using vertically proportioned box dormers and zinc cladding. This modern design is considered in keeping with the streetscene of the Conservation Area as it uses a gable ended pitched roof framed by two chimneys on

both side elevations and a third central chimney. Many other properties on Mill Road are of a similar pitched roof design, it is also noted the height is stepped down in line No. 276 where the building adjoins the boundary with this neighbour.

- 8.32 The proposed first and second floors are also considered subservient to the BLI below. This is because they are indented 2 metres from the ground floor front elevation and 2 metres from the side elevation. Its bulk is further assimilated by the second floor being within a pitched roof and the use of zinc cladding. The four dormer openings match the rhythm of the windows below within the BLI elevation. Similarly the proposed red brick treatment of the gable elevations is supported and forms a relationship with the retained BLI frontage. It is therefore considered that the proposed addition would complement the retained BLI ground floor elevations below.
- 8.33 The Urban Design and Conservation Team has no objection to this element of the development and state:

'whilst there is an impact on the BLI and the appearance of the scheme from Mill Road, the level of harm is considered to be less than substantial. Given that the scheme is securing the beneficial reuse of the BLI overall, the harm needs to be weighed against the public benefits of the scheme.'

It is my opinion there is significant benefit to the public in terms of introducing a nursery use (which will be explained further in paragraphs below) and securing renovations for the BLI front façade which currently is in a state of disrepair.

Coleridge Road frontage

- 8.34 The block facing Coleridge Road was four storeys in height or 11.2 metres and 19.6 metres wide in the previous scheme. This block has been scaled back in height and depth. This scheme proposes a block which is stepped from four stories in height or 10.8 metres closest to the junction with Mill Road, down to three stories or 8.6 metres in height and finally the section of this block closest to Ruth Bagnell Court is two storeys in height or 5.9 metres. While the previous scheme had a uniform front façade the bulk of this proposal is broken up as the entrance and stairwell in the middle of the block is indented and four

balconies protrude from first and second floor studios either side of this central entrance. Different brick has been used to accentuate this indentation. I consider this adds visual interest to this scheme. The third floor of this block, amended to be contained within a mansard roof, gives this block an acceptable impact on the scale of existing houses opposite on Mill Road.

The proposed 2.6m gap between the Coleridge Road and Mill Road blocks at 2nd and 3rd floor level is considered acceptable and emphasises the two separate blocks. The block is contemporary in design with the mansard roof clad in zinc and the use of large glazed openings. Further examination of materials is recommended via condition.

Block adjoining the boundary with No. 276 Mill Road

- 8.35 The block proposed for this location would be very similar in form to the eastern wing of the Romsey Labour Club it replaces but is 7.6 metres deeper. It would be two storeys in height or 6 metres in height. The design of this block is considered acceptable and its sedum roof complementary to the contemporary design.
- 8.36 The Urban Design and Conservation Team has no objections to the scale and design of this proposal. In my opinion the proposal will have a positive impact on the heritage asset of the Building of Local Interest and surrounding Conservation Area. In my opinion is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, 4/11 and 4/12.

Renewable Energy and Sustainability

- 8.37 Policy 8/16 of the Cambridge Local Plan 2006 requires major developments to meet at least 10% of their predicted energy requirements through the use of on-site renewable energy, with the policy measured in terms of carbon reduction. The renewable energy officer has stated that the applicant's general approach is supported but further clarity is required, specifically in relation to carbon calculations. A condition requiring a fully calculated scheme of renewable energy is therefore recommended.

Disabled Access

- 8.38 In terms of disabled access the only change to this proposal from the previous scheme is a designated disabled parking space has been added. The entrance doors to the nursery are powered, incorporating hearing loops at fit out stage and putting two mobility scooter charging points within the proposed basement. I consider this is sufficient, but the Disabled Access officer has been re-consulted and any further comments will be reported and responded to on the amendment sheet prior to planning committee.

Residential Amenity

Impact on amenity of neighbouring occupiers

Loss of daylight to habitable rooms

Ruth Bagnall Court

- 8.39 The proposed two storey element (6 metres in height) of the block facing Coleridge Road is 4.7 metres from Ruth Bagnall Court. The three storey element (8.6 metres in height) of the block is set back a further 12.9 metres away. In the previous scheme the block facing Coleridge Road was four storeys high and between 4.7m and 12.9m away from the side elevation of Ruth Bagnall Court. The proposed two-storey block adjoining the boundary of No. 276 Mill Road is located 9.5 metres from the north facing units of Ruth Bagnall Court. This is similar to the existing wing of Romsey Labour Club it would replace. A daylight/sunlight assessment was sought to consider if the single aspect apartments of Ruth Bagnall Court facing north would be impacted by this scheme.
- 8.40 A BRE Daylight and Sunlight assessment accompanies the submitted amendments (dated December 2017). The report provides an analysis of the existing and proposed Vertical Sky Component (VSC) and No Sky Line (NSL) figures for 46 windows within Ruth Bagnall Court, 233-235 Mill Road and 229-231 Mill Road.
- 8.41 The previous application determined that 3 windows to habitable rooms in Ruth Bagnall Court would fail to meet the 80% BRE criteria for daylight and this was one of the reasons

for refusal. The amended design used the Sunlight and Daylight Assessment to inform where to scale back the bulk of this block facing Coleridge Road. This assessment confirms using the Vertical Sky Component (VSC) and No Sky Line (NSL) tests that all 25 windows of Ruth Bagnall windows facing the proposal would meet and in many cases exceed the 80% criteria. I am therefore of the opinion this scheme would have an acceptable impact upon the daylight entering these single aspect apartments of Ruth Bagnall Court and has overcome previous reason for refusal 1.

Mill Road

- 8.42 All the windows within the front facades of Nos. 229, 231, 233 and 235 Mill Road where subject to a Sunlight Daylight Assessment including a Vertical Sky Component, Average Daylight Factor and Annual Probable Sunlight Hours. These properties are located across the street and the assessment found that the impact would be negligible to these properties. I therefore consider the minor level of loss of light to these properties to be acceptable.
- 8.43 No. 276 Mill Road is located immediately to the east of the subject side. It is an end of terrace property and has a single storey garage adjoining boundary. The rear garden of this proposal slopes downward toward the south and is at a lower level. No. 276 Mill Road has no windows in its side elevation. It has three windows in the side elevation of its rear return facing the proposal these are to a kitchen at ground floor and two obscurely glazed windows at first, one to a small bedroom and the other to a bathroom. All these windows would be located 10 metres away from the proposed side elevation of the scheme. Currently the elevation they face is between 1.5 metres lower than the proposal and 0.9 metres higher than the proposal, which is 6 metres tall. A first floor rear bedroom window and a ground floor dining room window is also located perpendicular to this elevation. The dining room is dual aspect so a loss of daylight to this window is considered acceptable. The aforementioned Sunlight Daylight Assessment concluded that these windows described above would receive a slight improvement in daylight as the flat above the Romsey Labour Club is removed and therefore reducing the height by 0.9 metres south west of these windows.

Malta Road

- 8.44 The corner of the rear elevation of the proposed two storey block is nearly 16 metres west of the rear elevation of No. 6 Malta Road. This is considered a sufficient distance to dispel any potentially detrimental impacts to the rear windows to these properties on Malta road.

Outlook

Ruth Bagnall Court

- 8.45 This scheme has a setback to the southeast corner of the block facing Coleridge Road. The element of this block closest to the side elevation of Ruth Bagnall Court at 4.7 metres away is single storey and steps up to two storey 12.9 metres away. In my opinion the flats of Ruth Bagnall Court would have an acceptable outlook. Previously the ground floor flat in Ruth Bagnall Court facing the proposed rear elevation of the four storey block had a very poor north facing outlook but this has been significantly improved and now this flat would benefit from looking out onto the internal courtyard. I am therefore of the opinion this improved outlook has robustly overcome the previous reason for refusal. The Urban Design and Conservation Team's advice supports this conclusion.

No. 276 Mill Road

- 8.46 The windows in the rear elevations of this property already have a poor outlook onto the eastern wing of the Romsey Labour Club and the flat above. The uniform height of the proposed elevation is considered to give a similar outlook and where height is lowered would improve outlook.

Malta Road

- 8.47 Because of the aforementioned distances between the proposal, outlook to these properties is not considered to be unduly impacted.

Enclosure of amenity space

Ruth Bagnall Court

- 8.48 Three flats on the north-western corner of Ruth Bagnall Court have balconies which face the proposal. The setback to the southeast corner and stepping down of the block facing Coleridge Road to the south is considered to remove any potential detrimental enclosure impacts. It is also noted these balconies are all dual aspect and also face Coleridge Road.

Mill Road

- 8.49 The sun path study (D&A Statement part 5) indicates that the two storey eastern 'wing' results in minor additional overshadowing to the rear garden of No. 276 Mill Road at 15:00 and 17:00 on the March and September equinox and June summer solstice. The proposals also result in minor additional overshadowing to the rear garden of No. 278 Mill Road at 17:00 on the June summer solstice. The level of overshadowing is considered acceptable as it would be minimal and comparable with the existing situation. Adjacent gardens west on Mill Road remain predominantly well-lit spaces.
- 8.50 The existing 2/3 storey elevation forming the eastern wing of the Romsey Labour Club already in my opinion encloses this neighbour, with several first floor windows overlooking the garden adding to this sense of enclosure. While the proposal adjoining this boundary is greater in height and 6 metres deeper the area adjoining the patio and outbuilding would be 0.9 metre less in height and the proposal would have no windows facing No. 276 Mill Road. It is therefore my opinion that this proposal would not have a greater overbearing impact on the garden to No. 276 Mill Road than is the current situation.
- 8.51 No. 274 Mill Road is currently used as a Language Institute. It is a large mock Tudor two storey red brick and wood panelling building. It is set within a large parcel of land bordered along Coleridge Road by mature trees. It is noted from the sun path study there would be additional overshadowing during the Winter Solstice at 9am and 11am on the north western corner of the plot of No. 274 Mill Road. This sun path and shadow study does not factor in the mature vegetation on the boundary which already creates some overshadowing. I am therefore of the opinion as this proposal will only impact a small proportion of No. 274's large grounds the impact is acceptable.

Noise

- 8.52 The Environmental Health team is satisfied that subject to conditions, noise from this proposal will not create detrimental impacts to neighbouring properties. I concur with their assessment as this development is located on a busy junction. It is also noted the main amenity space will be contained within the middle of the proposed scheme. I have therefore recommended conditions requiring noise insulation and construction/demolition noise and vibration assessment to be submitted and examined prior to commencement as well as several standard conditions to ensure construction and demolition causes as minimal impact as possible. The team has asked for the nursery hours of use to be agreed and subject to a condition.
- 8.53 Patacake, the proposed end user for this nursery, proposes to be open 8am-6pm Monday to Friday and closed on Saturdays, Sundays and Bank Holidays. It is therefore recommended that these opening times are restricted by means of a planning condition since the impact of opening outside of these hours has not been considered. It is also noted the proposed nursery would be closed during the period between Christmas and New Year. In my opinion I consider the proposed opening hours would not cause any undue noise or disturbance to local residents.
- 8.54 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12 and 4/13.

Amenity for future occupiers of the site

Outlook

Mill Road Frontage

- 8.55 All windows to student apartments in this section of the proposal are considered to have an acceptable outlook. Six student flats would have acute views of the nursery's amenity space directly below. This relationship is considered acceptable. Having visited Patacake's nursery premise at Sedley Court, that also has student accommodation above, I

witnessed two uses that in my opinion work well together. These student flats also overlooked nursery open space. I am of the opinion therefore this overlooking is acceptable. First and second floor flats have very acute views diagonally of windows to student flats in the Coleridge Road block and the block adjoining the boundary with No. 276 Mill Road. Because of the location of glazing this impact is not considered detrimental.

Block facing Coleridge and block adjoining the boundary with No. 276 Mill Road

- 8.56 All windows to student apartments in this section of the proposal are considered to have an acceptable outlook. There is 11.5 metres between the two wings internally. The windows have been arranged so that they do not directly face one another. The arrangement is acceptable.

Amenity space

Nursery Courtyard

- 8.57 The central courtyard is 11.5 metres wide by 26.1 metres deep. Of this area the nursery has an amenity space of 85.4 square metres. The nursery courtyard is enclosed on the south side by a perforated metal screen and is partially covered by the 1st floor student accommodation above. This makes the space partially overshadowed. However, having spoken to Patacake, the potential future occupant, I understand this is purposely like this as children of the young age proposed to use this nursery cannot be too exposed to the weather and UV. Having been to their premises at the nearby Sedley Court I saw the outdoor amenity space currently used for the similar age group is well covered. I note the proposed space is 45% larger than the previous scheme and it would not be as overshadowed or enclosed as the previous scheme as it is of a greater depth. I am therefore of the opinion that this space is acceptable for this proposed nursery use and is now large enough and well enough lit to overcome the previous reason for refusal 2 as set out at paragraph 3.1. It is very relevant that Cambridge County Council Growth & Development team advise that the external space is compliant with Ofsted guidance for the 0-2 age group and it is acceptable for their needs. Given that Patacake are also satisfied with the proposed space provision, it is very

difficult to see how the Council could sustain the previous reason for refusal at appeal.

Student accommodation amenity space

8.58 The proposed central courtyard space is considered adequate for the future occupants of the student apartments. It is 236 square metres in area, 32 square metres larger than the previous scheme. The shadow path study shows this courtyard space will receive sufficient light from the south. I agree with the conditions the landscape officer has recommended that ensure this will be a high quality space. Buffer planting is sought as part of the recommended landscape condition to ensure there is no overlooking from this space into ground floor flats. I also note this scheme proposes six studios facing Coleridge Road that will have small private balconies. I therefore consider that the increased area of this communal amenity space and additional private balcony amenity spaces combine to give a sufficient amount of amenity space for the future student occupiers. The site is also a five minute walk to Coleridge Recreation Ground, an expansive and well equipped area of open space.

8.59 In reaching a conclusion on this issue, it may help members to consider how this scheme compares to other student schemes recently approved.

Site	Number of rooms	Area of approved usable amenity space (sq. m)	Usable amenity space per student (sq. m)
91-93 East Road 14/0764/FUL	33	76	2.3
100 Histon Road 12/1576/FUL	71	329	4.6
1 Milton Road 14/1938/S73	211	168	1.86
7-9 Abbey Street 11/1430/FUL	24	194	8.08
73 Humberstone Road 13/0115/FUL	15	67	4.46
Texaco Site	98	45	0.46
Primrose Street 15/0140/FUL	30	197.6	6.6
Romsey Labour Club 18/0002/FUL	37	236.8	6.4

Members will see from the table that the proposal compares favourably to other similarly sized student schemes across the City in terms of usable external amenity space per student. As

such, it is my view that the previous reason for refusal has been overcome.

- 8.60 No internal communal space has been provided for the student accommodation use. This is considered acceptable as there is no policy requirement to do so in such a central location surrounded by many amenities. Technical housing standards *nationally described space standards* published by Department of Communities and Local Government March 2015 does not apply to the size of these one bed units as they will be used for student accommodation and a Section 106 agreement would ensure this. I consider each of the proposed flats are large enough in floor area to cater for the needs of a single student occupier.
- 8.61 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12. I also consider this larger central courtyard along with 6 private balconies overcomes the previous reason for refusal as now in my opinion both future student occupiers and child and staff of the proposed Nursery have an adequate amount of amenity space.

Loss of leisure facilities

- 8.62 Currently the east and west wings of the existing building are used as gymnasiums (Class D2) by Tsunami Gym (Mixed Martial Arts) and Becket Boxing Gym. 463sqm existing gross internal floorspace (Tsunami Gym space – 156.1sqm and Trumpington Community Boxing Club including basement – 307.2sqm) of D2 use will be removed and 260sqm gross new internal floorspace of D1 (nursery space) is proposed to replace this. Literature associated with the application indicates the basement area of Trumpington Community Boxing Club is used mainly for storage. It is also noted that neither existing gym operate with the benefit of planning permission however both appear to have been in situ for more than 10 years and, if so, are therefore established.
- 8.63 Policy 6/1 of the Cambridge City Local Plan (2006) states that development leading to the loss of leisure facilities will be permitted if:

- a. the facility can be replaced to at least its existing scale and quality within the new development; or
- b. the facility is to be relocated to another appropriate premises or site of similar or improved accessibility.

8.64 In my opinion, the gymnasiums are established and their loss would not be in compliance with this policy since neither policy criterion are met by the proposal. However, I consider there would be a public benefit to the proposed new nursery which would create a recognised need for additional 0-2yr spaces in the area (recognised by the Cambridge County Council Growth and Development team). I consider this to be a material planning consideration that, in this instance, outweighs the policy requirement. I also note that Patacake, as the proposed end user, intends these additional premises to free up their current 0-2yr unit at Sedley Court for more child care places. In addition, the proposed nursery would be of a greater floor area to the two gymnasiums it is proposed to replace.

8.65 The loss of the gyms/boxing club did not previously form a reason for refusal. Whilst I am aware that a significant number of objections have been received this time around in relation to this loss, I am of the opinion that the harm associated with the loss of these two small specialist gyms is outweighed by the public benefits of the proposed nursery. Whilst contrary to Policy 6/1 this is a material consideration that is sufficient to weigh in favour of the development.

Refuse Arrangements

8.66 An adequate amount of bin storage has been provided in this scheme. The onus remains on the owner/users of the site to ensure that waste legislation, as enforced by the City Council, is followed when the dual-use site is operational. As per the City Council's Refuse Team's consultees comments the bin store has been separated so that the nursery and student accommodation have separate bin stores. The refuse officer is satisfied the loading bays provided are large enough to accommodate RCV emptying bins and the location of the bin store is satisfactory to accommodate this. Further comments from the refuse officer are awaited and Members will be updated prior to the committee meeting.

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

Transport and Highway Safety

8.68 The Highway Authority is satisfied the proposal will not have an adverse impact on highway safety based modeling provided in the Transport Statement by Transport Planning Associates. However the Highway Authority and neighbours have pointed out that the speed limit on Mill Road is 20mph not 30mph. The Transport Statement has therefore been updated. The Transport Statement presents trip rates for a generic occupier taken from TRICS (Trip Rate Information Computer System). This forecast of trips by mode is modeled using local census data and has been accepted by the County Council. The conclusion is that a generic occupier might attract 3 arrivals by car in the morning and 2 in the evening.

8.69 The Transport Statement also presents an analysis using data taken from a local nursery (Patacake) which also happens to be the prospective end occupier. This forecasts four arrivals by car in the morning and 2 in the evening. The trip rates have been accepted by the County Council and given that the site is located in a highly sustainable location in a dense urban area, it is very likely that a significant number of parents would be dropping off by foot or by bicycle. Conditions are recommended to ensure highway safety is not unduly impacted by the development during its construction.

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

Car and Cycle Parking

8.71 One disabled space and a set down area are proposed as part of this application. This is less than the maximum parking standards outlined in Appendix C of the Cambridge Local Plan (2006). The City Council promotes lower levels of private car parking particularly where good transport accessibility exists. This site is located in a particularly sustainable location on the junction of Mill Road and Coleridge Road. Mill Road has many shops and services and the city centre is within walking distance or cycling distance. It is, therefore, my view that it would be unreasonable to refuse the application for this reason

on the basis of lack of parking. The impacts of off-site car parking are to be dealt with through the S106 as set out in the assessment of the principle of development.

8.72 All cycle parking for students is located in the basement. The scheme has been amended to make this area easier to access. The ramp down to the basement is over 5 metres long and 2.2 metres wide and has two indents for bicycle wheels either side of the ramp. In my opinion this is considered acceptable. 48 cycle spaces are proposed in this basement and 14 further visitor spaces are proposed outside facing Coleridge Road. These outdoor visitor spaces are well spaced for larger cargo bicycles that maybe used to drop off children to the proposed nursery. This amount of parking is in line with policy.

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

Third Party Representations

8.74 The majority of third party representations are addressed in the report above, those issues that are not address are considered in the table below:

Concern	Response
The Tsunami gym is a non-profit community facility	The Tsunami gym is not a registered charity and its loss is addressed in paragraphs 8.63 - 865
Too much student accommodation will compromise the diversity on this street and in Cambridge.	There is no policy basis for refusing further student accommodation in this location and each scheme is dealt with on a case by case basis. See paragraphs 8.3 to 8.28
No council tax being collected	This is not a planning consideration
Ruth Bagnall Court is not comparable as it is outside of the Conservation Area	While it is agreed Ruth Bagnall Court is outside of the Conservation Area, it forms part of the context of the site and its relationship to the proposal is a planning consideration.

Site should be only used as a multi- purpose community centre.	There is no planning reason for the redevelopment of this site to a student accommodation and nursery use not to be considered. It is noted what is currently on site are two gyms, the loss of which is not considered under policy 5/11 but instead 6/1 of the Cambridge Local Plan 2006.
Affordable housing is what is required in this location.	See paragraph 8.25
A nursery directly opposite has had its funding cut, therefore a nursery in this location is not warranted.	This is not a planning matter and it is noted the Cambridge County Council Growth and Development team has identified that there is a current need for the additional nursery places provided by this scheme in the area.
Loss of Nursery use in the future	If the proposed end user of the nursery were to go out of business the named use class of this area would remain. Therefore if a change of use were required in the future this would require planning permission.
Anti-social behaviour and littering may increase with the number of student occupiers	This is a management issue and not a planning consideration. How this development will be managed will be set out in the recommended Section 106.

Planning Obligations (s106 Agreement)

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

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

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

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

City Council Infrastructure (Open spaces and Community facilities)

- 8.77 The Developer Contribution Monitoring team has recommended that contributions be made to the following projects:

Three contributions are identified as being necessary. These are £9,146 (plus indexation) to Abbey Sports Centre and Gym, Whitehill Road, £8,092 (plus indexation) to Coleridge Recreation Ground and £8,228 to informal open space facilities at Romsey Recreation Ground, Cambridge.

- 8.78 I agree with the reasoning set out in paragraph 6.12 above that contributions towards these projects meet the requirements of the CIL regulations. Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Occupation

- 8.79 In accordance with my assessment regarding the principle of development, the following S106 provisions are required:

- A management plan to be submitted, agreed and implemented for all units with a specific requirement for overarching control through appointment of a management company with responsibility for all the student units concerning the monitoring and management of car parking etc.
- Occupation only by full time students attending an educational institution within Cambridge.
- Requirement for minimum tenancy period of 48 weeks for all student occupants
- Requirement for request of information in relation to car parking management and occupier details (name, educational institution, tenancy length and course length)
- Allowance for out of term time use subject to submission of management information to the satisfaction of the LPA regarding the protection of residential amenity.

Planning Obligations Conclusion

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

9.0 CONCLUSION

9.1 The larger size of the proposed central courtyard and addition of six balconies has overcome reason for refusal 1 on the previous scheme. Both the student accommodation use and nursery use would have an adequate amount of external amenity space. The County Council and the prospective occupant Patacake support the extent of provision proposed. The amount of external space for future students has been increased and given the location – close to Coleridge Rec. – and comparison with other student schemes, I consider that reason for refusal 1 has been robustly addressed and would be very difficult to sustain as a reason for refusal on appeal. With the recommended landscaping condition, a high quality space would be created.

- 9.2 The length and massing of the proposed Coleridge Road block has been reduced to address the previous reason for refusal regarding proximity and potential overbearing relationship with Ruth Bagnall Court. The proposed stepped form has produced a much greater gap between the proposed Coleridge Road block and Ruth Bagnall Court, than the previously refused scheme. All windows assessed would meet the BRE standards for daylight and sunlight.
- 9.3 Policy 7/10 is not engaged by the proposal and no conflict therefore arises. The site is not presently allocated for any particular land use and no other adopted policy regarding the principle of the student accommodation is engaged. This is a mixed use area and student accommodation is capable of being provided in principle on this site. As such, the principle of student accommodation on this site raises no conflict with the development plan and the proposal would help to meet the identified student accommodation need within Cambridge. Whilst the proposed development is in conflict with emerging policy 46, only limited weight can be attached to this because substantial objection has been raised to it. There is no sustained basis for objection arising from the Student Study in relation to the studios. The site is located in a sustainable location. Measures can be put in place and secured through a S106 for the management of the accommodation in terms of full-time student occupation and the keeping of cars.
- 9.4 The design of the development is considered to respect the context of the site and to be in keeping with the character and appearance of the Conservation Area. The works to the building respect its status as a Building of Local Interest and importantly retain existing architectural features of merit. The site lies in a sustainable location and the proposal can provide the required level of renewable energy, disabled access requirements, car and cycle parking and appropriate refuse arrangements. The proposal will not adversely impact on highway safety or harm the amenity of occupiers of nearby dwellings and will provide a high quality living environment for its future occupiers. The proposal will result in the loss of two small gymnasiums but this is outweighed by the benefits of providing a nursery use that meets a recognised need. Measures necessary to secure infrastructure provision and to mitigate the development can be secured through a S106 in full compliance of the CIL regulations.

10.0 RECOMMENDATION

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

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

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

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

4. Submission of site investigation report and remediation strategy:

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

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

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

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

5. Implementation of remediation.

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

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

6. Completion report:

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

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

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

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

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

7. Material Management Plan:

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

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

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

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

8. Unexpected Contamination:

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

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

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

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

10. No development shall commence until details/specification of solar control glazing for all windows has been submitted to and approved in writing by the local planning authority. The windows shall be installed in accordance with the approved details and maintained thereafter.

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

11. No development shall commence until a method statement for the retention of the front and rear elevations of the existing Labour Club building has been submitted to and approved in writing by the local planning authority. The development works shall be undertaken in accordance with the approved method statement unless otherwise agreed in writing by the local planning authority.

Reason: to ensure the structural integrity of the elevations of the existing building to be retained are consistent with Cambridge Local Plan (2006) Policy 4/12.

12. Prior to demolition of the parts of the Labour Club building not due for retention, an archaeological building record by an approved archaeological contractor shall be undertaken and submitted to the LPA for approval.

Reason: to be consistent with NPPF paragraph 141.

13. Prior to any demolition works being undertaken, a schedule of works of repair or alteration of the Labour Club Building elements to be retained (front and return elevations) shall be submitted to and approved by the LPA. The schedule shall include for instance, any cleaning, repointing, brick or stone works and window repairs or replacement.

Reason: to protect the appearance of the retained elements of the BLI in accordance with Cambridge Local Plan (2006) Policy 4/12.

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

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

15. No development shall commence until details of the proposed spandrel panels, including a schedule of the windows they are to be introduced to, have been submitted to and approved in writing by the local planning authority. The panels shall be erected in accordance with the approved details and thereafter maintained unless agreed otherwise in writing by the local planning authority.

Reason: To ensure that the appearance of the external surfaces of the development and levels of privacy achieved are appropriate (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12 and 3/14).

16. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

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

17. No development hereby permitted shall be commenced until surface water drainage works in accordance with the December 2017 GH Bullard & Associates FRA and Drainage Strategy have been submitted to and approved in writing by the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding off site for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

- b. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

18. No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

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

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

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

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

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

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

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

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

Reason: To prevent surface water discharging to the highway in the interests of highway safety.

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

Reason: In the interests of highway safety.

24. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

Reason: in the interests of highway safety

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

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

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

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

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

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

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

28. The nursery use, hereby permitted, shall be carried out only between the hours of 8.00am - 6.00pm Monday to Friday. The use shall not be carried out on Saturdays, Sundays or Bank Holidays.

Reason: To protect the amenity of occupiers of nearby properties and because the merits of operation outside of these hours have not been considered (Cambridge Local Plan 2006 policy 4/13)

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

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

Reason: To protect the amenity of the proposed new residential units (Cambridge Local Plan 2006; Policy 4/13).

30. Prior to occupation of the residential units above and adjoining the nursery, the applicant shall demonstrate to the satisfaction of the Local Planning Authority a scheme of noise insulation that adequately protects internal noise levels in habitable rooms in those units from noise associated with the day-to-day use of the nursery. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of residential units adjoining the nursery (Cambridge Local Plan 2006; Policy 4/13)

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

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

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

32. Prior to the commencement of development, with the exception of the demolition of the existing buildings on the site, a renewable energy statement, which demonstrates that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources, shall be submitted to and approved in writing by the local planning authority. The statement shall include the total predicted energy requirements of the development and shall set out a schedule of proposed on-site renewable energy technologies, their respective energy contributions, location, design and a maintenance programme. It shall also include an assessment of any air quality noise or odour impact and mitigation measures required to maintain amenity and prevent nuisance in accordance with the Council Sustainable Construction And Design Supplementary Planning Document to be submitted in writing and agreed with the LPA prior to installation. The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any of the flats hereby approved and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policies 4/13 and 8/16).

33. Notwithstanding the provisions of the Use Classes Order (1987) and the Town and Country Planning General Permitted Development Order (2015) as amended, the proposed nursery use shall only be used as as nursery and for no other purpose, either in a different use class or within the D1 use class as set out in the Use Classes Order (1987) as amended.

Reason: The application has only been assessed on the basis of the nursery use and for no other purpose in relation to its impact or justification as a community facility in replacing the existing leisure use (Cambridge Local Plan policies, 5/11, 6/1, 4/13).

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

Reason: In the interests of highway safety.

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

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

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

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

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

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints
- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

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

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

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

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

INFORMATIVE: In relation to Condition No. 4, it is recommended that consideration be given to the use of external shading, designed according to the elevation in question (e.g. vertical shading works better on west facing elevations, while horizontal brise soleil works better on south facing elevations).

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

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

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

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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 Cambridgeshire 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		

0.0 Addendum

- 0.1 At the 29th August meeting of Planning Committee, Members resolved to refuse this application for the demolition of No.149 Newmarket Road and existing garage structures and the erection of new buildings producing a total of 11 residential units (an increase of 10). Members found there to be four reasons for refusal. These related to the impact of the development on the ability for the neighbouring church to develop its land, the harm to the amenity of the neighbouring gardens on Beche Road, the impact on the streetscene, conservation area and setting of the listed building, and the lack of amenity for future occupiers of the units.
- 0.2 Following the resolution to refuse the application but prior to the council formally issuing a decision, the inspectors report on, the now adopted, Cambridge Local Plan 2018 was received. The Inspectors concluded that the Local Plan was 'sound' subject to a number of modifications being made. We took legal advice which found that the determination of the application is not when committee makes its resolution but rather when the decision notice is issued. Once the council receives the Inspector's report substantial weight must be given to the

policies in the new plan. As a result, a policy comparison needed to be undertaken to ensure that all of the reasons for refusal comply with policies in the 2018 Local Plan.

0.3 For the avoidance of doubt, I will set out in full the reasons for refusal.

a) By virtue of its scale, mass, and height adjacent to the boundary with the pan handle strip of land which forms part of the Abbey Church site, the proposal would prejudice the future development potential on the adjacent site and would therefore be contrary to Policy 3/6 of the Cambridge Local Plan (2006).

b) By virtue of its scale, mass, height, and proximity to the northern boundary of the site, the proposal would have an unacceptable enclosing, overbearing, overshadowing and overlooking impact on the gardens of dwellings in Beche Road to the north, which are approximately 3.5m lower than the application site. The proposal would therefore harm the amenities of occupiers of the adjacent dwellings contrary to Cambridge Local Plan (2006) policies 3/7 and 3/12.

c) By virtue of the scale, massing and design of the buildings, the development would have a detrimental impact on the streetscene of this part of Newmarket Road and would fail to preserve and enhance the character and appearance of the Conservation Area and would have a detrimental impact upon the setting of the adjacent Grade II Listed Abbey Church. The proposal would therefore be contrary to policies 3/4, 3/7, 3/12, 4/10 and 4/11 of the Cambridge Local Plan (2006) and the National Planning Policy Framework (2018).

d) The proposed development, by virtue of the overly cramped and small internal living spaces within the dwellings and the poor quality of external amenity space for all of the units, would fail to provide a satisfactory quality of living environment and standard of amenity for future occupiers. Consequently, the proposal would be contrary to the requirements of policy 3/7 of the Cambridge Local Plan (2006) which seeks to provide high quality living environments within new developments

0.4 In the below table I will list the policies from the 2006 local plan which were put forward as reasons for refusal and where relevant include the equivalent policy in the 2018 Local Plan. Where there are no equivalent Policies the reason for refusal will fall away

2006 Local Plan policy	Equivalent 2018 Local Plan policy
3/4 Responding to Context	Policy 55 Responding to context
3/6 Ensuring Coordinated Development	None
3/7 Creating Successful Places	Policy 56 Creating Successful Places
3/12 The Design of New Buildings	Policy 57 Designing new buildings
4/10 Listed buildings	Policy 61: Conservation and enhancement of Cambridge's historic environment
4/11 Conservation Areas	Policy 61: Conservation and enhancement of Cambridge's historic environment

0.5 The only policy which does not have an equivalent in the newly adopted local plan is 3/6 which relates to coordinated development. This is the only policy cited in the first reason for refusal. Given there are no other policies to justify the first reason for refusal, officers recommend that this should no longer apply.

0.6 The reasons for refusal which remain will need to be updated with the new policies. It should also be noted that the last reason for refusal regarding residential amenity for future occupiers can also include policy 50 from the 2018 Local Plan. This requires that units meet with the nationally described space standards and that all units have access to private external amenity space. I have set out the new reasons for refusal, with the updated policies, in full below:

a) By virtue of its scale, mass, height, and proximity to the northern boundary of the site, the proposal would have an unacceptable enclosing, overbearing, overshadowing and overlooking impact on the gardens of dwellings in Beche Road to the north, which are approximately 3.5m lower than the application site. The proposal would therefore harm the amenities of occupiers of the adjacent dwellings contrary to Cambridge Local Plan (2018) policies 56 and 57.

b) By virtue of the scale, massing and design of the buildings, the development would have a detrimental impact on the streetscene of this part of Newmarket Road and would fail to preserve and enhance the character and appearance of the Conservation Area and would have a detrimental impact upon the setting of the adjacent Grade II Listed Abbey Church. The

proposal would therefore be contrary to policies 55, 56, 57 and 61 of the Cambridge Local Plan (2018) and the National Planning Policy Framework (2018).

c) The proposed development, by virtue of the overly cramped and small internal living spaces within the dwellings and the poor quality of external amenity space for all of the units, would fail to provide a satisfactory quality of living environment and standard of amenity for future occupiers. Consequently, the proposal would be contrary to the requirements of policies 50 and 56 of the Cambridge Local Plan (2018) which seeks to provide high quality living environments within new developments and require units to provide an adequate amount of internal and external space.

0.7 Whilst the first reason for refusal has fallen away, the new policy situation results in a new reason for refusal. As you will be aware, the NPPF 2018 set a threshold of 10 units or more for the provision of affordable housing. This is contrary to threshold of 11 specified within policy 45 of the new local plan. A report is due before Planning Committee on 7 November which recommends that Members attach significant weight to and apply the lower threshold in the NPPF (2018). The application proposes an increase of 10 residential units on site and there is no affordable housing provision proposed. As a result a new reason for refusal is recommended as set out below:

“The proposal has failed to secure any affordable housing provision and is therefore contrary to NPPF 2018.”

0.8 Policy 51 of the Cambridge Local Plan (2018) requires all housing developments to be of a size, configuration and internal layout to enable the Building Regulations requirement on ‘accessible and adaptable dwellings’ to be met. A Building Regulations Officer has assessed the proposed plans. He has found a large number of changes are required to ensure the proposal would comply with part M of Building Regulations. The changes are substantial and include requirements such as wider corridors and stairs. Many of the units proposed are already below the space standards and members have resolved to refuse the proposal on the grounds that the scale of the development is inappropriate so an increase to the scale and massing to accommodate the required changes would not be acceptable. As a result I consider the proposal fails to provide inclusive access and would be contrary to policy 51 of the Cambridge Local Plan (2018). I recommend an additional reason for refusal as follows:

“The proposed development is not of a size, configuration and internal layout to enable Building Regulations requirement M4(2) (relating to ‘accessible and adaptable dwellings’) to be met, and is therefore contrary to Policy 51 of the Cambridge Local Plan (2018).”

0.9 Recommendation

Refuse for the following reasons:-

1. By virtue of its scale, mass, height, and proximity to the northern boundary of the site, the proposal would have an unacceptable enclosing, overbearing, overshadowing and overlooking impact on the gardens of dwellings in Beche Road to the north, which are approximately 3.5m lower than the application site. The proposal would therefore harm the amenities of occupiers of the adjacent dwellings contrary to Cambridge Local Plan (2018) policies 56 and 57.
2. By virtue of the scale, massing and design of the buildings, the development would have a detrimental impact on the streetscene of this part of Newmarket Road and would fail to preserve and enhance the character and appearance of the Conservation Area and would have a detrimental impact upon the setting of the adjacent Grade II Listed Abbey Church. The proposal would therefore be contrary to policies 55, 56, 57 and 61 of the Cambridge Local Plan (2018) and the National Planning Policy Framework (2018).
3. The proposed development, by virtue of the overly cramped and small internal living spaces within the dwellings and the poor quality of external amenity space for all of the units, would fail to provide a satisfactory quality of living environment and standard of amenity for future occupiers. Consequently, the proposal would be contrary to the requirements of policies 50 and 56 of the Cambridge Local Plan (2018) which seeks to provide high quality living environments within new developments and require units to provide an adequate amount of internal and external space.
4. The proposal has failed to secure any affordable housing provision and is therefore contrary to NPPF 2018

- 5 The proposed development is not of a size, configuration and internal layout to enable Building Regulations requirement M4(2) (relating to 'accessible and adaptable dwellings') to be met, and is therefore contrary to Policy 51 of the Cambridge Local Plan (2018)

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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PLANNING COMMITTEE

DATE: 7TH November 2018

Application Number	17/1484/OUT	Agenda Item	
Date Received	22 nd August 2017	Officer	John Evans
Target Date	EoT 10 th November 2018		
Ward	Abbey		
Site	Land Adj to Barnwell Lake, Newmarket Road, Cambridge		
Proposal	The erection of a cycle themed cafe with ancillary kitchen, storage area, WCs, bin enclosure and cycle repair outlet along with associated infrastructure including 24 car parking spaces, 100 cycle parking spaces, a partly new and upgraded internal road, public open space and associated picnic / play areas.		
Applicant	Barnwell Café Ltd.		

SUMMARY	<p>1) The additional and amended information addresses some of the previous reasons for refusal recommended by officers.</p> <p>2) Highway safety, flood risk and retail matters have been satisfactorily addressed and no longer form reasons for refusal.</p> <p>The development does not accord with the Development Plan for the following reasons:</p> <p>3) The proposal is inappropriate development, will result in</p>
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	<p>significant visual harm and conflicts with the purposes of including land in the Green Belt. There are no very special circumstances which outweigh the harm approval would create.</p> <p>4) The proposal would lead to the loss Protected Open Space which forms reason for refusal 2.</p> <p>5) The development will result in the net loss of ecology on the site, which forms reason for refusal 3.</p>
RECOMMENDATION	REFUSAL

A.1 BACKGROUND

- A.1 The application was presented at Planning Committee on 1 November 2017 with an officer recommendation of refusal. The adjourned decision protocol was initiated and the application was deferred following a 'minded to approve'. Planning Committee was clear that the technical deficiencies with the application submission should be addressed before the application is presented to Committee for determination. Following deferral, the applicant has submitted three packages of additional and amended information which is set out in the description of proposal below.
- A.2 The application is a 'minor development' because the site area is under 1 ha and not a 'major'; an error in the previous report to Committee. As such, the application would not generally trigger the Adjourned Decision Protocol. Notwithstanding, Committee members have the right to defer or adjourn making a decision on any planning application for the purposes of requiring further information to enable a decision to be made. The application now falls to be considered on its merits only, based upon all of the information in front of the Committee. The planning application will need to be considered against all of the material submitted, including that submitted since the previous Committee meeting.
- A.3 Outline planning permission C/5007/16/CC was approved on 19 July 2017 for phase 1 of the Chisholm Trail (The Trail). The Trail has been approved to traverse the site, entering through an

underpass approximately halfway along the northern boundary of the site and Newmarket Road. The Trail will exit the site at the south east corner of the redline boundary, at the north east corner of Barnwell Lake. The Trail development proposes to use the site for temporary storage as a site compound for the construction of the Newmarket Road underpass, as well as the Trail Phase 1 linking Newmarket Road underpass to Coldhams Common. The construction work main site compound is located between Ditton Walk and Ditton Meadows. The Trail is yet to be commenced.

- A.4 Planning application C/93/0242 was approved on 2 August 1993 for the formation and stabilisation of banks to Barnwell Lake, provision of fishing platforms and steps, improvement of access, footpaths and parking area, and erection of a shelter. This application provided for much of the existing infrastructure on the site, including the car park and platforms, as well as the general form of the lake including planting and bank stabilisation.
- A.5 Planning application C/88/0593 for the erection of a restaurant and dance floor with associated car parking and lakeside improvements was refused in 1989, primarily because of conflict with Green Belt policy.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The proposed site is 0.72ha, bounded by the railway line to the west, Barnwell Lake to the south, Abbey Stadium to the east and Newmarket Road to the north.
- 1.2 Access onto the existing site is from Newmarket Road, through an existing driveway to a car park, with a walkway to the lake, all made of permeable gravel. The site declines from Newmarket Road to the Barnwell Pit Lake. A ditch to the east of the site forms the eastern extent of the redline boundary, establishing a separation between Coldhams Common and the proposed development site. The area is currently a mixture of trees, grassland and hedgerow vegetation.
- 1.3 Coldhams Common public open space is to the south of the site, which also extends along the east of the site to Newmarket Road. The Elfleda Road Allotments and Abbey Stadium are located to the east of the proposal site.
- 1.4 Immediately across Newmarket Road, Barnwell Junction Pasture and disused railway extends approximately 400m north. To the

south west corner of this area is the Chapel of St Mary Magdalene and Stourbridge Chapel, known as the Leper Chapel, which is a Grade I listed building. Ditton Meadows and Stourbridge Common, of which are both public open spaces, are located further north of Barnwell Junction Pasture and disused railway.

- 1.5 In respect of the existing built form adjoining the site, the Abbey Stadium and associated buildings and infrastructure makes up the eastern extent of the open space. To the west, the railway line divides the site and the western industry and retail buildings. Across Newmarket Road to the north east and north west are a mix of residential dwellings, retail and industrial buildings. To the south of Barnwell Lake, off Coldhams Road, are industrial buildings.
- 1.6 The proposed area for development is within land designated as Green Belt under the Cambridge Local Plan (2018). The application site is also designated as a Site of Local Nature Conservation Importance and Protected Open Space. The site is partially within the flood plain within Flood Zones 1, 2 and 3.
- 1.7 The site has been identified as 'private protected open space' within the Open Space and Recreation Strategy 2011 and is considered to have environmental and recreational importance. The site is identified within the Cambridge City Wildlife Site Survey 2005, with the survey recognising that a range of biodiversity is on the site.
- 1.8 Coldhams Common is a County Wildlife site.

2.0 THE PROPOSAL

- 2.1 The outline planning application proposes the erection of an A3 unit described as a 'cycle themed café', shop and repair facility with associated infrastructure including car and cycle parking, new internal roads and landscaping. The amended application fixes the appearance, layout and scale of the development. Landscaping is to be a reserved matter.
- 2.2 Vehicular access for servicing and visitor car parking is proposed to utilise the existing access point on Newmarket Road. Car parking is to the east of the site, expanding on the existing car park area. The servicing lane previously proposed has been reduced to a 1.5m 'delivery alley'. The service area previously proposed to adjoin the café building in the north west has been removed.

- 2.3 Bicycle access is proposed to be from the approved Chisholm Trail route via an underpass beneath Newmarket Road. Access is also proposed to enter the redline site approximately 77m south of Newmarket Road, to the south east corner.
- 2.4 Bicycle parking for 100 cycles is proposed to be located to the immediate east of the café. This remains unchanged from the original submission.
- 2.5 27 Car parking spaces are intended at the eastern side of the site beyond the proposed Chisholm Trail (including one disabled car parking space). The indicative layout plan as originally submitted identified 32 car parking spaces.
- 2.6 The application proposes a new building to the west of the site, immediately adjacent Barnwell Lake. The application as originally submitted and amended consists of the following:

Uses	As submitted (outline)	Application as amended (fixed)
Cafe and kitchen (Use Class A3) sq m	466	348
Cycle shop and repair (Use Class A1) sq m	105	6
WC's/plant sq m	49	32
Terrace sq m	245	142
<i>Car parking spaces</i>	<i>32 spaces</i>	<i>27 spaces</i>
<i>Cycle parking spaces</i>	<i>100 spaces</i>	<i>100 spaces</i>

- 2.7 Overall, the proposed building, decking and infrastructure accumulate to 2200m² of floor area or hard standing area over the site.
- 2.8 A picnic and play area is now proposed adjacent to the lake.
- 2.9 The original application was accompanied by the following documents:
- Design and Access Statement
 - Transport Assessment Parts 1 – 5 (Inclusive)

- Planning Statement August 2017
- Ground Conditions Report 1 – 3 (Inclusive)
- Flood Risk Assessment
- Ecology Report
- Indicative Plans and Sections

2.10 A screening opinion confirmed the proposal was not considered to be EIA development.

Additional and Amended Information

2.11 The applicant submitted the following information in February 2018:

2.12 Amendment to the description of proposal as follows:

The erection of a cycle themed cafe with ancillary kitchen, storage area, WCs, bin enclosure and cycle repair outlet along with associated infrastructure including 24 car parking spaces, 100 cycle parking spaces, a partly new and upgraded internal road, public open space and associated picnic / play areas.

- Amendment to the proposal plans including layout and elevation plans
- Amended Flood Risk Assessment and Surface Water Drainage Strategy Report
- New Landscape and Visual Impact Assessment
- New Reptile Survey and Mitigation Strategy Report
- New Tree Survey and Arboricultural Impact Assessment Report
- Transport Assessment Supporting Document.

2.13 The 2nd amendments consist of:

- 2nd amended proposal plans including layout, site levels and elevations.

- 2nd update to Flood Risk Assessment and Surface Water Drainage Strategy Report.
- New Biodiversity Offsetting Matrix Report.
- 2nd update to Reptile Survey and Mitigation Strategy Report.
- 2nd update to Tree Survey and Arboricultural Impact Assessment Report.

2.14 3rd amendments are:

- Updated biodiversity metric, further assessment of offsite ecology mitigation and supporting information.

2.15 All consultees and neighbours were reconsulted on the new material.

3.0 SITE HISTORY

Reference	Description	Outcome
C/88/0593	Erection of restaurant and dance floor with associated car parking and lakeside improvements (amended by letter and drawings 11/01/88 and letter dated 31/07/89 and accompanying drawings).	Refused 9 Aug 1989
C/93/0242	Formation and stabilisation of banks to lake, provision of fishing platforms and steps, improvement of access, footpaths and parking area, erection of shelter to include provision for disabled persons, and landscaping.	Approved with conditions 2 Aug 1993

C/5007/16/CC	Phase 1 of the Chisholm Trail, a north-south pedestrian and cycle path from the River Cam to Coldham's Lane broadly parallel to the railway line. Including new underpass under Newmarket Road, bridge across Coldham's Brook, replacing culvert with bridge on Coldham's Common, new paths and improvements to existing paths.	Approved with conditions 19 July 2017
15/5418/PREAPP	Pre application discussion between the consultant Carter Jonas and Cambridge City Council (CCC) for the submitted proposal.	Response made 29 February 2016

4.0 PUBLICITY

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

5.0 POLICY

5.1 Relevant Development Plan policies:

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	Policy 4: The Cambridge Green Belt Policy 8: Setting of the City Policy 33: Contaminated Land Policy 34: Light Pollution Control Policy 57: Designing new buildings Policy 59: Designing Landscape and the Public Realm

	<p>Policy 67: Protection of Open Space</p> <p>Policy 69: Protection of sites of Local Nature Conservation Importance</p> <p>Policy 70: Protection of Priority Species and Habitats</p> <p>Policy 71: Trees</p> <p>Policy 72: Development and change of use in district, local and neighbourhood centres</p> <p>Policy 80: Supporting sustainable access to development</p> <p>Policy 82: Mitigating the transport impact of development</p> <p>Policy 82: Parking management</p>
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5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework 2018</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014.</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge Landscape and Character Assessment (2003)</p> <ul style="list-style-type: none"> Identifies the proposal site as a green finger and corridor. <p>Cambridge City Wildlife Sites Register (2005) & Criteria for the Designation of Wildlife Sites (2005)</p> <ul style="list-style-type: none"> Barnwell Pit Site H6.1 – Identified as City Wildlife Site <p>Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006)</p>

	<p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <ul style="list-style-type: none"> • Barnwell Pit (Lake) Site Nat 08, identified as having environmental and recreational importance
	<p><u>Area Guidelines</u></p> <p>Newmarket Road Suburbs and Approaches Study (October 2011)</p> <ul style="list-style-type: none"> • Site within Character Area 1

6.0 CONSULTATIONS

Planning Policy Team

Comments on application as submitted

- 6.1 Objection. It is confirmed the site can be considered under Paragraph 89 of the NPPF (2012), however the Policy Team conclude that the proposal is not an appropriate facility for outdoor sport and outdoor recreation. The proposal is not necessary for the function of the Chisholm Trail, with cafes and a cycle repair shop being located along Chisholm Trail or in an appropriate proximity to the site.

Cambridgeshire County Council (Highways Development Management)

Comments on application 2nd amended

- 6.2 The County Highways Authority has confirmed that their holding objection can be removed, subject to imposing the planning conditions set out in their memo. The County do however still raise concerns about the amount of car parking.
- 6.3 County still have concerns regarding car parking on this site. The proposals exceed maximum standards. It is not clear why a cycle themed café would require car parking.

- 6.4 A planning condition should ensure that the Chisholm Trail is in place prior to occupation of the café and that the permission is for this specific use only.
- 6.5 It is recommended that a planning condition is applied requiring that cycle parking provision is monitored and increased if demand increases.

Comments on application as submitted

- 6.6 Objection. The increase in deliveries and the proposed 30 car parking spaces will attract further car driver trips on Newmarket Road.
- 6.7 The trip generation methodology is not considered robust and further details of new and linked trips are needed.
- 6.8 There are concerns about the excess in car parking off a network known to experience congestion. Too many spaces would encourage vehicle based trips to the café and would further intensify use of the access onto Newmarket Road. Enforcement options would need to be discussed to prevent people from using the car parking to commute into the City.
- 6.9 It was considered that improvements needed to surrounding pedestrian and cycle infrastructure should be identified, if the proposals are to be occupied prior to the Chisholm Trail opening.
- 6.10 Demand in respect of the development traffic requires further justification and consideration before County can comment on this matter.

Environmental Health

Comments on application as amended

- 6.11 Previous comments are unaltered.

Comments on application as submitted

- 6.12 The proposal is acceptable, subject to planning conditions to control construction/demolition/delivery noise/hours, and noise/vibration from construction. Also commented on lighting, and

considers a lighting assessment should be undertaken as per a condition. The response also notes that there is potential for contaminated land to be found at the site, owing to the proximity to the railway line and duration that this line has been present. A condition to address unexpected contamination if found is recommended, alongside a Materials Management Plan.

- 6.13 There was no objection in respect to air quality, given the site is outside the air quality management area and the prediction of 275 vehicle trips per day. An odour control has been recommended for the café.

Urban Design and Conservation Team

Comments on application 2nd amended

- 6.14 Objection. The principle of development in this location is considered contrary to Green Belt policy. The size of the café and seating capacity would extend across the full width of the Green Belt in this location.

- 6.15 The cycle parking spacing issue has now been addressed. There is 1000mm space between each Sheffield stand.

Comments on application as submitted

- 6.16 The Urban Design Team objected to the proposal, determining the detail provided delivers little guarantee about the final design which is inappropriate considering the site sensitivity. The proposed car parking provision is considered excessive.

Cambridge City Council Landscape Team

Comments on Application 2nd amended

- 6.17 Objection. In summary the Landscape and Visual Impact Assessment (LVIA) focuses on the limited visual impact and does not draw sufficient attention to the protective landscape policies and the important contribution that the application site brings to the Cambridge Green Belt.

- 6.18 The construction of the Chisholm Trail would include some regarding as the Trail emerges from the underpass and the site would temporarily accommodate some of the construction site

facilities. However, the majority of those elements are temporary. What is permanent is the Trail, which is a linear, 2 dimensional cycling route, i.e. hard surfacing in the eastern part of the site and a concrete lined underpass opening with wing walls. The Trail would have a limited impact on the area once the landscape mitigation in relation to the Trail has established.

Comments on application as amended

- 6.19 Objection. Although it might be agreed that views of the proposals might be limited from the north, there are no verified views or other convincing technical information to prove or disprove the assertions of visibility. This makes the conclusion stated in the report that '*The effects on landscape character and visual amenity will be very limited....*' difficult to uphold.
- 6.20 We do not believe therefore that the additional landscape information adds any further support for the proposals. Focussing on the limited visual impact of the application site and not giving full consideration to the assessment of the landscape character has skewed the assessments and results of the LVIA report. Additional weaknesses in the report also come from out of date or incorrect supporting information and flaws in the methodology.
- 6.21 It is our assertion that introducing any building development of any size or appearance into this narrow and vulnerable corridor of Green Belt land will create harm to the purposes of Green Belt policy. Above all, the site currently supports the Green Belt function of the setting and special character of the historic city of Cambridge. A building and associated developed area would forever change the rural character of the site into an urban character and visually and physically merge the area into the cityscape of Newmarket Road. The consequence of changing it to an urban character would remove one of that function.

Comments on application as submitted

- 6.22 Object to the proposal. The hard surfacing, including carpark, would cause significant harm to openness of Green Belt, with the site being two thirds of the width of the Greenbelt. There would be a loss of the unique character of Newmarket Road gateway. Buildings on site would not be consistent with the built form within

the area, given the buffers being the railway line, Newmarket Road and Coldhams Common.

Senior Sustainability Officer (Design and Construction)

- 6.23 Considers the proposal acceptable given there are no principle sustainable construction issues which could not be overcome by design in later phases of development. It was noted that the building is too small for any of City Council's policies on sustainability to apply (it needs to be over 1,000m² for the renewables policy to apply for example). A sustainability statement would be required at a later stage to be discussed at reserved matters stage.

Access Officer

- 6.24 The Access Officer supports the application, given the proposal will encourage disabled use of the Leper Chapel. Further detail of the development could be delivered with reserved matters.

Head of Streets and Open Spaces (Tree Team)

Comments on application 2nd amended

- 6.25 Further to receipt of the revised Arboricultural Impact Assessment (AIA), no formal objection to the tree removals proposed subject to adequate replacement planting. In particular replacement trees and hedge will be required along Newmarket Road. Should the application be approved the standard landscape conditions are recommended along with the tree conditions below. The landscape proposals include the long term management of trees.

Comments on application as amended

- 6.26 Further to the submission of the requested arboricultural information objections are maintained. The Team does not agree with all the categorisations of trees on site and value many more highly than C. There are good quality Hawthorn trees throughout the site that are highly suitable to the location and the individual Sycamore trees along the brook make a value contribution to the landscape. The losses indicated on the arboricultural submission will have a material impact on the character of the site and the contribution it makes to the amenity of the area.

Comments on application as submitted

- 6.27 There was insufficient arboricultural information submitted with the application to allow assessment. An AIA would be required to assess the application.

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

- 6.28 Considers the proposal acceptable, with the location likely to encourage users to walk and cycle to the development and to the nearby Leper Chapel. The officer considered the café and cycle repair will add to facilities in the area and will enhance the Chisholm Trail and Leper Chapel.
- 6.29 The cycle provision appears good although there are no details of type of rack or spacing.

Cambridgeshire County Council (CCC) Lead Local Flood Authority (LLFA)

Comments on application as amended

- 6.30 No objection in principle. The amended documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and an attenuation tank. Additional surface water SuDs are recommended.

Comments on application as submitted

- 6.31 Holding objection based on the flood plain compensation in relation to the approved Chisholm Trail project.
- 6.32 The proposed use of below ground attenuation is acceptable with the LLFA suggesting that the applicant considers including above ground SuDS in order to provide further water quality, amenity and biodiversity benefits. Above ground SuDs are also preferable in terms of maintenance requirements.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

Comments on application, 2nd amended

- 6.33 There are still concerns over the use of crate attenuation under the soft landscaped area. At the detailed design stage further consideration should be made for utilising the sub base of the permeable car park for some of the attenuation requirements, thereby reducing the size of the attenuation crate.
- 6.34 The use of green roofs is not referenced within the surface water drainage strategy, although they are depicted on the roof plans of the submission. The inclusion and specification of the green roof must be conditioned if planning permission is to be granted.

Comments on application as submitted

- 6.35 Objection. The proposal is within Flood Zone 3 and no floodplain compensation was provided for as part of the application. The site is proposed to be used for flood compensation for the Chisholm Trail.

Head of Streets and Open Spaces (Biodiversity Officer)

Comments on application third amended

- 6.36 Recommend refusal. There has been a further reduction of proposed off site mitigation area. This results in a combined overall score, post proposed development and offsetting of -1.16 units. Therefore, notwithstanding the additional biodiversity features proposed, which are not included within the metric, a net biodiversity loss would result. This is contrary to NPPF (2018) and Local Plan Policy and is reason for refusal. It remains unclear how the mitigation hierarchy has been adopted during the design process. Avoidance of impacts on designated / existing habitats being the primary objective. Officers suggest that further reduction of the proposed development footprint could provide the necessary offset to secure no net loss, if not a small net gain in association with other proposed features and a long term, enforceable management plan.

Comments on application as amended

- 6.37 Objection. The submitted ecology documents, including the requested Biodiversity Calculations show that there will be a small biodiversity net loss (contrary to Local Plan and the NPPF (2018) which now seeks a measurable net gain) post the proposed development and associated on site habitat retention, creation and enhancement. There is no clear description of how the proposals fit with the ecological mitigation secured for the approved Chisholm Trail.

Comments on application as submitted

- 6.38 Objection. The site is a City Wildlife Site and is already subject to unfulfilled ecological mitigation through the Chisholm Trail permission. It is unclear from the proposal how this mitigation and the design of the development will interact to protect or enhance the City Wildlife Site.
- 6.39 Based on the limited information supplied, the proposal is likely to be detrimental to the City Wildlife Site. The application would be contrary to Cambridge Local Plan (2018) policies 69 and 70 o and national planning policies (Paragraph 109, 117 and 118).

Historic England

- 6.40 No comments on the application, deferring the comment to City Council's specialist. Historic England does not wish to offer further comment unless there is material change to proposal.

Natural England

- 6.41 No comments.

Environment Agency

Comments on application, 2nd amended

- 6.42 Objection withdrawn. The revised Flood Risk Assessment (FRA) demonstrates that proposed development will not result in a loss of floodplain storage or hinder the provision of floodplain compensation for the Chisholm Trail cycle route.
- 6.43 Only clean, uncontaminated surface water should be discharged to any soakaway. Foul water should be discharged to the public sewer, with prior approval of Anglian Water.

Comments on application as amended

- 6.44 The FRA does not assess the impact of the proposed development on the Chisholm Trail compensation measures required as part of approval for those works. The Chisholm Trail proposal includes landscaping of the proposed site. This landscaping is a careful balance of losses and gains in the floodplain. We need a clear understanding of how the proposed development will impact this balance.

Comments on application as submitted

- 6.45 Object. The Environment Agency objects to the proposal, determining the proposed flood risk assessment (FRA) does not appropriately define the flood risk to the site and provide sufficient floodplain mitigation for the impacts of the site.
- 6.46 In respect of groundwater and contamination, the response considers the application acceptable with the imposition of conditions to manage contamination foul water and surface water pollution.

Cambridge Past, Present and Future (CPPF)

- 6.47 Cambridge Past, Present and Future objects to the proposal determining there is insufficient information to assess harm on green belt. Agrees with Wildlife Trust about ecological concerns regarding inappropriate scale and massing in this area and excessive hard standing area. It is questioned whether there is a business case to have café/ shop.

Anglian Water

Comments on application, 2nd amended

- 6.48 No objections. Cambridge Water Recycling Centre does not have capacity to treat the flows but Anglian Water are obligated to accept foul flows and will take the necessary steps to ensure capacity. The preferred strategy for surface water drainage is a SuDs system.

Comments on application as submitted

- 6.49 Anglian Water confirmed that the wastewater and foul sewerage both have capacity. Surface water disposal does not relate to Anglian Water functions as proposed. The applicant would need to apply to Anglian Water to discharge of trade effluent. This would form a condition of consent. Overall, Anglian Water do not raise any issues that could not be managed by conditions of consent or by through detailed design at a later stage.

Network Rail

- 6.50 No comment received.

Cambridgeshire Constabulary (Designing Out Crime Officer)

- 6.51 The officer noted that there is no crime prevention strategy at this time. There is also suggestion that there will be bollard lighting within the car parking area, with bollard lighting only good for wayfinding. The tunnel (underpass) was also a concern to the officer in respect of lighting and natural surveillance.

Wildlife Trust

Comments on application, 2nd amended

- 6.52 Objection sustained. The Wildlife Trust welcomes the provision of the Biodiversity Offsetting Report, which includes clear justifications for the decisions made in filling out the accompanying Biodiversity Offsetting Calculator. Minor comment on the figures used in the calculator: the proposed off-site creation areas include creation of chalk grassland, and depending on soil conditions this

may not be feasible and neutral grassland may be more appropriate.

- 6.53 The calculator shows that the development would, as previously suggested, result in an on-site net loss in biodiversity, but the applicant has included suggestions for both on-site habitat creation and enhancement, and proposed additional habitat creation outside the current red-line boundary, and additional measures.
- 6.54 The Wildlife Trust welcomes the applicant's effort to resolve this issue and commitment to providing a net gain in biodiversity. I suggest that should permission be granted, the production of a detailed ecological design strategy.
- 6.55 The only outstanding matter from the Wildlife Trust's previous comments regarding this application is regarding how the mitigation already required in this area for the Chisholm Trail will interact with the separate mitigation required to deliver a net gain in biodiversity for this application. If the same area of habitat enhancements is being considered as part of both applications, which as far as we are aware is still the case, this double-counting means that at least one (and possibly both) of the two proposals cannot deliver a net gain in biodiversity. No further clarification has been provided on this issue, and unfortunately, until it has been, the Wildlife Trust cannot remove our objection to this application.

Comments on application as submitted

- 6.56 Object. The proposal will result in the net loss of biodiversity. The development site is within Barnwell Pit City Wildlife Site (CiWS), a site which supports a mosaic of locally important habitats, with the application showing a large proportion of the development area as buildings, hard standing, access tracks, and car and cycle parking. The application mentions the enhancement of the site with new wildflower grassland and native scrub planting. No detail is provided to support this information.
- 6.57 Part of the site is already included for mitigation for the Chisholm Trail. It is unclear how this will tie in with the proposal.

Developer Contributions Monitoring Unit

6.58 No specific S106 financial contributions required under the City Council's Planning Obligation Strategy SPD (2010).

Cambridge International Airport

6.59 No objections. Refuse bins must be enclosed and warning signs in place deter feeding birds which might cause harm to aircraft.

Conclusion

6.60 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 made representations on the amended proposal:

- 2 Ventress Farm Court
- 20 Highworth Avenue
- World Study Solutions, 43 Burleigh Street
- 54 Greville Road
- 193 Coleridge Road
- 17 Rutherford Road
- 554 Newmarket Road
- 525 Newmarket Road
- 529F Newmarket Road
- 7 Heffer Close
- 73 Brampton Road

- The Moorings, Thedwastre Road, Thurston
- 27a Villa Road, Impington (Cambridge Fish Preservation and Angling Society Ltd)

7.2 Comments were received in support of the application and are summarised as follows:

- The proposal will promote cycling and walking.

- The impact of the hardstanding has been much reduced and the removal of the 'shop' makes any future change of use less likely.
- The consultee responses fail to understand the impact of the use of the site as a construction base for the agreed Newmarket Road underpass.
- Any impact on the environment can be mitigated and enhanced during operation.
- The café would enhance the lake for angling.

7.3 Councillor Nicola Harrison (Market) has made the following comments (in support) on the amended application:

- Support the application and comments made by Jim Chisholm.
- The applicant has made good efforts to address the previous concerns of Committee.
- The amount of hard standing has been reduced, especially through removal of the delivery area and reduction in car parking.
- Removal of the 'shop' reduces ambiguity in the application.
- Any development on the site will follow use of the site as a construction base of the 'Chisholm Trail'.
- It is easy to make exceptions for development in the Green Belt in car dominated developments such as Country Parks.
- Aspects of landscape, trees and ecology must take into account the agreement to construct the underpass from the site.
- The Chisholm Trail will be a major sustainable transport artery, expected to carry 5000 trips per day.
- People work more flexibly and need places to meet.
- The café will encourage more people to cycle or walk. The route deserves better kiosks than on Jesus Green or Lammas Land.
- It will improve facilities for the Leper Chapel.

Camcycle

7.4 The following comments in support of the application were received:

- This application will restore green landscaping and keep the site free of fly tipping.
- The café usage is consistent with similar cafes found in County Parks and provides toilets and cycle repair station.
- Cycle parking design is acceptable.
- If the Chisholm Trail is completed before major works to the café then damage to the Trail must be repaired.
- Gaps between the bollards must be wider to allow wheelchair access.
- Landscaping of the car park crossing must allow sufficient visibility splays.
- Drainage must be coordinated with the Chisholm Trail to ensure the Trail is not regularly flooded.
- All resin bound surfaces must be swept clean of debris following construction.

7.5 Four comments were received objecting to the application and are summarised as follows:

Principle of development

- Sports facilities are all within easy walking distance.
- The application fails to assess the opening of views across the pits from the construction of the underpass. It does not take account for the public access and visibility and sensitivity of landscape impacts.
- The granting of permission for the development may be prejudicial to the discharge of conditions for the Chisholm Trail project.
- There is a letter of support from the Greater Cambridge Partnership which Cambridge City Council is a member. This raises the issue of whether the City has an interest in the land as a result of any agreement between Greater Cambridge Partnership and the landowner. A Reg 3 application would need to be declared.

- The scheme has not adequately addressed the ‘considerable adjustments needed’ to make the application acceptable to grant planning permission.
- The size and scale of the project does not appear to be sufficiently reduced in order to prevent urban sprawl on the green belt. This is due to the size and scale of the café, its adjoining facilities which seem excessive, especially given similar facilities are available nearby in the retail park.
- The car park is extensive in area, coming close to the entrance of the underpass. It is considered that a large empty car park will add to the risk of drug use and anti social behaviour.
- The proposal should not go ahead in its current form, but should be a smaller café.
- There is no need for a café in this location.
- The large area of car parking shows this is really for motorists.

Ecology matters

- There appears to be an insufficient baseline for an assessment of the metric for present habitats.
- The local situation has not been taken into account with the calculations.
- There is no evidence to support calculations on proposed future habitats. This is especially important given the overlap with the Chisholm Trail planning application.
- The proposals have additional implications for landscape, arboriculture and protected species.
- There is insufficient information gathered to show whether habitat creation is feasible.
- There is a loss on site of at least the value presented of 4.66 not the stated value of 3.35.
- The population of common lizards cannot be maintained on the site and there would be severe impacts from loss of habitat on grass snakes.
- The application is contrary to multiple policies which require overwhelming public benefit to be demonstrated.
- No evidence of that benefit is presented.
- There is extensive retail and catering provision and other facilities along Newmarket Road so the need for additional provision to address a deficit is unlikely.

Flood Risk

- The increased car parking will increase flood risk downstream.

Federation of Cambridge Residents Associations (FeCRA)

- There is inadequate information in the revised application.
- There is still not clarity over the total areas of habitat to be lost and gained.
- The proposals would result in a net loss of biodiversity.
- It is a major concern that landscaping remains a reserved matter when there are significant environmental and landscaping concerns.
- No clarity on the overriding need for a café in a sensitive green belt site.
- GCP is supporting the scheme (of which the City is a member) put forward by a private developer which is not in line with policy.

7.6 The owners/occupiers of the following addresses made representations on the original proposal:

- 72 Newmarket Road, Cambridge
 - 529D Newmarket Road
 - 529F Newmarket Road
 - 537 Newmarket Road
 - 542 Newmarket Road
 - 588 Newmarket Road
 - 594 Newmarket Road
 - Station Lodge Barnwell Junction, Newmarket Road
-
- 101 Coldhams Lane
 - 45 St Bedes Crescent
 - 17 Cromwell Road
 - The Bike Depot, 140 Cowley Road
 - 73 Brampton Road
 - 2 Ventures Farm Court
 - 54 Greville Road

- 57 Catherine Street
- 141 Flamstead Close
- 193 Coleridge Road
- 2 Plantation Ave
- 3 Heron's Close
- Flat 4, Ferndale House, Ferndale Rise
- 2 Heron's Close
- 52 William Smith Close
- 23 Cockburn Street
- Units 5-6 Brickyard Estate, Coldhams Road
- 2 Bolts Hill
- Unit 7 Brickyard Estate, Coldhams Road
- 37 Glemere Close
- 43 Cromwell Road
- 15 Lemur Drive
- 7 Earl Street
- 81 Kinross Road
- 55 Hills Ave
- 125 Suez Road
- 55 Ellands Way
- 19 Claygate Road
- 66 Holbrook Road
- 5 Hereward Close
- 58 Impala Drive
- 233 Chesterton Road
- 17 Rutherford Road
- 4 Ditton Lane
- 29 Rawlyn Road
- 41a Chalmers Road
- 21 Christchurch Street
- 2 Gough Way
- 53 West Drive, Caldecote
- 15 Bentley Road
- 2 Robert May Close
- 169 East Road
- 158 Blinco Grove
- 167 Cherry Hinton Road
- 43 Burleigh Street
- 7 Botha Close, Cambourne

- 6 Chaplin's Close, Fulbourn
- 7 Heffer Close, Stapleford
- 27 Mingle Lane, Stapleford
- 1 The Lakes, Twenty Pence Road, Cottenham
- Cambridge Fish Preservation & Angling Society Ltd
- Project Officer - The Greater Cambridge Partnership Team

7.7 40 comments were received in support of the application and are summarised as follows:

- The café will provide leisure facilities for Coldhams Common, Ditton Meadows and the Leper Chapel (with adjacent pastures).
- In line with NPPF for protecting greenbelt.
- Improvement of 'damaged and derelict land' will result.
- Chisholm Trail will benefit from toilet facilities and refreshments.
- The scheme will be accessible for disabled people.
- The site would be improved at no cost to rate payer.
- The fishing platforms have been vandalised and undesirables mainly use the area.
- Without the scheme the Chisholm Trail will lack appropriate lighting.
- Will provide a food establishment for local businesses.
- The building appears invisible with the green roof and location.
- Providing a café here would ensure future developments of flats and retail could not be built onsite.
- A café would provide a place for rest and refreshment and also lavatories for public use.
- The proposal would discourage fly tipping.

7.8 Twelve comments were received objecting to the application and are summarised as follows:

- Loss of green area.
- The Chisholm Café proposal will damage the site biodiversity.
- Loss of habitat for biodiversity.
- Impact of increased traffic on Newmarket Road.

- Objecting to the need for so many car parks.
- Inappropriate scale and massing in this area.
- Insufficient information to assess harm on green belt
- Contrary to local policy.
- Predicates sustainability and access on delivery of Chisholm Trail.
- Effects on landscape, trees, heritage impacts, loss of common land.
- Secondary ancillary development effects in particular the lack of visibility splays, safety lighting, drainage and any stabilisation of underwater banks within the pits.

7.9 Two comments were received not objecting or supporting the application and are summarised as follows:

- Concern along Newmarket for traffic.
- Car park monitoring needed.
- The car parking provision is excessive.
- There is no justification for the retail unit and what would be the strategy if café fails and buildings are left unattended.
- The café would help reduce fly-tipping.

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

8.0 ASSESSMENT

8.1 From the application, 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. Highway Safety
4. Ecology
5. Flood Risk
6. Amenity
7. Carbon reduction and sustainable design
8. Car and Cycle Parking
9. Refuse Arrangements
10. Disabled Access

11.Third party representations

Principle of Development

- 8.2 The supplementary and amended information received following the previous Committee deferral does not alter the officer assessment of the principle of development. The proposed development (within the context paragraph 145 of the NPPF (2018)), is not an exception for outdoor sport or outdoor recreation and is by definition inappropriate development.
- 8.3 The reasons given by Committee to overturn the officer recommendation at the meeting of 2 November 2017, were that the development would result in increased recreational use of Green Belt land and that there would be overall net benefit to the community. These reasons are not considered to be sufficiently robust to justify inappropriate development in the Green Belt. This is because in the view of officers the scale of the development should not be considered *appropriate* under paragraph 145 of the NPPF (2018). The reasons advanced by Committee do not recognise the harm to openness and could be applied to any other site within the Green Belt across the City. The reasons did not explain how the development was related to the Chisholm Trail in use or function or how it was assessed under the criteria of paragraph 145 of the NPPF (2018).
- 8.4 The Committee also noted that the land was currently a neglected and underused space. Furthermore, it was noted that the Chisholm Trail development would significantly change the character of the space and bring increased activity levels to it. Officers strongly advise that Committee does not give any weight to the current poor management of the land to justify this/any development within the Green Belt. The Chisholm Trail itself will leave the site essentially rural and open upon completion and will maintain its current status in ecological terms thus retaining the Green Belt objective at paragraph 133 of the NPPF (2018).

Green Belt

- 8.5 The essential characteristics of Green Belts are their openness and permanence as set out in the NPPF (2018) paragraph 133. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in *very special*

circumstances. The NPPF (2018) maintains protection of the Green Belt, with boundaries only to be altered in exceptional, evidenced based circumstances through the plan making process. The NPPF (2018) sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. The exception to this which is relevant to the application proposal is:

'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it';

- 8.6 The NPPF (2018) states in Paragraph 145 that the construction of new buildings should be regarded as inappropriate development unless the new building is considered an *appropriate facility* for outdoor sport and outdoor recreation. The facility also needs to preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

Appropriateness

- 8.7 The applicant argues that the proposal is an appropriate facility for outdoor sport and outdoor recreation as considered against Paragraph 145 of the NPPF (2018). In coming to this view, the applicant references the case law *Timmins v Gedling Borough Council [2014] EWHC 654*, where the interpretation of paragraph 145 of the NPPF (2018), (formally NPPF (2012) paragraph) should now be treated as *closed lists* of appropriate forms of development within the Green Belt. The applicant argues that within case law, appropriate facilities for outdoor sport and outdoor recreation can be considered within the *closed list* under Paragraph 145. Officers do not disagree with that assessment in principle, but not as applied to the application proposal because size and scale of the proposal.
- 8.8 The applicant presents two reasons justifying appropriateness. Firstly, that the building is constructed in an area of open space currently used by the fishing club. Secondly, that the new building would serve users of the 'recreational land and facilities including the Chisholm Trail'. Officers do not agree the proposed A3 building is an *appropriate facility* for either the use of the lake for

fishing or the Chisholm Trail. This is because an A3 café of this scale (including the latest small reduction in footprint and car parking) is not necessary for the function of either use. Paragraph 145 of the NPPF (2018) clearly states that exceptions to inappropriate development includes the provision of appropriate provision *for* outdoor sport and recreation. The development is not for sport and recreation and the proposal in the amended application is still of a size and scale which is disproportionate to the fishing use and Chisholm Trail facility.

- 8.9 The (first) amended submission provides a LVIA. The report concentrates on the 'limited visual impact' of the proposals and concludes that because the site is surrounded by vegetation and is 'sunken', its physical attributes protect the surrounding area from visual impact. The report makes reference to the *Turner v Secretary of State for Communities and Local Government* [2016] EWCA Civ 466 decision by the Court of Appeal. The court decided that because the appeal site proposals would have limited visual impact, this should be given more weight. The Turner decision related to a very different scenario involving the redevelopment of a previously developed site which cannot be directly compared to the application proposal now before the Committee. The application proposal relates to a new building which is unacceptable in principle and which would result in a permanent landscape change, contrary to the NPPF (2018). The impact of the building on the openness of the Green Belt is discussed from paragraph 8.14 below.
- 8.10 The use, size and scale of the building, access road, car and cycle parking are disproportionate in scale to the outdoor recreation uses it is purported to support. This is in contrast to the small kiosk huts elsewhere on the City's open spaces. The A3 café will be set some way back from the route of the Chisholm Trail, which does not support the assertion it will meet the needs of future users of the Chisholm Trail. There is no justification for a new A3 unit in the Green Belt on the basis of outdoor sport and recreation; moreover it cannot be required as appropriate development in the Green Belt.
- 8.11 None of the proposed facilities are necessary to ensure the operation of the Chisholm Trail, which was granted planning permission independent of the application proposal. The Chisholm Trail is an approved scheme running through the site, but which

has a very different use and function to the proposed café and car parking. The Chisholm Trail is a new local cycle link to connect the new Cambridge North Station with Cambridge Station and to provide a recreational route. It is not part of a more extensive strategic cycle tourism route where there might be a need to provide facilities in a rural area. The site is very close to the City Centre and the Beehive retail park where there are food outlets, cycle shops and car parking.

- 8.12 Over half of the proposed development is to facilitate car parking, which is directly in conflict with the use and function of the Chisholm Trail that it is purported to facilitate. It is by definition an inappropriate development. It is neither reasonably proportionate to, nor functionally related to the Chisholm Trail. The application proposal would erode the vulnerable Green Belt wedge, through the proposed building, car parking and other paraphernalia, the primary function of which (The Green Belt) is to check the unrestricted sprawl of Cambridge. The proposal is in direct conflict with the fundamental aim of paragraph 133 of the NPPF (2018) and Cambridge Local Plan 2014 policy 4.
- 8.13 The applicant also refers to proposed car parking to help people access the Leper Chapel. However the underpass will be delivered through the Chisholm Trail permission and not the application proposal. Once the underpass is delivered, it is likely that the link from the Leper Chapel to the existing carpark will be established and available without the delivery of additional car parking. Cambridge Past Present and Future, stewards of the Leper Chapel, do not support the application proposal (as amended). No management strategy for increasing opening hours or access to the Leper Chapel has been put forward by the applicant. This contributes to the overall officer view that little or no weight should be given to a potential increase in car parking available for the Leper Chapel.
- 8.14 In summary the proposed buildings and associated infrastructure is not an appropriate facility *for* outdoor sport and outdoor recreation and is therefore in conflict with the purposes of including land within the Green Belt. Whilst it is noted the application seeks outline permission only, the principle of a café is inappropriate and in direct conflict with the purposes of including land within the Green Belt.

Openness

Landscape and Visual Impact Assessment

- 8.15 The second measure of Paragraph 145 (b) of the NPPF (2018) is whether the facility preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The (first) amended application provides a LVIA which assesses the potential effects on landscape character and visual amenity.
- 8.16 The LVIA report does not, in the view of the City Council's Landscape Officer, recognise the value of the narrow Green Belt corridor that forms this part of the Cambridge East Corridor and Green Belt. The report focusses on proving that the site has limited visual impact. It does not appropriately consider the impact that its development would have on the landscape character and the permanent change that would take place as a result of the building and the associated development.
- 8.17 The Landscape and Visual Impact Assessment (LVIA) report in the amended submission states that because the site is unmanaged and neglected for which the proposals would offer an improvement. This implies that because of its neglected state, the value of the landscape is diminished. Degraded landscapes should be valued as well as any other condition and should be given no less weight in Green Belt terms.
- 8.18 Within the explanation of the methodology, the LVIA report sets out the three criteria for determining Landscape Character Sensitivity or Visual Sensitivity. The Council's landscape officer considers that five criteria should have informed the assessment and that if five criteria had been used the complexities and nuances of this vulnerable landscape would be more adequately measured. The applicant's landscape consultant strongly refutes this criticism. While officers recognise that the criteria of the assessment could have been more extensive, the LVIA is not mandatory but it contributes and carries some weight to the overall assessment of impact.
- 8.19 In the LVIA the site is assessed as having a '*moderate character but being in poor condition. Although self-contained it makes some contribution to the surrounding landscape, but has a low susceptibility/high ability to accept change. The character value of*

the site is assessed as low, which in overall terms results in a low sensitivity'. The City Council's Landscape Officer does not support the opinion that the site has a high ability to accept change, despite the introduction of the Chisholm Trail and underpass. The site has an essential rural character similar to Coldham's Common and once the landscape mitigation associated with the Chisholm Trail has established itself, the landscape character will remain essentially rural. The proposed development will introduce an urban character. In so doing the Green Belt purpose of the setting of the City would be eroded.

- 8.20 Within the previously dismissed appeal decision for a similar development on this site (C/88/0593, see history section 3.0), the Inspector gave considerable weight to this parcel of land and made clear the openness and purpose in maintaining the area as Green Belt:

"6. Visually the appeal site is very much part of the Coldhams Common Open Space. This open space provides a very attractive break between the main built up part of Cambridge to the west of the railway and East Barnwell to the east. I consider that a particularly important part of this break is the narrow neck of undeveloped land, including the appeal site, to the south of the Newmarket Road, which can be seen easily by persons using that Highway".

- 8.21 Notwithstanding the age of this appeal decision (1988), officers share the view that one of the elements of the unique character of Cambridge is the existence of 'green wedges' extending into the City and that Coldhams Common can be regarded as such a green wedge. Officers consider this assessment remains relevant, particularly in setting the context of the site and the importance of preserving the site as an open space area of Green Belt.
- 8.22 The visual impact of the proposal and its impact on the setting of the common is likely to be significant when viewed south from Newmarket Road. Whilst officers acknowledge that amended proposal removes the service yard which previously cut into the existing bank of vegetation adjacent to Newmarket Road, the cumulative impact of development will undoubtedly change the landscape character of the rural scene.

- 8.23 An Arboricultural Impact Assessment has now been submitted with the amended application. Officers recognise that the removal of the service yard will provide additional space for supplementary planting, to reduce the visual impact of the proposal. The revised Hayden tree report now shows the Sycamore trees on the eastern boundary of the site to be retained (previously identified for removal). As such, the amended proposal makes adequate provision for the retention of existing trees in the context of the approved Chisholm Trail scheme. Whilst officers acknowledge that the application makes reasonable provision for tree retention, this does not change the view that it will result in a continuation of urban sprawl over the railway line. The fundamental aim of Green Belt is to prevent such urban sprawl.
- 8.24 The one storey building will be located in the north west corner close to the railway and Newmarket Road. The amended footprint is a further reduction in size and is probably as low impact as it can be for a 138 cover restaurant. Notwithstanding, the mass of the building in this location and context, along with extent of the proposed car parking and cycle parking will considerably impact on openness.
- 8.25 The perspective views show the building to be difficult to view from Newmarket Road, however the one view provided from the road is limited to the railway bridge and is reliant on the existing vegetation remaining. Some existing vegetation along the northern boundary would likely need to be removed, exposing the main trunk views of Newmarket Road to the proposed buildings and car parks.
- 8.26 Notwithstanding the precise details of the landscape scheme and any supplementary planting, the presence of the development is likely to be evident to persons walking and cycling in the common to the east. The development would clearly reduce the effectiveness of the 'green wedge' in an important position close to the main road. This would cause material harm to the Green Belt objective of preserving the unique character of Cambridge. Development in the neck of open land between East Barnwell and Cambridge would erode the vulnerable Green Belt wedge.
- 8.27 The proposed built form, including hard surfaces will not preserve the openness of the Green Belt in this area. Taking the wider site context into account, the Green Belt is approximately 150m wide at this point, with the proposed redline site boundary 95m wide. The

amended footprint of 348 sq m together with the hard surfacing, including carpark, would cause significant harm to openness of Green Belt, with the site being two thirds of the width of the site frontage 'green wedge'. The building cannot be considered in isolation to the remaining development proposed by the application, where the cumulative infrastructure of the car parking, cycle parking, access path and service yard adds to the proposed built form.

- 8.28 Users of Barnwell Lake and Coldhams Common will also be impacted upon by the proposal, whereby the northern area of the lake open space will effectively be replaced by built structure, whether it is the café or extension of car parks. Taking into account the perspective view from the southern area of the lake looking north in the Design and Access Statement, it is clear that this building is the only visible built form in the northern area of the site.
- 8.29 The applicant makes reference to the importance of the 'visual dimension' to the interpretation of NPPF (2018) Green Belt policy. The applicant's LVIA supplementary report criticises the City Council's Landscape Officer for taking a 'volumetric' approach to decision making i.e. failing to give weight and consideration to the actual visual impacts of the proposal. This is not the case. Officers consider the assessment of 'openness' under paragraphs 133 and 145 of the NPPF (2018) to be multi-textured, whereby there are a number of factors to weigh.
- 8.30 This is in line with the *Turner v Secretary of State for Communities and Local Government* [2016] EWCA Civ 466 judgement (see paragraph) and more recently *Samuel Smith Old Brewery (Tadcaster) & Ors, R (on the application of) v Darrington Quarries Ltd* (2017) EWHC 442. The practical application of these judgements to this case is that not only the volume of the building is relevant but also the use, function and visual impacts related to the shifting volumes of parked cars. These are all part of the judgement on 'openness'. In simple terms, the size and scale of the café and its adjoining facilities, together with the parked cars, bicycles and paraphernalia associated with a commercial café/restaurant, is still excessive in relation to the width of the green wedge. The wider criteria of assessment suggested by the Turner and Samuel Smith cases support the officer conclusion that even if a view was taken that the development was 'appropriate', significant harm to openness would result.

8.31 In summary, given the context, the green belt wedge is integral in maintaining the Green Belt link between the northern Fen Ditton and Coldhams Common Public open space areas. Notwithstanding the reduction in building footprint and car parking officers consider that the openness and purpose of the Green Belt would not be preserved by this proposal and thus it is inappropriate and contrary to Paragraphs 133 and 145 of the NPPF (2018) and Cambridge Local Plan (2018) policy 4/1.

Very Special Circumstances

8.32 Three reasons to meet the very special circumstances test were put forward in the original application. These are unchanged in the amended submission.

8.33 The reasons given by the applicant were, firstly, the building would 'support' recreational activities in conjunction with the delivery of the Chisholm Trail. The applicant considers the café will be a key facility to enhance and support the use of the Chisholm Trail, which itself is a key piece of infrastructure for the purposes of transport and recreation. As set out in paragraph 8.7, the Chisholm Trail application did not consider the proposed café to be 'a key facility' and it was approved in its absence. This does not amount to very special circumstances.

8.34 The 'cycle repair and toilet' service facilities are not reasonably necessary in this Green Belt location. The site is in close proximity to nearby amenities, including food establishments and cycle repair shops. A cycle repair facility is located at Halfords, within the Cambridge Retail Park on Newmarket Road, approximately 600m from the Chisholm Trail. Cafes and toilets are located at the Cambridge Train Station and on Mill Road, approximately 2 km south along the Chisholm Trail. It is also not unrealistic to expect a café and cycle repair facility to become available at the Cambridge North Railway Station, approximately 1.2 km north of the site along the Chisholm Trail. The provision of these facilities as part of the application proposal does not amount to 'very special circumstances'.

8.35 Secondly, the applicant argues the Chisholm Trail is contingent on the landowner being in a position to allow public access to the site and for the Trail to run through it. This is a land assembly issue for the Chisholm Trail project and in your officers opinion does not

amount to very special circumstances to justify inappropriate development.

- 8.36 Thirdly, the applicant considers the low impact design of the building would safeguard the fundamental purpose of the Green Belt and would be barely visible. Officers do not agree for the reasons set out in the Openness subsection of this report.
- 8.37 Although the applicant considers the proposal 'appropriate development' based on its use to support the fishing lake, this has not been put forward as a 'very special circumstance' to justify inappropriateness that said officers are of the view the development cannot reasonably be justified in relation to the use. The development cannot reasonably be justified in relation to the use of the lake for fishing.
- 8.38 The application proposal may provide improved vehicle access for some people, however, the lake, Chisholm Trail and Leper Chapel can all be accessed already, or will likely be accessible from the site once the underpass is built as proposed in the Chisholm Trail application. Conversely, access to the lake will be reduced because the indicative location of the café is on the lake edge itself.
- 8.39 The reasons advanced by Committee for being minded to overturn the previous officer recommendation of refusal are not very special circumstances demanded by paragraph 133 of the NPPF (2018). The suggested increased recreational use of the Green Belt and overall net benefit to the community will happen regardless of whether a commercial café operation is developed on the application site. The Chisholm Trail is an approved project entirely independent of the application proposal. In summary, openness will be significantly harmed and officers are of the opinion the proposal is contrary to Paragraph 145 of the NPPF (2018) and Cambridge Local Plan (2018) policy 4.

Loss of Open Space

- 8.40 The proposal would also result in the loss of and harm to the character of the site as a Protected Open Space. It has not been demonstrated the open space can either be satisfactory replaced elsewhere or that the site is not important for environmental reasons in accordance with Cambridge Local Plan 2006 Policy 4/2

and Cambridge Local Plan (2018) policy 67. In the absence of this justification the principle of the development is not supported which forms reason for refusal 2.

Location - Food and drink outlets

- 8.41 Paragraph 86 of the NPPF (2018) states that Local Planning Authorities should apply a sequential test for main town centre uses which are neither in an existing centre or in accordance with an up to date development plan.
- 8.42 A sequential test was not undertaken to support the application. The applicant considered this unnecessary because the proposal relates to the recreational use of the immediate vicinity. Officers did not accept that position and considered that further food and drink uses should only be permitted in an existing centre, in accordance with Cambridge Local (2006) policy 6/10 part b.
- 8.43 Officers accept that the applicant's reason for promoting the scheme is specific to this site. Government Guidance on the vitality of town centres reiterates the importance of ensuring town centres are not undermined by allowing town centre uses outside of existing town centres. However, since the original Committee consideration of this proposal in November 2017, Cambridge Local Plan (2018) policy 72 should now be given full weight as part of the Development Plan. Policy 72 is silent on town centre proposals which are located outside of district, local and neighbourhood centres. The supporting text does not highlight harm resulting from the scale of A3 uses in an out of centre location similar to the application proposal. The focus of Policy 72 is to retain retail in existing centres and the protection of amenity.
- 8.44 The potential harm which could result from a café use located outside of a District or Local Centre is now clearer from the additional Transport Assessment whereby daily in and out bound car based trips are estimated to total around 600. This gives reassurance that the traffic impacts are otherwise acceptable.
- 8.45 The weight of policy 72 and the reduction in size and scale of the proposed café contributes to the overall officer view that the previously recommended reason for refusal 3 no longer forms part of the officer recommendation to this Committee. In isolation, the

development is not considered to give rise to significant harm to existing retail centres in Cambridge.

Context of Site, Design and External Spaces

- 8.46 The impact of the building on openness and setting of the Green Belt is discussed in the principle of development subsection.
- 8.47 The detailed design of the proposed building is now fixed for approval under the amended outline application. This amounts to a 'very full' outline and enables officers and Committee to assess the likely design of the proposal as part of this outline application.
- 8.48 The Design and Access Statement states that much of the façade will be glazed, with areas of buff brick. A sedum roof is proposed to minimise its prominence, particularly from higher views across the site from Newmarket Road. These materials may reduce some of the prominence of the building.

External spaces

- 8.49 The amended building along with the accumulation with the hard standing areas will still detract from the green, rural character of the site. The requirement for servicing and users of the café/shop who arrive by car to cross the Chisholm Trail illustrates the café is reliant on vehicle based trips, separate from the Trail itself. The siting of the building given the proposed size and accumulation with the proposed infrastructure, will extend the built form of the adjoining sites into the Green Belt and impact upon the views of Coldhams Common from Newmarket Road, along with views north from Coldhams Common and the Lake, whereby minimal built form is currently visible. The design does not mitigate this visual impact.
- 8.50 A cycling connection has been established through the Chisholm Trail permission, yet an excess of car parking has been proposed to service the Trail. An excessive area is proposed to be used for parking, which is disproportionate to the scale of the existing car park that exists.
- 8.51 Overall, based on amended information supplied, the design and appearance of the proposed café building does not mitigate the

visual harm described in the Principle of Development subsection above.

Highway Safety

- 8.52 The County Highways have withdrawn their objection to the scheme based on the amended Transport Assessment information which has been submitted. This showed further analysis of trip generation to the proposed café using a Saturday survey of Milton Country Park. This baseline data is now considered acceptable.
- 8.53 There was previously concern that the use of the proposed 30 car parking spaces would negatively impact on Newmarket Road, which is already a congested network. The provision of too many car parking spaces would encourage vehicle based trips, which may intensify use of the access. Further review of the vehicle access and servicing arrangements and trip generation information concludes that the development is unlikely to result in significant harm to highway safety.
- 8.54 A servicing road was previously proposed to cross the Chisholm Trail potentially creating conflict between vehicles and users of the Chisholm Trail. This has been removed in the amended application, replaced by a 'delivery alley'. This revision would reduce any potential conflict.
- 8.55 The amended transport information demonstrates that the proposed development will not create a significant risk to highway safety. The development is therefore compliant with Cambridge Local Plan 2018 policies 81 and 82.

Ecology

- 8.56 Cambridge Local Plan 2014 Policy 69 states that development will not be permitted if it will have an adverse impact on, or lead to the loss of, a City or County Wildlife site. Where development is permitted, proposals must minimise harm; secure achievable mitigation (prior to the loss) and/or compensatory measures and where possible enhance the nature conservation value of the site.
- 8.57 The amended ecology documents, including the requested biodiversity calculations, show that there will be a small biodiversity net loss. This outcome would be contrary to Policy 69 and the

NPPF (2018), which now seek a measurable net gain after the proposed development and associated on site habitat retention, creation and enhancement.

- 8.58 The City Council's Ecology Officer notes there has been a further reduction of proposed off site mitigation area in the third amended Ecology report. This results in a combined overall biodiversity score, post proposed development and offsetting of -1.16 units. Therefore, notwithstanding the additional biodiversity features proposed a net biodiversity loss would result. This outcome would be contrary to Policy 69 and the NPPF (2018).
- 8.59 It remains unclear how the mitigation hierarchy has been adopted during the design process, with avoidance of impacts on designated and existing habitats being the primary objective. The City Council's Ecology Officer recommends that further reduction of the proposed development footprint could provide the necessary offset to secure 'no net loss', if not a small net gain in association with other proposed features and a long term, enforceable management plan. This further demonstrates that the proposed scale of development, including the car park area is excessive and unnecessary in the context of the site area.
- 8.60 The third amended ecology information confirms how the proposals fit with the ecological mitigation secured for the approved Chisholm Trail. It is understood that the approved Chisholm Trail application does not count any of the Barnwell Pit within its ecological mitigation requirements. Any associated works with this scheme are covered by a separate Ecological Design Statement condition to be submitted by the County Council. The proposed temporary works site for the Trail will be restored to existing habitat types. The mitigation for Chisholm Trail remains subject to an outstanding condition and officers are therefore content the mitigation for the application proposal can be considered on its own merits.
- 8.61 The initial survey work carried out in the month of January was not in accordance with best practice. In addition, the survey underscored the land which meant that the mitigation bar was set too low. The City Council's Ecology Officer is now satisfied with the scoring rationale for habitat types and the additional survey work is considered robust in its methodology, in that it covers the off-site mitigation area south of the lake, nevertheless a

satisfactory scheme for mitigation has not been provided, contrary to part b of Cambridge Local Plan (2018) policy 69.

- 8.62 The applicant argues that the site no longer supports the selection criteria as a City Wildlife Site, so there should be a more flexible approach to biodiversity loss. Whilst the City Council's Ecology Officer acknowledges that the Barnwell Pit City Wildlife Site no longer supports the key selection criteria of calcareous grassland due to lack of management and encroaching scrub, it would still qualify under the mosaic of habitats present and its position in an ecological unit. Securing of a long term management plan for site would be beneficial to retain a range of habitat types and associated species. On this basis a net loss of diversity resulting from the development cannot be accepted and is contrary to Cambridge Local Plan (2018) policy 69.
- 8.63 The applicant advances that additional onsite (outside of redline) habitat creation such as reed bed creation and bat box provision could mitigate the small loss. In addition, the applicant is proposing enhancements on adjacent land, connected to the site that could be used for habitat creation to enhance connectivity. These proposals do not however deliver a net gain because of the extent of built development and habitat removal proposed. The mitigation proposed is insufficient and does not meet the tests of Cambridge Local Plan (2018) policy 69.
- 8.64 The application still falls short to provide a net gain in biodiversity because the extent of development in the City Wildlife site is excessive. Consequently the City Council's Ecology Officer still objects to the proposals. The development is therefore contrary to Cambridge Local Plan (2018) policies 69 and 70.

Flood Risk

- 8.65 The Environmental Agency, The Council's Sustainable Drainage Engineer and the County Council Lead Flood Authority have reviewed the amended proposal and have removed their objections to the scheme. Part of the site is located within Flood Zone 3 which includes the building footprint. The revised FRA demonstrates floodplain compensation has been provided which references the existing Chisholm Trail permission. Part of the proposal site is intended to be used for floodplain compensation for the Chisholm Trail development and the detailed calculations

demonstrate this will not result in increased flood risk either on site or elsewhere.

- 8.66 The City Council's drainage officer and the LLFA recommend the need for a for a revised surface water drainage strategy. This is because there are still concerns over the use of crate attenuation under the soft landscaped area; some uncertainties regarding the green roof and a desire to see more SuDs features within the landscaping. The application is however supported overall and if the scheme was otherwise considered acceptable this could be secured by planning conditions.
- 8.67 On the basis of this additional information the previous reason for refusal 5 has been satisfactorily addressed and does not form part of the revised recommendation to Committee. Overall, officers consider the application as proposed now addresses flood risk and accords Cambridge Local Plan (2018) policy 31.

Amenity

- 8.68 The site is located in a relatively isolated, out of centre location, so there are unlikely to be any impacts on neighbouring amenity. Noise, lighting, odour, air quality and waste could be appropriately managed through the imposition of planning conditions if the application was otherwise considered acceptable.
- 8.69 Officers do however have some concerns with the operation of the A3 use, which could include an ancillary take away provision late into the evening. This is likely to be more problematic during match days at Cambridge United if large numbers of people are coming and going to the site. Notwithstanding, if other matters were considered acceptable, this could be adequately controlled through the imposition of suitable planning conditions.

Contaminated Land

- 8.70 The Environmental Health Team and The Environment Agency do not agree with the conclusions of the contamination assessment that no further investigations are required. The report dismisses the presence of contamination from the adjacent Railway Line due to the absence of infrastructure such as goods, storage yards and sidings. Because of the location of the proposed building to the railway, a suite of conditions would be necessary to manage the

contamination risk if other matters were otherwise considered acceptable.

- 8.71 Officers consider the imposition of conditions could adequately manage the environmental impacts of the scheme. In isolation, this aspect of the proposal is in accordance with Cambridge Local Plan (2018) policy 33.

Carbon Reduction and Sustainable Design

- 8.72 The City Council's Sustainable Design and Construction Officer recommends that water efficient appliances in the café kitchen and WCs are installed. However, these matters would be addressed at a detailed design stage. Overall the proposal is not in conflict with Cambridge Local Plan (2018) policy 27, or the Sustainable Design and Construction SPD 2007.

Car and Cycle Parking

- 8.73 The County Highways Authority consider the revised Transport Assessment report acceptable but they do still have some concerns regarding the amount of proposed car parking on the site.
- 8.74 The original development proposed a total of 30 car parking spaces, although 32 car parking spaces are shown on the indicative layout. 10 were intended to serve the café, 10 to provide for the Leper Chapel and 10 to serve the existing fishing lake through a re-laid, formalised car park. This has now been reduced to 27 spaces.
- 8.75 This is still an overprovision of car parking. The adopted car parking standards as contained in the Cambridge Local Plan (2018) advises 7 spaces be provided outside of the Controlled Parking Zone for non-food retail. There is little justification for providing car parking to serve the Leper Chapel. The existing fishing lake is already served with approximately 10 car parking spaces, although it is noted there are no specific standards for this use.
- 8.76 The increase in 20 car parking spaces over and above the existing situation is considered excessive and it is unclear why this is necessary for the nature of the use for a cycle themed café. The

overprovision itself is not considered unacceptable in transport terms.

- 8.77 The application proposes 100 cycle parking spaces to the east of the building. These have now been increased to 1000mm centres are acceptable from a functional design perspective.
- 8.78 The Cambridge Local Plan (2018) indicates approximately 30 spaces would be appropriate to serve the building. In the view of officers the proposed 100 spaces is a significant overprovision. The approved Chisholm Trail application does not identify this site as a 'destination' and there is no need for this amount of cycle parking. Instead, this further development of the site contributes to the adverse visual impact of the proposal and intensifies harm to the Green Belt setting. Whilst not unacceptable in transport terms, the additional development contributes to Green Belt harm.

Refuse Arrangements

- 8.79 The amended layout plan submitted identifies an area for refuse 18 sq m in area. This is considered acceptable to serve the building in accordance with Cambridge Local Plan (2018) policy 57.

Disabled access

- 8.80 The City Council's Access Officer has supported the application, because it encourages a route for disabled people to the Leper Chapel. The proposal would allow disabled people to park and utilise the Chisholm Trail underpass once constructed. However, the Leper Chapel can be accessed with the current car park and the proposed underpass is not part of this application. Disabled access could be adequately addressed through reserved matters and therefore this issue in isolation is compliant with Cambridge Local Plan (2018) policy 57.

Third Party Representations

8.81 13 third party representations have been received for the amended application. The following matters are raised:

Issue	Officer response/report section
Support	
The café will provide leisure facilities for Coldhams Common, Ditton Meadows and the Leper Chapel (with adjacent pastures).	The proposed café is not considered an appropriate facility for outdoor sport and outdoor recreation. This is because it is of a size and scale which beyond what is reasonably required to serve the Angling Lake and/or Chisholm Trail.
The impact of the hardstanding has been much reduced and the removal of the 'shop' makes any future change of use less likely.	The totality of the building, terrace, service area, car and cycle parking and will cumulatively erode the openness of the Green Belt.
The consultee responses fail to understand the impact of the use of the site as a construction base for the agreed Newmarket Road underpass.	The impact of the change in character of the site from the construction impacts associated with the Chisholm Trail have been given weight in the officer assessment. It is the significant impact on openness which will result in harm.
The café would enhance the lake for angling.	The proposed 148 cover café is well in excess of what is reasonably necessary to serve the angling use of the lake.
This application will restore green landscaping and keep the site free of fly tipping.	The current management of the site should be given little weight in assessing appropriateness of development in the Green Belt.
If the Chisholm Trail is completed before major works to the café then damage to the Trail must be	A planning condition could ensure the Trail is completed before the café, if the application was

repaired.	otherwise considered acceptable.
Objections	
There is a letter of support from the Greater Cambridge Partnership (GCP) which Cambridge City Council is a member. This raises the issue of whether the City has an interest in the land as a result of any agreement between Greater Cambridge Partnership and the landowner. A Reg 3 application would need to be declared.	The representation from the GCP is an officer view only.
The size and scale of the project does not appear to be sufficiently reduced in order to prevent urban sprawl on the green belt.	Officers agree. See Green Belt openness section.
The car park is extensive in area, coming close to the entrance of the underpass. It is considered that a large empty car park will add to the risk of drug use and anti-social behaviour.	The Design Out Crime officer is content the scheme would not give rise to crime and anti-social behaviour. Lighting of the car parking could otherwise be secured through planning condition.
The proposal should not go ahead in its current form, but should be a smaller café. There is no need for a café in this location.	See Green Belt section.
There appears to be an insufficient baseline for an assessment of the metric for present habitats.	The third amended ecology report provides additional survey work which the Council's Ecology Officer considers to be robust.
The local situation has not been taken into account with the calculations.	The sites CWS designation should automatically assume the habitats are locally important and of high distinctiveness within the Biodiversity Offsetting metric.

	The low designation sets the mitigation bar lower. The third amended ecology report satisfies the Council's Ecology Officer that the scoring rationale is fair and reasonable.
There is no evidence to support calculations on proposed future habitats. This is especially important given the overlap with the Chisholm Trail planning application.	The Council's Ecology Officer would be willing to explore the proposed future habitats but agree that a landscape plan detailing all these habitats should be available at outline stage, if approved the detail of the retained, enhanced and created habitats could be covered within the proposed EDS condition.
The proposals have additional implications for landscape, arboriculture and protected species.	<p>The additional tree felling south of the lake has now been analysed in the third amended ecology report.</p> <p>Ideally the proposed tree felling would be incorporated into any landscape / visual assessment.</p> <p>The LVIA does not address loss of habitat and sometimes does not always pick up extent of vegetation removal.</p>
There is insufficient information gathered to show whether habitat creation is feasible.	The Wildlife Trust has also questioned the proposed chalk grassland creation. The ecology reports demonstrate a net gain in biodiversity is not possible because of the amount of development proposed.
There is a loss on site of at least the value presented of 4.66 not the stated value of 3.35.	This has been addressed in the third amended ecology report. There is a net loss of -1.16.
The population of common lizards cannot be maintained on the site and there would be severe impacts from loss of habitat on grass	Land proposed for enhancement for common lizard may already be suitable for grass snakes. Reptiles and grass snakes could be

snakes.	successfully translocated, but the habitats will take time to establish.
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8.82 45 third party representations have been received. The following matters are raised:

Table 1: Representations Received

Issue	Officer response/report section
Support	
General support for the café. The café would help reduce fly-tipping	This is a management issue and does not justify inappropriate development in the Green Belt.
The café will provide leisure facilities for Coldhams Common, Ditton Meadows and the Leper Chapel (with adjacent pastures).	The proposed café is not considered an appropriate facility for outdoor sport and outdoor recreation as per the definition of the NPPF (2018).
The Chisholm Café proposal will damage the site biodiversity, not the proposal	The application proposal will have landscape and ecology impacts over and above the approved Chisholm Trail.
The fishing platforms have been vandalised and undesirables mainly use the area	This is management issue for the fishing lake and does not justify inappropriate development in the Green Belt.
Objections	
Loss of green area	The openness and purpose of Green Belt would be impacted upon by the proposal.
Loss of habitat for biodiversity	See amended summary of representations tracker above.
Impact of increased traffic on Newmarket Road	See amended Transport Assessment demonstrates no adverse impact would result.
Object to the need for so many car parks	See Green Belt subsection.
Inappropriate scale and massing in this area	See Green Belt subsection.

Effects on landscape, trees, heritage impacts, loss of common land	Considered in the principle of development section.
Secondary ancillary development effects in particular the lack of drainage and any stabilisation of underwater banks within the pits.	The flood risk assessment was previously incomplete. The amended report is discussed in the flood risk subsection.
How would the car park be monitored.	No specific information provided. This could potentially be covered by condition.
The car parking provision is excessive.	Agree; see Green Belt section.
There is no justification for the retail unit and what would be the strategy if café fails and buildings left unattended	The occupation of the premises could not be controlled through the planning process. The size of the retail unit does not require a Retail Impact Assessment.
There is no survey of bats supported by appropriate data.	The amended ecology information demonstrates there will be no adverse impact on bats.

9.0 CONCLUSION

- 9.1 The proposed development is considered inappropriate in the Green Belt as directed by Paragraph 145 of the NPPF (2018), and cumulatively other considerations do not outweigh the inappropriateness and harm to the Green Belt the proposed development would cause. The release of the new NPPF (2018) does not change that assessment. The applicant has not advanced any justification which could amount to very special circumstances.
- 9.2 The proposal also involves the loss of Protected Open Space and would result in a net loss of biodiversity which forms reason for refusal three. On this basis REFUSAL is recommended.

10.0 RECOMMENDATION

REFUSE for the following reasons:

- 1) The proposed development is not considered an appropriate facility for outdoor sport and recreation because of its use, size and the significant adverse visual impact it would create when

viewing the Green Belt. The proposal would, through the proposed building, car parking and other paraphernalia erode the vulnerable green belt wedge, the primary function of which is to check the unrestricted sprawl of Cambridge. The proposal would result insignificant harm to the Green Belt in direct conflict with the purposes of including land within Green Belt and is contrary to paragraphs 133, 143 and 145 of the NPPF (2018) and Cambridge Local Plan (2018) policy 4.

- 2) The proposal would result in the loss of and harm to the character of the site as a Protected Open Space. It has not been demonstrated that the open space can either be satisfactory replaced elsewhere or that the site is not important for environmental reasons and as such the proposal is in conflict with Cambridge Local Plan (2018) policy 67.
- 3) The proposed development would result in a net loss of biodiversity. In the absence of an adequate mitigation for habitats removed as a result of the development, significant adverse ecological impact is likely for the City Wildlife Site, contrary to Cambridge Local Plan (2018) policies 69 and 70.

Application Number	18/1414/FUL	Agenda Item	
Date Received	7th September 2018	Officer	Lewis Tomlinson
Target Date	2nd November 2018		
Ward	Cherry Hinton		
Site	Colville Road Garages Colville Road Cambridge CB1 9EH		
Proposal	Demolition of garages and erection of 3no. affordable dwellings, partial widening of access and associated works		
Applicant	Cambridge Investment Partnership The Gate House Mill Road Cambridge CB1 2AZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development would make effective use of a previously developed site to create additional affordable housing units; - The design and scale of the proposed development would respond sympathetically to the surrounding built form; - The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; <p>The proposed development is unlikely to give rise to any significant adverse impact upon on street car parking capacity on the surrounding streets.</p>
RECOMMENDATION	APPROVAL

0.0 BACKGROUND

0.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to help increase the amount of affordable housing within Cambridge. The target is to provide 500 new 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 consists of an area of hardstanding and two blocks of garages. There are 30 garages in total. To the south of the site is the rear garden access for No's. 9, 10 and 11 Drayton Close. There are no site constraints.

2.0 THE PROPOSAL

2.1 The proposal is to demolish the existing two garage blocks and redevelop the site to provide three affordable dwellings. This redevelopment would consist of a pair of semi-detached 2 bedroom dwellings and a detached 2 bedroom dwelling. The proposal would include cycle parking and waste provision for each dwelling and a total of 6 car parking spaces on the site (2 car parking spaces including visitor parking for each dwelling). Provision has also been made to ensure the occupiers of nos.9, 10 and 11 Drayton Close retain access to the rear gardens from within the site.

2.2 The applicant amended the proposal to widen the access way to Plot 3.

3.0 SITE HISTORY

3.1 None relevant

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 3, 27, 31, 32, 33, 35, 36, 50, 51, 52, 55, 56, 57, 59, 71, 73, 80, 81, 82, 85

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)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No information has been provided regarding the existing use of the garages that will be demolished. This demand could be displaced onto the surrounding highway network. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon

residential amenity which the Planning Authority may wish to consider when assessing this application.

- 6.2 Recommends the inclusion of conditions regarding unbound material, surface water run-off, construction of access, removal of permitted development rights in relation to gates, access free of obstruction and an informative regarding works within the highway.

Environmental Health

- 6.3 No objection subject to the inclusion of conditions regarding construction hours, construction collections, construction/demolition noise/vibration & piling, dust, contamination and an informative regarding dust.

Refuse and Recycling

- 6.4 This development as it stands is not acceptable from a waste collection point of view. Our vehicles would not be able to enter the site to collect bins from the pavement there, or from a central bin store on the site, because they cannot reverse more than 12 metres, they would not be able to turn around, and the access is too narrow. The plot 3 inhabitants would need to pull their bins at least 75 metres to the kerbside, 3 times our recommended maximum of 25 metres. Plot 2 would have to pull bins 66 metres. The lane access and the access to the side of the house for plot 1 is also very narrow, it would need to be at least 2 metres wide to pull one bin along it comfortably. Every other week two bins would need to be put out, necessitating 2 journeys. It is also unclear whether there are any drop kerbs on the pavements within the development.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:
- Camcycle (Objection)
 - 16 Bridewell Road (Neutral)

7.2 The representations can be summarised as follows:

Objection

- The cycle parking is improperly designed and accessways are too narrow. These render the cycle parking sheds to be inaccessible and severely inconvenient.
- The applicants have provided six car parking spaces, which exceeds the maximum levels permitted in Appendix L of the new Local Plan
- The access driveway narrows to 3.5m for a significant length, which is insufficient to have a separate footway

Neutral

- Supportive of the building of affordable housing
- Positive use of disused land and garages
- Would like to know the criteria used in future award to tenants
- Expect finished work will have limited impact on us given height and window positioning
- Request a 2 metre fence at western border of 16 Bridewell Road

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. Drainage
8. Third party representations

Principle of Development

- 8.2 Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focussed in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. Additional residential units on this site are entirely consistent with this strategy; the site is previously developed land (it is not garden land).
- 8.3 In my opinion, as the proposal would be using land previously used as garages the proposal is in accordance with Policy 3 of the Cambridge Local Plan (2018) and the principle of the development is acceptable subject to material considerations discussed below.

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

- 8.4 The site is located within an area that is characterised by two storey housing. The houses that surround the site in Keates Road, Colville Road and Bridewell Road are set back from the road with gardens and driveways in front and deep rear gardens (circa 20 metres) many of which contain ancillary structures/outbuildings.
- 8.5 The proposed development of 3 no. two storey dwellings, 2 within a semi-detached arrangement would respond to the surrounding context in terms of built form and provide reasonably sized rear gardens. The dwellings are of simple design which in my view would be in keeping with the prevailing character of the area. Therefore, in terms of design and scale I consider the proposed development is an acceptable response to the site context. The layout of the dwellings ensures that the site is legible and provides adequate car parking and turning space.
- 8.6 The proposed boundary treatment would be a 1.8m close boarded fence which would provide adequate privacy for the future occupants and neighbouring properties. The Landscape Officer has recommended a hard landscaping condition to ensure that permeable paving is used wherever possible and to ensure the shared surface materials are adequate. A condition

is also recommended to ensure the tree protection measures outlined in the Arboricultural impact assessment is carried.

- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56 & 57.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 Given that the minimum distance between the neighbouring properties and any of the proposed dwellings is 20m, and the proposed houses are of an appropriate scale, the proposal would not in my opinion have a significant overbearing/overshadowing impact upon occupiers of the neighbouring properties. While the rear first floor windows on the dwellings would face towards the neighbouring properties, the windows are considered to be an acceptable size and would not give a significant sense of being overlooked. Plot 1 & 3's east facing elevations are close to the boundaries of the No's.16 – 22 Bridewell Road. The first floor windows proposed on the east facing elevations would serve bathrooms. Therefore I have recommended a condition to ensure these bathroom windows are obscure glazed and are vertically hung with 45 degree restrictors to minimize any potential overlooking impact.
- 8.9 I have assessed below the potential impact on the residential amenity of the surrounding occupiers in terms of overlooking, overbearing sense of enclosure and overshadowing. I am satisfied that the proposed dwellings due to their orientation, layout and distance from existing dwellings and boundaries, would not have a significant adverse impact on the residential amenity of the neighbouring occupiers such that it would warrant refusal.

Wider area

- 8.10 The Environmental Health Team has recommended various construction related conditions 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 conditions accordingly. I have considered the impact of additional demand for car parking spaces on residential amenity in the 'car parking' section below.

8.11 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

Amenity for future occupiers of the site

8.12 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All the proposed units comply and exceed the standards. In this regard, the units would provide a high quality internal living environment for the future occupants in my opinion. The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	2	4	2	79	81	+2
2	2	3	2	70	81	+11
3	2	3	2	70	81	+11

8.13 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. All the proposed units would have a private garden area that is considered to be of an acceptable size to accommodate the number of occupants. Notwithstanding that, plots 1 & 3 would have smaller gardens than plot 2. To ensure that adequate private amenity space is retained for plots 1 & 3, I recommended that permitted developments rights are removed for extensions and outbuildings.

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 (2018) policy 50.

8.15 The development has been assessed for compliance with Policy 51 and, subject to a minor revision to the internal layout, complies with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Refuse Arrangements

- 8.16 The proposed refuse storage arrangement consists of a dedicated bin storage point in the rear gardens of each plot close to the access for ease of movement to the collection point. The drag distance for the bins to the collection point (pavement on Collville Way) would be circa 75 metres. This is over the recommended travel distance of 25 metres as set out in the RECAP Waste Design Guide (2012). As the County Highway Authority will not adopt the access road, the refuse vehicles are unlikely to use the access road to collect the bins. Therefore the onus will be on the future occupiers to ensure the bins are taken to the collection point and returned. As there is no alternative solution and the proposal is for three affordable dwellings, I do not consider the issue with the drag distance is significant enough to warrant refusal of this application.
- 8.17 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.18 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 raised the issue that the proposal could impose additional parking demands upon the on-street parking on the surrounding streets, this is addressed in the below section regarding car parking. The Highway Authority has recommended various conditions which are considered necessary.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

Car Parking

- 8.20 The proposal includes four car parking spaces; 2 for each dwelling. This is above the maximum standards in the Local Plan (2006) which would seek 1 car parking space for dwellings with up to 2 bedrooms. However, this level of car parking would ensure that there is adequate visitor parking within the site. The car parking spaces have been laid out to ensure they are

accessible and enable a parked car to leave the site in forward gear.

- 8.21 The Highway Authority has commented that the loss of the garages could impose additional parking demands upon the on-street parking on the surrounding streets. Housing colleagues have supplied information regarding the occupancy of the garages. 2/3 of these garages are occupied, and 1/4 of the garage occupants do not live within close proximity to the site. The council does not hold any information on whether the garages are being used for car parking or for storage. The surrounding streets are adopted highway with uncontrolled on-street parking. However, many of the surrounding dwellings benefit from on plot parking. 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.

Cycle Parking

- 8.22 The proposal includes detached cycle storage sheds in the rear gardens of each of the three plots. Camcycle has raised concerns regarding the size of these. I have recommended a condition requesting further details of cycle storage to be submitted. Both Camcycle and the Landscape Officer requested that the accessway to plot 3 was widened, the applicant amended the plan to show 1.5m rear access to plot 3.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Integrated water management and flood risk

- 8.24 The Drainage comments shall follow on the amendment sheet.

Third Party Representations

- 8.25 I have dealt with the third party representations in the preceding paragraphs.

9.0 CONCLUSION

- 9.1 The proposed demolition of the existing garages and development of 3 no. two storey 2bed dwellings including cycle and bin storage and car parking would make efficient use of brownfield land to provide new affordable housing. The proposal would not result in an adverse impact upon neighbouring properties and would provide an acceptable level of amenity for future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. 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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 33)

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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 33)

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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 33)

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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 33)

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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 33)

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 and Cambridge Local Plan 2014: Proposed Submission, July 2013 (submitted March 2014), as amended by the Inspectors' Main Modifications, policy 33)

9. No development above ground level, other than demolition, shall commence until full details of both hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The 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); retained historic landscape features and proposals for restoration, where relevant. All hard landscape works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that suitable hard landscape is provided as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

10. The dwellings hereby approved shall not be occupied until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before dwellings are occupied.

Reason: To ensure appropriate provision for the secure storage of bicycles and appropriate storage of bins. (Cambridge Local Plan 2018 policies 55, 56, and 82)

11. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800hours 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 2018 policy 35)

12. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2018 policy 35)

13. In the event of the foundations for the proposed development requiring piling, no such piling shall take place until a report / method statement detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration has been submitted to, and approved in writing by, the local planning authority. 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 2018 policy 35)

14. 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 2018 policy 35)

15. The tree protection measures detailed in the approved tree protection strategy, Arboricultural Impact Assessment by Landscape Planning Limited dated 19th February 2018, shall be implemented prior to the commencement of any works on site. The tree protection measures shall remain in place throughout the construction process and may not be removed until completion of all site works.

Reason: To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area (Cambridge Local Plan 2018 policy 71)

16. For plots 1 and 3, notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses; and the provision within the curtilage of the dwellinghouses of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwellings, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

17. Notwithstanding the approved plans, the dwellings, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

18. 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 first floor window on the east facing elevation serving plot 1
- The first floor window on the east facing elevation serving plot 3

The development shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 58)

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

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

20. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved 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 2018 policy 81)

21. Prior to the first occupation or bringing into use of the development, hereby permitted, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of highway safety and to ensure satisfactory access into the site (Cambridge Local Plan 2018 policy 81)

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

Reason: To prevent surface water discharging to the highway, in the interests of highway safety (Cambridge Local Plan 2018 policy 81).

23. Prior to the first occupation or bringing into use of the development, hereby permitted, the manoeuvring area shall be provided in accordance with the approved drawings. The manoeuvring area shall be retained free of obstruction thereafter.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

24. Prior to the first occupation or bringing into use of the development, hereby permitted, the access shall be provided in accordance with the approved drawings. The access shall be retained free of obstruction thereafter.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

INFORMATIVE: Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

INFORMATIVE:

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

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

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

Application Number	18/1309/S73	Agenda Item	
Date Received	16th August 2018	Officer	Alice Young
Target Date	11th October 2018		
Ward	Trumpington		
Site	2 Barrow Road Cambridge CB2 8AS		
Proposal	Section 73 application to vary condition 1 (Approved Drawings) of permission 15/0804/FUL (New dwelling to rear of site with access from Trumpington Road) to omit the basement level and ground floor rooflights, enlarge the first floor and install a green roof.		
Applicant	Mr Hartley c/o PiP Architecture		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> ▪ The proposed first floor extension would not give rise to any adverse impacts to neighbouring amenity and would be in keeping with character and appearance of the surrounding area. ▪ The proposal would preserve and enhance the character and appearance of the Barrow Road Conservation Area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site relates to a detached residential property with a large plot situated on the southern corner of Barrow Road and Trumpington Road. The large rear garden is approximately 1,950m²; located along the boundary parallel to Trumpington

Road are mature trees which are all protected by a group tree preservation order.

- 1.2 The existing property on the site has an Arts and Crafts style with a regular footprint, symmetrical fenestration and projecting front garage.
- 1.3 The site now falls within the Barrow Road Conservation Area and is located on the southern boundary of this part of the Conservation Area. The previous application for which this is connected to was approved before the designation date of the Barrow Road Conservation Area (06.02.16).

2.0 THE PROPOSAL

- 2.1 The current application is to vary the consent 15/0804/FUL for a new dwelling to the rear of the site with access from Trumpington Road.
- 2.2 Application reference 15/0804/FUL was previously approved to sub-divide the garden of No. 2 Barrow Road and erect a new two storey dwelling on the land south of No. 2 Barrow Road, fronting Trumpington Road. This previously approved dwelling was designed in a modern style with two sloping mono-pitched roofs and a single storey flat roof element to the southern elevation. A number of revisions to the original design, including an additional floor above the garage element, were approved at committee in November 2017 (17/1444/S73).
- 2.3 The variation sought is to condition 1 (Approved Drawings) to:
 - omit the basement level;
 - remove the ground floor rooflights on the single storey located to the south west of the site;
 - enlarge the first floor to the north elevation parallel to the boundary with No. 2's rear garden;
 - install a green roof on the single storey element on the south western corner parallel to the highway.

3.0 SITE HISTORY

Land to the rear of No.2 Barrow Road (application site)

Reference	Description	Outcome
14/1616/FUL	New dwelling	Withdrawn

15/0804/FUL	New dwelling to rear of site with access from Trumpington Road	Granted
17/1444/S73	Section 73 application to vary condition 1 of planning permission 15/0804/FUL dated 04/11/2015 for new dwelling to rear of site with access from Trumpington Road to allow the removal of the basement pool, extension to form bedroom at first floor level and alterations to fenestration.	Granted

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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	27
		35
		50 51 52
		55 56 57 59 61 71
		81 82

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework July 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>Planning Obligation Strategy (March 2010)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
	<p><u>Area Guidelines</u></p> <p>Barrow Road Conservation Area Appraisal (2016)</p> <p>Trumpington Road Suburbs and Approaches Study (March 2012)</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority has no comment to make upon this application.

Environmental Health

- 6.2 The development proposed is acceptable subject to the imposition of the conditions outlined below:

- CC63 – construction hours
- EH1 – collections/deliveries during construction
- PILING – piling condition

Urban Design and Conservation Team

First comments

- 6.3 The development proposed is unacceptable and should be refused for the reason(s) set out below:

- This proposal does not enhance or preserve the character and appearance of the Barrow Road conservation area.
- The proposed extension does not enhance the design of the approved house.

Amended plans

- 6.4 The development proposed is acceptable for the reasons outlined below:

- The previous design for the proposed extension presented a square block to the road which looked at odds with the mono pitched roof next to it. Whilst the extension is set back it did not look integrated into the design.
- This amendment has given the new extension a further mono pitch roof which creates a gull wing form helping the new extension sit more comfortably with the remainder of the upper floors of the original design.

Landscape Architects

- 6.5 It is considered that there are no material landscape issues with this proposal.

Sustainable Drainage Engineer

- 6.6 No objections subject to a surface water drainage condition.
- 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:

- 4 Barrow Road
- 6 Barrow Road
- 11 Barrow Road
- 21 Barrow Road
- 24 Barrow Road
- 27 Barrow Road
- 30 Trumpington Road

- 7.2 The representations can be summarised as follows:

- Loss of light and overshadowing to No. 4 and No. 2 Barrow Road (in winter particularly)
- The design and materials are not in character with the surrounding area and would adversely impact the character of the area
- A bunglalow like the nearby 'infills' would have been more appropriate for this site.
- Does not preserve or enhance the conservation area
- The rectangular box addition fits uneasily with the design of the house, providing an ugly view from Trumpington Road.
- Concern for the chestnut tree, the roots of which may well be damaged
- The noise disturbance
- Concerns over the removal of mature trees on the boundary with No. 30 Trumpington Road
- Request for a light study
- Impact on privacy for No. 30 Trumpington Road and no. 4 Barrow Road

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 The principle of the erection of a new detached two storey dwelling has been established through the extant consent (15/0804/FUL), which was approved at committee in September 2015. Whilst policy has changed with the adoption of the new Cambridge Local Plan (2018), it is considered that the proposal still adheres to the sub-division of existing dwelling plots policy (policy 52 of the Cambridge Local Plan 2018). Explanation of the criteria is located under the relevant headings.

8.3 The assessment for this current application focuses on the material changes that are being sought which consist of the removal of the basement, addition of the green roof and the addition of a first floor element located above the previously approved garage.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 52.

Context of site, design and external spaces (and impact on the Conservation Area)

Response to context

8.5 This current application assesses the amendments to the previously approved scheme (15/0804/FUL). The removal of the basement and rooflights are considered acceptable changes which would not adversely impact the design, scale or massing of the proposal. The addition of the first floor extension is to

compensate for the loss of the basement level. A previous application which was approved at committee (17/1444/S73) included a first floor extension over the garage on the north elevation facing No. 2 Barrow Road similar to the one proposed. The proposed first floor extension would be situated on the north elevation facing No. 2 Barrow Road and would project over the previously approved garage to the side elevation by 3.2 metres and stretch 9.4 metres to the rear. This element would be stepped in by 0.6 metres from the rear elevation and 1.85 metres from the front elevation of the previously approved plans. This first floor extension would provide a fourth bedroom, ensuite and dressing room. The proposed roof would slope down towards the previously approved first floor which would have a height of 5.945 metres to the ridge. The scheme has been amended by changing the roof from a flat roof to a mono-pitch roof which creates a gull wing form with the upper floor of the original design. This was to decrease the massing of the proposed first floor addition, create a better relationship with the rest of the dwelling and to enhance the conservation area.

- 8.6 The Barrow Road Conservation Area Appraisal states that Barrow Road is characterized by the Arts and Crafts movement as well as the later additions of 'Cautious Modernism' and 'Modernism further down Barrow Road. All of these properties, with mixed character, have been designed to have a relationship between the buildings and leafy setting with wide green verges to the front and generous rear gardens. This characteristic was adopted in the previous applications. As the site is within the boundary of the Barrow Road Conservation Area but runs parallel to the more modern two storey houses on Trumpington Road, the design successfully acts as another later addition to the extension of Barrow Road. The design and materials of the proposed first floor element would match the previously approved scheme, which was considered to successfully contrast with the prevailing 'Arts and Crafts' style of the surrounding area and not detract from this character. This still stands, as the proposed first floor extension is considered to enhance the character of the Barrow Road Conservation Area.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59 and 61.

Residential Amenity

Impact on amenity of neighbouring occupiers

Overlooking

- 8.8 The addition of a window on the first floor element would not unduly cause significant overlooking due to the substantial distance of in excess of 40 metres separating No. 4 Barrow Road and this element. Therefore, there would be no loss of privacy experienced by No. 4. This is the only window added to the application and the previous application considered there would not be any harmful overlooking to neighbours. Therefore, I do not consider there to be an issue of overlooking.

Overshadowing

- 8.9 The northern orientation of No. 2 and 4 Barrow Road in relation to the application site and the location of the first floor element makes these the only nearby properties that could potentially be overshadowed. No. 30 Trumpington Road and No. 5 Porson Road are situated directly south of the site and the first floor extension is on the northern elevation, therefore, levels of light reaching these properties would not be affected by the first floor element.
- 8.10 The separation distance between No. 2 Barrow Road and the proposed first floor extension exceeds 30 metres. This is considered a sufficient distance not to impact on No. 2's sunlight levels. Whilst there may be additional overshadowing, this would be to the very rear of the garden of No. 2 Barrow Road and therefore would not significantly harm the amenity of No.2.
- 8.11 The significant distance between the application site and No. 4 Barrow Road would mitigate any significant overshadowing to No. 4. It is noted that there would be overshadowing in the end part of the garden in the evening hours but this level of overshadowing would be minimal and therefore not considered harmful to residential amenity.

Visual enclosure/ dominance

- 8.12 Due to the siting of the extension, relatively low height at first floor of 5.945 metres and the separation distance between the properties, the first floor extension would not significantly impact No. 2 and No. 4 Barrow Road.

Noise disturbance

- 8.13 The previous application considered the levels of noise and disturbance resulting from the proposal to be minimal due to the residential nature. I do not consider that this will change with the removal of the basement level and rooflights and addition of the first floor element.
- 8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

Amenity for future occupiers of the site

- 8.15 The amenity of future occupiers was considered acceptable with the previous application. The loss of the basement level would mean a loss of two bedrooms; however, the addition of the first floor element would result in a net loss of only one bedroom. Therefore, I do not consider that this loss will detrimentally impact the future occupiers' amenity. The removal of the rooflights on the single storey element would decrease light levels within the front sitting room. However, there are multiple windows serving this room facing both east and west; this would provide sufficient levels of light.

The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	4	7	2	115	239.55	+124.55

8.16 There was no previous policy regarding residential space standards when the previous application was submitted, notwithstanding, the application meets these standards.

8.17 The development has been assessed for compliance with Policy 51 and, subject to a minor revision to the internal layout, complies with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Size of external amenity space

8.18 There has been no change to the external amenity space and therefore it is considered acceptable for amount of residents the garden would serve.

8.19 In my opinion the proposal provides a high-quality (*and accessible*) 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 (2018) policies 50 and 51.

Refuse Arrangements

8.20 The changes to the scheme do not impact on refuse arrangements, therefore, this is still considered acceptable.

8.21 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Car and cycle parking

8.22 The changes to the scheme do not impact on refuse arrangements, therefore, this is still considered acceptable.

8.23 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 82.

Third Party Representations

8.24 The majority of the third party representations have been addressed in the main body of this report.

8.25 With regard to the concerns about the trees surrounding the dwelling, in the previous application it was illustrated that the proposed dwelling would not fall within the root protection zones of the surrounding trees. The previous application had a tree protection condition that has been discharged and would apply to the current scheme.

8.26 The concerns regarding loss of light to No. 30 Trumpington Road have been addressed in paragraph 8.9. Therefore, a light study would not be necessary.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun on or before 4th November 2018.

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 en-suite bathroom first-floor windows and the secondary first-floor master bedroom window on the south elevation, as shown on drawing no.PL-2-01 REV B, shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the dwelling) 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 2018 policies 55 and 57).

4. Conditions 3 -4 and 6-17 of planning permission 15/0804/FUL (as set out below) shall continue to apply to this permission. Where such conditions pertaining to 15/0804/FUL have been discharged, the development of 18/1309/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

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 2018 policy 35)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 35).

7. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - ii. provide a management and maintenance plan for the lifetime of the development and any arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To minimise flood risk (Cambridge Local Plan 2018, Policy 31).

8. 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

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

Reason: In the interests of highway safety.

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

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

11. The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.

12. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

15. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: in the interests of highway safety

16. No development shall take place until an arboricultural method statement, tree constraints plan and tree protection plan, in accordance with BS:5837:2005, have been submitted to and approved in writing by the local planning authority. These shall include:
- a) Plans showing trees to be removed, identified by number.
 - b) Plans showing trees to be retained, identified by number, with canopies accurately plotted.
 - c) A tree constraints plan that identifies root protection areas of retained trees within, adjacent to, or which overhang the development site.
 - d) The precise location and design details for the erection of protective tree barriers and any other physical protection measures.
 - e) A method statement in relation to construction operations in accordance with paragraph 7.2 of the British Standard.

The arboricultural method statement shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and safeguarding trees that are worthy of retention (Cambridge Local Plan 2018 policy 71).

17. 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 visual amenity and safeguarding trees that are worthy of retention (Cambridge Local Plan 2018 policy 71).

18. 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 2018 policies 55, 57 and 59)

19. The dwelling, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

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

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

INFORMATIVE: The pergola structure shown on the elevations is outside the red-line ownership of this application. Approval of this planning application does not include the erection of this pergola structure.

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Application Number	18/0861/FUL	Agenda Item	
Date Received	4th June 2018	Officer	Mairead O'Sullivan
Target Date	30th July 2018		
Ward	Arbury		
Site	7 Durnford Way Cambridge CB4 2DP		
Proposal	Erection of a two storey dwellinghouse, following demolition of existing bungalow.		
Applicant	Dr Choul Woong Kwon 51 Graham Road Cambridge CB4 2WP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The building is considered acceptable in terms of design - The proposal would not harm the amenity of surrounding occupiers - The proposal provides a good standard of amenity for future occupiers
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 Durnford Way is a loop leading off Brimley Road in the north of the city. The application site is a wedge-shaped curtilage in the south-west corner of the street. The surrounding area is primarily residential, but the grounds of Castle School and Arbury Primary School lie close by to the south-west. The plots immediately adjacent to the application site on each side are occupied by bungalows, but many of the other houses in this street are of two storeys.

1.2 There are no site constraints.

2.0 THE PROPOSAL

- 2.1 The application seeks to demolish the existing bungalow on the site and replace it with a new two-storey house. This application follows from a previously approved application in 2017 to demolish and replace the existing bungalow. The revised application proposes an increased height of 0.8m when compared with the previous application.
- 2.2 The replacement dwelling is made up of two conjoined masses. A two-storey element would occupy the 7.1m x 9.1m footprint of the existing bungalow on the north side of the plot, but would also extend a further 6m to the rear. This rear section would be kinked at a slight angle to the axis of the front part. The two storey section would have a pitched roof, hipped at the front, but gabled at the rear, with the ridge at 8.2m above ground.
- 2.3 The second element would be a single-storey section occupying most of the footprint of the existing garage apart from a narrow strip adjacent to the site boundary. It would also extend a limited distance in front of the existing garage footprint, and occupy an extensive area behind it. This section would merge with the two-storey element at an angle, so the house as a whole would be wider at the rear than at the front, reflecting the wedge-shaped nature of the site. The single-storey element would measure 2.8m across at the front, where it would be occupied by a garage, and 6.9m across at the rear. The single-storey element would have a conventional pitched roof to the rear, but as it merges with the larger element, this would become a lean-to roof at the front. There would be gables at both front and rear ends of this roof
- 2.4. The application is accompanied by the following supporting information: 1. Design and Access Statement 2. Shadow studies: winter solstice; equinox; summer solstice

3.0 SITE HISTORY

Reference	Description	Outcome
17/1956/FUL	Erection of a two storey dwellinghouse, following demolition of existing bungalow.	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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 35 36 50 51 55 56 57 59 81 82

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) 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)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comment.

Environmental Health

6.2 No objection: Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. In the interests of amenity, I therefore recommend the standard construction/demolition/delivery hours, piling and dust conditions.

Urban Design and Conservation Team

6.3 No material urban design issues.

Head of Streets and Open Spaces (Landscape Team)

6.4 No objection: Little information has been provided in respect of landscape or site arrangement. We have requested conditions in order to have oversight of hard paving materials and to achieve betterment in the cycle storage provision, which should be, ideally, within a secure and covered shelter or shed.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.5 No comments received.

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

7.0 REPRESENTATIONS

7.1 The owners/occupier of the following address has made a representations:

- 4 Essex Close

7.2 The representations can be summarised as follows:

- Is too high and will impact negatively on the streetscene
- The extra storey will cause overlooking of neighbouring properties

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

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 A replacement two storey dwelling has already been approved on site and this consent can still be implemented. Therefore the principle of development has been accepted. The application replaces a dwelling with another larger dwelling and does not raise any in principle policy issues in the newly adopted Cambridge Local Plan (2018).

Context of site, design and external spaces

- 8.3 The proposal is of a similar design to the previously approved replacement dwelling although the height of the building has been increased from 7.4m to 8.2m. The increase to the building height will make it one of the taller buildings on the street. As noted in the previous officer report, Durnford Way is very heterogeneous in character with different building heights, roof profiles, fenestration patterns and material palettes. The design of the building is broadly similar to the already approved scheme. Although the building height would increase by 0.8m, the roof is hipped on the front elevation meaning that the height adjacent to the street will be kept low. The site is also a wedge shaped corner plot so the building is tucked away from the street and although the height will be increased I do not consider it would appear overly prominent in the streetscene.
- 8.4 A condition is requested to require details of materials prior to construction to ensure that the building is finished in a way which would be sympathetic to the character of the area. The previous permission also had a condition requiring details of the eaves prior to construction. The roof proposed under the current proposal appears to be achievable and this detail is no longer required. The landscape officer has recommended conditions requiring details of hard and soft landscaping. I note that this was not required with the previous application and as a result I do not consider it to be reasonable or necessary to include a landscaping condition as part of the revised permission.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 and 59

Noise, vibration, and dust

- 8.6 The Environmental Health Officer is satisfied that the proposal would not harm the amenity of surrounding occupiers subject to conditions regarding dust, piling, and hours for construction and deliveries/collections during construction,
- 8.7 In my opinion, subject to the conditions I have recommended, the applicants have suitably addressed the issues of noise, vibration and dust, and the proposal is in accordance with Cambridge Local Plan (2018) policies 35 and 36.

Inclusive access

- 8.8 Policy 51 of the Cambridge Local Plan (2018) requires all housing developments to be of a size, configuration and internal layout to enable the Building Regulations requirement on 'accessible and adaptable dwellings' to be met. A Building Regs Officer has assessed the proposed plans and noted some internal changes required to ensure compliance with part M4(2) of Building Regs. The changes require that one of the doors to the kitchen is increased to 750mm, a suitable sized WC with outward opening door and a shower which has the potential for level access is required at ground floor, and the bathroom must be a minimum of 1900mm wide. The layout does not currently include a ground floor bathroom and I have therefore requested amended plans to address this issue. I have also recommended a condition requiring the dwelling to comply with the relevant part of Building Regulations.
- 8.9 In my opinion, subject to the above amended plan and condition, the proposal is compliant with Cambridge Local Plan (2018) policies 51.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The revised proposal is taller than the previously approved replacement dwelling but otherwise the building occupies the same footprint. As with the previous application, due to the scale of the building and shape of the plot, the proposal is not considered to result in any significant enclosure of either of the adjoining properties.

8.11 The applicant has provided a shadow plans to support the application. These show a slight increase to overshadowing of no 5 during the equinoxes and winter solstice when compared with the previously approved plans. The increase is very slight and as with the previous application the impact on light to no 5 is considered acceptable as it would be:

- only for a relatively short part of the year in midwinter,
- not affect the sunlight reaching the main windows on the east and west elevations of the bungalow
- the rear garden of No.5 would be free of this shadowing by midday, even at the winter solstice.

8.12 Due to the orientation of the plot, with the proposed house to the north of no 9, there would be no overshadowing of this adjacent occupier.

8.13 The only window on the south-east elevation above first floor, which faces towards number 9, serves a dressing room and a condition is recommended to ensure this is obscure glazed to prevent overlooking of this occupier. This was not conditioned previously but this window had been partly obscured by the ridge of the single storey side element. As the window is now higher above this ridge and no longer obscured to a significant degree I consider the obscure glazing condition to be reasonable.

8.14 All of the windows on the north side elevation are shown as being obscure glazed. However, given the previous extant consent, it would be unreasonable to require that all of these windows are conditioned to be obscure glazed. There are two bathroom windows looking towards no 5. These were both conditioned to be obscure glazed on the previous consent and I recommend that this condition remains. The other window which was conditioned to be obscure glazed is a secondary window to bedroom 1; this room has its primary outlook looking down the garden. The secondary window would offer a limited outlook, but it would face north across the flat roof of the garage at No. 5 and would have a significant section of the garden at that house within its field of view. In my view a condition to require obscure glazing of this window should remain to protect the privacy of the occupiers of No.5.

- 8.15 The window which serves bedroom 2 was not conditioned to be obscure glazed as it is the only window which serves this room and would result in this occupier having poor outlook. This window looks across the front and side of no 5; areas which are already visible from the public realm. As a result this window was not considered to impact on privacy and it was not previously considered necessary to condition it to be obscure glazed. I consider that this should remain the case.
- 8.16 The windows which serve the additional loft space are all high level or else look down the garden. As a result I am satisfied that these do not give rise to any further overlooking issues than the previously approved scheme.
- 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 (2018) policies 55, 56 and 57.

Amenity for future occupiers of the site

- 8.18 The replacement building is larger than the bungalow and would create a uplift in floorspace without significantly reducing the garden space available to future occupiers. I have provided an approximate calculation of the internal space and external space below which would meet with policy 50. The replacement dwelling is considered to provide a good standard of amenity to future occupiers.

The gross internal floor space measurement for the dwelling in this application is shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	4/5	2	3	134	256	+118

Size of external amenity space: _approx. 270sqm

- 8.19 In my opinion the proposal provides a high-quality (*and accessible*) 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 (2018) policy 50.

Refuse Arrangements

- 8.20 No details of bin storage have been provided. In my view there is sufficient space on site to accommodate a low rise store for bins on site. A condition is recommended requiring details of the bin store prior to occupation of the new house.
- 8.21 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.22 There are no highway safety issues. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

- 8.23 The applicant has provided details of where cycles would be stored and of the Sheffield stands which would be provided. For the proposal to comply with policy the cycle parking needs to be covered and secured. As a result a condition is recommended requiring details of the cycle store to be provided prior to occupation of the new dwelling.
- 8.24 The proposal includes an integral garage and there appears to be adequate space for a further off-street uncovered car parking space to the front of the property. The site is located in a sustainable location close to cycle and public transport links and the application does not increase the number of residential units on site, as a result I am satisfied that the car parking provision is sufficient.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Third Party Representations

- 8.26 In my view the increase to the height of the building does not harm the street scene or impact on the privacy of adjoining occupiers. I have assessed the proposals against these issues raised at paragraphs 8.3 – 8.5 and 8.10-8.17 respectively.

9.0 CONCLUSION

- 9.1 I am satisfied that the increased height would not harm the streetscene. The increase to the height of the proposed replacement dwelling would not have any significant adverse impact on adjoining occupiers. The replacement building would provide a good standard of amenity for future occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. 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. (policy 35 of the Cambridge Local Plan 2018)

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 2018 policy 35)

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

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

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

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

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36)

7. Prior to commencement of above ground works. samples of 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 2018 policies 55, 56 and 57)

8. All first-floor windows on the north and south side elevations excluding the window serving room 2 (as shown on plan A.11) 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 and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57).

9. Prior to the occupation of the dwelling hereby approved, details of facilities for the covered, secured parking of bicycles (including elevations of the store) 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 2018 policy 82)

10. Prior to occupation, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and walk distances for residents including the specific arrangements to enable collection from the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridge Local Plan 2018 policy 57)

11. The dwelling, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

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

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 7th November 2018
WARDS: NEW

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 16/2018

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a Wellingtonia at Selwyn College, Grange Road.
- 1.2 As an objection to the order has been received, the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm Tree Preservation Order, with or without amendment, or not confirm the.

2.0 RECOMMENDATION

- 2.1 The tree preservation order is confirmed without amendment.

3.0 BACKGROUND

- 3.1 A section 211 Notice was received proposing the felling of a prominent Wellingtonia to ground level. The recommendation to fell the tree came from an arboricultural consultancy instructed by the College to carry out a tree condition survey. Following a site visit and an assessment of the tree condition survey reports submitted with the s.211 Notice, officers were not satisfied that the results of the surveys were conclusive and therefore justified the tree's removal. As the Council may not refuse permission for works detailed in a s.211 Notice a TPO was served to protect the tree.

4.0 POWER TO MAKE A TPO

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO.

4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance advises that authorities develop ways of assessing the amenity value of trees in a structured and consistent way. Cambridge City Council Citywide Tree Strategy 2016 – 2026 sets out the criteria for assessing amenity in Policy P2 and considers visual, wider impact, atmospheric, climate change, biodiversity, historic/cultural and botanical benefits when assessing the amenity value of trees.

4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience

The TPO is considered to be expedient because officers were not satisfied that the results of the tree condition surveys justified the tree's removal and that the removal would have a detrimental impact on amenity.

4.2.2 Amenity

Visual. The tree is located close to the college boundaries with Grange Road and West Road and is clearly visible from both.

Wider Impact. The tree contributes positively and significantly to the character and appearance of the conservation area.

Climate Change. Larger and evergreen trees have a greater impact with regard to climate change adaptation.

4.2.3 Suitability

The tree is not conflicting with the reasonable use of the college, is not implicated in any direct or indirect damage and is not causing unreasonable shading or creating unreasonable maintenance requirements.

5.0 CONSULTATIONS

5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.

5.2 Following such consultation an objection has been received to the TPO from Selwyn College.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

6.1.1 The TPO is inappropriate on the grounds that the tree's structural integrity is compromised by evident defects as identified by independent experts.

6.1.2 A Visual Tree Assessment (VTA) was carried out by Corsican Associates. At this time helical rib formations on the main stem were noted and it was thought these could potentially indicate internal cracking and or the degradation of woody tissue.

6.1.3 Further assessments were carried out by Writtle Forest Consultancy using both Resistograph Drilling and Sonic Tomography. The results of these tests show severe structural defect between 2.5 and 4.5m. It was therefore recommended that the tree either be reduced in height and monitored or felled and replaced.

6.2 Officer's response to the objection.

6.2.1 Officers are not satisfied by the conclusions set out in the resistograph drilling and sonic tomography reports and therefore are not able to confirm that the tree's structural integrity is sufficiently compromised to justify any remedial work and recommended that core samples be taken to confirm or otherwise the extent of any defects detected by the above analysis.

6.2.2 Officers agree that external abnormalities can indicate internal defects and concluded that the bark formation indicated an historic defect but not one that appeared to be progressing into the newer and sound wood associated with new growth.

6.2.3 Officers agree that the resistograph readings show anomalies consistent with an historic and localised defect and/or the typical growth of this species of tree but do not show that defects extend to a degree that would compromise the tree's structural integrity. Officers

were also concerned that as some of the drillings were angled across the direction of growth and not directly into the tree the depth measurements may not be accurate and that resistance could be distorted by drilling at an angle through growth rings. Similar to the results of the resistograph drilling, the results of the sonic tomography are also not conclusive. They do not fully confirm the results of the resistograph and could be explained by the species' growth habits and normal wood structure.

6.3 In conclusion, officers believe that the recommendation to the fell tree is not fully supported by the evidence and it has not proven that the tree's structural integrity is sufficient compromised to increase the risk of whole or part failure to a level that requires remedial action. Officers would expect conclusions to be confirmed or otherwise by taking core samples to enable actual assessment of wood structure and that the tree's value warrant's such a confirmation before it is condemned. Because the tree's removal was proposed in a s.211 Notice, the serving of TPO 16/2018 was expedient in the interests of amenity. The confirmation of the TPO will not stop works that are required in the interests of safety from being carried out but will require further and more conclusive evidence.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

8.1 Members are recommended to confirm City of Cambridge Tree Preservation Order 16/2018.

9.0 IMPLICATIONS

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	None

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

TWA 18/190/TTCA with supporting evidence

City of Cambridge Tree Preservation Order 16/2018.

Written objection to TPO 16/2018

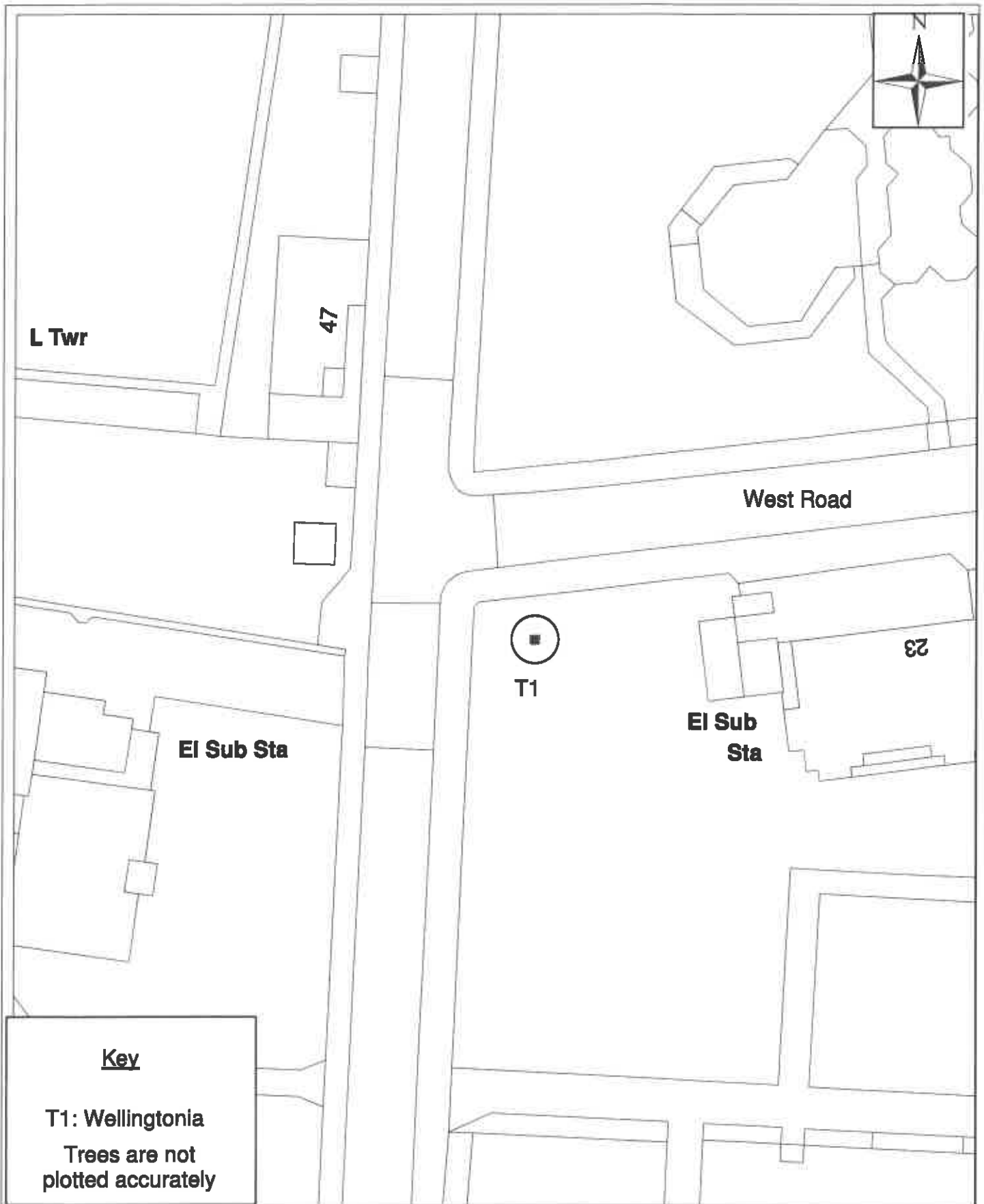
To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 19/10/2018

Date of last revision: 23/10/2018

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Key

T1: Wellingtonia
 Trees are not plotted accurately



City of Cambridge
 (Selwyn College)
 Tree Preservation Order No. 16/2018

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Date:	12 June 2018
Prepared by:	Rebecca Wilding
Section/Department:	Policy & Projects, Environment & Planning
Scale:	1:500

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REPORT TO: Planning Committee

7 November 2018

LEAD OFFICER: Joint Director of Planning and Economic Development

Local Plan Affordable Housing Threshold (Policy 45 Affordable Housing)

Purpose

1. To inform Committee about the differences between the affordable housing threshold set out in the Local Plan 2018 (in policy 45 affordable housing), and that in the new National Planning Policy Framework 2018 (NPPF) and recommend that significant weight be given to the national threshold in planning decision making and when planning advice is given. This is not a key decision.

Recommendations

2. It is recommended that Planning Committee:
 - a) take note of the different affordable housing thresholds between the adopted Local Plan 2018 (policy 45) and the National Planning Policy Framework 2018 (at paragraph 63 and the glossary); and
 - b) agree that for the reasons set out in this report in paragraphs 5-16 that when determining planning applications and when giving pre-application advice that significant weight will be given to the affordable housing threshold policy set out in the National Planning Policy Framework 2018 (at paragraph 63 and the glossary).

Reasons for Recommendations

3. Through the course of the examination of the plan the Local Plan Inspector's have sought to ensure that the affordable housing threshold included in the Local Plan was in conformity with national planning policy and the modifications to the plan proposed in January 2018 about this were in conformity with national planning policy as it then stood. However in July 2018 just before the Inspector's report was published in August 2018 a new National Planning Policy Framework was published which included a different national affordable housing threshold.
4. The NPPF 2018 states at paragraph 214 that the previous NPPF from 2012 will continue to apply for the purpose of examining plans submitted for examination before the 24th January 2019. Our Local Plan was submitted for examination in 2014 and so it is understandable that the Local Plan Inspector's Report makes no reference to the NPPF 2018. Nevertheless the Local Plan Inspector in recommending plan modifications needed to ensure soundness had sought to ensure that the Local Plan affordable housing threshold was consistent with that set out in national policy as then stated in the Written Ministerial Statement 2014.

Background

5. When our Local Plan was submitted for examination in 2014 the proposed affordable housing threshold in policy 45 'Affordable Housing, Dwelling Mix and Employment-Related Housing' included a contribution of 10% affordable homes on sites for the

initial 2-9 dwellings. This was a lower threshold than that included in our then adopted Local Plan of 15 or more dwellings or sites of 0.5 hectares.

6. In 2014 a Written Ministerial Statement (WMS) was published stating:

*“Due to the disproportionate burden of developer contributions on small scale developers, **for sites of 10-units or less**, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought.” (bold emphasis added)*

7. The Local Plan Inspector’s Report received in August 2018 referenced the main modifications needed to make the Local Plan ‘sound’. The main conclusions are set out in paragraphs 65 and 66 Paragraph 114 of their report which state:

“Policy 45 seeks to ensure the effective provision of affordable housing and a mix of dwelling types, sizes and tenures. As submitted, the Policy requires 10% affordable homes on sites for the initial 2 to 9 dwellings. This is not consistent with the Written Ministerial Statement of 28 November 2014: Small-Scale Developers or with PPG (ID: 23b-031-20161116). The Council has produced evidence to demonstrate that sites of this size could make a contribution to the provision of affordable housing and remain viable. However, the WMS states that it is seeking to tackle the disproportionate burden on small-scale developers by lowering construction costs, thereby increasing the supply of housing. Viability is not, therefore, the sole consideration.

66. The number of additional affordable homes from developments of nine dwellings or less would only form a relatively small part of the overall affordable housing delivery. In the circumstances, (Main Modification MM) C134 is necessary to ensure consistency with national policy. We have made a minor addition to the wording of the MM to clarify that the affordable housing provision should be calculated on the basis of the net increase in the number of units on the site. “

8. Alongside other detailed changes to policy 45, MM C134 addressed affordable housing thresholds by requiring that **all developments of 11 dwellings or more**, or on sites of less than 11 units if the combined gross internal floorspace of the proposed development exceeds 1,000 sqm will provide affordable housing. This was entirely consistent with the WMS of 2014
9. In July 2018 the new NPPF was published coming into immediate effect. Relevant extracts from the NPPF are included in this report as Appendix B. When the policy text in paragraph 63 and the definition of ‘Major Development’ given in the glossary are read together it can be seen that national planning policy towards affordable housing thresholds has evolved away from that given in the WMS. National planning policy is now that affordable housing should not be sought from developments that are not major development and the definition of which given in the glossary of the NPPF only relates to housing developments of **10 or more homes** or where the site has an area of 0.5 hectares. This policy formulation is not consistent with the Local Plan Inspector’s intention to ensure that our Local Plan policy was consistent with national planning policy.
10. It follows that the affordable housing threshold given in policy 45 is no longer consistent with national planning policy towards affordable housing both in terms of the Local Plan policy threshold being 11 or more homes (as opposed to the NPPF threshold of 10 or more), and in its inclusion of a 1,000 sqm housing floorspace threshold (as opposed to a site area threshold of 0.5 hectares in the NPPF).

Considerations

11. Planning law requires that applications for planning permission have to be determined in accordance with the development plan, unless material considerations indicate otherwise (the development plan includes our Local Plan 2018). However the NPPF 2018 states at paragraph 212 that "*The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication*". And paragraph 213 of the NPPF 2018 states: "*However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*".
12. In regard to the affordable housing threshold set out in policy 45 of the adopted Local Plan 2018 it is clear that it is not consistent with the policy set out in the NPPF 2018. It follows that in planning decision making and when giving pre-application advice significant weight needs to be given to the affordable housing threshold policy set out in the National Planning Policy Framework 2018 (at paragraph 63 and the glossary). This point is reinforced by the fact that the Local Plan Inspector in recommending plan modifications needed to ensure soundness had sought to ensure that the Local Plan affordable housing threshold was consistent with that set out in national policy as stated in the WMS 2014.
13. Furthermore it can be noted that the Local Plan Inspector did not disagree with the viability evidence officers advanced in evidence to the Inspector's that a lower affordable threshold than that in the WMS was viable in Cambridge or that there was not significant affordable housing need across the district. On this basis there is no risk that applying the lower affordable housing threshold set out in the NPPF 2018 would have any negative impacts on the viability of housing delivery in Cambridge compared to the marginally higher threshold set out in the Local Plan at policy 45.
14. It is therefore appropriate and necessary that when making planning decisions and when giving pre-application advice that significant weight is given to the affordable housing threshold policy set out in the NPPF.

Options

15. The only alternative option would be to seek to continue to apply the affordable housing thresholds set out in the Local Plan at policy 45. This is not recommended as it would not be consistent with the NPPF 2018 and because to do so could lead to a small loss of much needed local affordable homes.

Implications

16. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Equality and Diversity

17. Access to affordable and quality housing can make an important contribution to household health, education and employment. Application of the national affordable housing threshold will make a marginal improvement to the provision of affordable

housing in Greater Cambridge and so can be expected to have a beneficial impact on social equality.

Consultation responses

18. There has been no formal consultation involved in the preparation of this report.

Background Papers

The following background papers were used in the preparation of this report:

House of Commons: Written Statement (HCWS50)
Written Statement made by: The Minister of State for Housing and Planning on 28 Nov 2014.
<https://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf>

Cambridge Local Plan Inspector's Report (2018) &
Main modifications recommended by the Inspector's –
<https://www.cambridge.gov.uk/local-plan-review-about-the-examination>

National Planning Policy Framework (2018)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Report Author: David Roberts – Principal Planning Policy Officer Shared Planning Service
Telephone: (01954) 713348
David.roberts@scams.gov.uk

Appendices:

Appendix A – Extract from the Main Modifications necessary for soundness concerning policy 45 for affordable housing
Appendix B – Extracts from the NPPF 2018

Appendix A – Extract from the Main Modifications necessary for soundness:

Reference No.	Local Plan Page	Policy/ Paragraph	Proposed Modification								
C134	147/148	Policy 45: Affordable housing and dwelling mix	<p><i>Amend the first paragraph and following text of Policy 45 to read:</i></p> <p>Planning permission will only be granted for residential development on sites with capacity for between 2 and 9 dwellings, if provision is made for a minimum of 10 per cent affordable housing. On such sites, financial contributions towards affordable housing off-site are considered acceptable. This does not prohibit on-site provision of affordable housing on sites of this scale, but recognises that circumstances may often not allow for delivery on-site.</p> <p>Planning permission will only be granted for residential development on sites with capacity for between 10 and 14 dwellings or on sites of between 0.3 and 0.49 hectares, if provision is made for a minimum of 25 per cent affordable housing on-site.</p> <p>Furthermore, planning permission will only be granted for residential development on sites with capacity for 15 dwellings or more or on sites of 0.5 hectares or more, if provision is made for a minimum of 40 per cent affordable housing on-site.</p> <p><u>Planning permission will only be granted for residential development on sites where the minimum percentage of affordable housing has been secured on site in line with the thresholds and percentages set out in the table below:</u></p> <table border="1" data-bbox="735 1368 1310 1541"> <thead> <tr> <th data-bbox="735 1368 1023 1453"><u>No of dwellings</u></th> <th data-bbox="1023 1368 1310 1453"><u>Minimun percentage of affordable housing required</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="735 1453 1023 1485"><u>2-9 units</u></td> <td data-bbox="1023 1453 1310 1485"><u>10%</u></td> </tr> <tr> <td data-bbox="735 1485 1023 1516"><u>10-11-14 units</u></td> <td data-bbox="1023 1485 1310 1516"><u>25%</u></td> </tr> <tr> <td data-bbox="735 1516 1023 1541"><u>15 or more units</u></td> <td data-bbox="1023 1516 1310 1541"><u>40%</u></td> </tr> </tbody> </table> <p>On sites capable of delivering between 2 and 9 dwellings, financial contributions towards the provision of affordable housing off-site are considered acceptable. This does not prohibit on-site provision of affordable housing on sites of this scale, but recognises that circumstances may often not allow for delivery on-site.</p> <p>Where it appears that a larger site has been subdivided into smaller development parcels in order to circumvent the requirements of this policy, or for any other reason, the threshold and the <u>pro-rata</u> percentage of affordable housing sought will</p>	<u>No of dwellings</u>	<u>Minimun percentage of affordable housing required</u>	<u>2-9 units</u>	<u>10%</u>	<u>10-11-14 units</u>	<u>25%</u>	<u>15 or more units</u>	<u>40%</u>
<u>No of dwellings</u>	<u>Minimun percentage of affordable housing required</u>										
<u>2-9 units</u>	<u>10%</u>										
<u>10-11-14 units</u>	<u>25%</u>										
<u>15 or more units</u>	<u>40%</u>										

			<p>apply to the <u>requirement from the</u> larger area as a whole. The required density on a given site will need to have regard to its wider context and other policies of this plan. <u>All Developments of 11 dwellings or more, or on sites of less than 11 units if the combined gross internal floorspace of the proposed development exceeds 1,000 sqm will provide affordable housing.</u></p> <p>The occupation of affordable housing will be limited to people in housing need and shall be available in perpetuity. Affordable housing shall be provided on development sites with the capacity of 10 <u>11</u> dwellings or more in accordance with the percentages and thresholds set out above unless exceptional circumstances are demonstrated. Where affordable housing is provided, it shall be of tenure blind design indiscernible from and well integrated with the general market housing.</p> <p>Developments should include a balanced mix of dwelling sizes*, types and tenures to meet projected future household needs within Cambridge. The mix of dwellings and tenure types shall have regard to the differing needs for different unit sizes of affordable housing and market housing. and to the council's Affordable Housing Supplementary Planning Document in force at the time planning permission is applied for.</p> <p>All sites** including employment related housing will be required to make affordable housing provision in line with the thresholds and percentages set out above. <u>Affordable housing provision should be calculated on the basis that the thresholds are to be considered against the net increase in the number of units on the site.</u> <u>Further details on the practical implementation of this policy will be set out in an up to date Affordable Housing Supplementary Planning Document.</u></p> <p>*Measured by the number of bedrooms to be provided in each dwelling. <u>** Except for Starter Homes Exception Sites</u></p>
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Changes shown in **bold** text. Deletions ~~struck through~~. New text **underlined**.

Appendix B – Extracts from the NPPF 2018

63. Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount²⁸.

²⁸ Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.

Annex 2 Glossary

Major development⁷⁰: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

⁷⁰ Other than for the specific purposes of paragraphs 172 and 173 in this Framework.

Note that paragraphs 172 and 173 relate to National Parks, Areas of Outstanding Natural Beauty and Heritage Coastal areas only.

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