



Cambridge City Council Planning

Date: Wednesday, 3 April 2019

Time: 12.30 pm

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**

There are no planning applications to be considered in the morning session. The meeting will start at 12.30pm

- **Part Two**

Minor/Other Planning Applications

Start time: 12.30pm

- **Part Three**

General and Enforcement Items

Start time: At conclusion of Part Two

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

2 Apologies

3 Declarations of Interest

4 Minutes

To follow.

Part 2: Minor/Other Planning Applications - Starting at 12.30pm

5	17/1748/FUL - 45 Cavendish Avenue	(Pages 19 - 44)
6	17/0705/FUL - The Bell Educational Trust Ltd, Red Cross Lane	(Pages 45 - 66)
7	18/0907/FUL - 50 St Stephens Place and 51 Canterbury Street	(Pages 67 - 96)
8	19/0051/PIP - Cambridge and Huntingdon Health Authority, 18 Vinery Road	(Pages 97 - 104)
9	18/1945/FUL - Unit 2, 61 Ditton Walk	(Pages 105 - 114)
10	18/1353/FUL - Kingsway Clinic, Carlton Way	(Pages 115 - 128)
11	18/0217/FUL - 82 Regent Street	(Pages 129 - 138)
12	18/1974/S73 - The Jenny Wren, 80 Campkin Road	(Pages 139 - 158)

Part 3: General and Enforcement Items

13	Odour Study	(Pages 159 - 218)
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Planning Members: Smart (Chair), Blencowe (Vice-Chair), Baigent, Green, Hipkin, McQueen, Nethsingha, Page-Croft, Thornburrow and Tunnacliffe

Alternates: Gillespie, Hart 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)

Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)

Long Road Suburbs and Approaches Study (March 2012)

Barton Road Suburbs and Approaches Study (March 2009)

Huntingdon Road Suburbs and Approaches Study (March 2009)
Madingley Road Suburbs and Approaches Study (March 2009)
Newmarket Road Suburbs and Approaches Study (October 2011)

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

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

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

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

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PLANNING COMMITTEE

3rd April 2019

Application Number	17/1748/FUL	Agenda Item	
Date Received	10th October 2017	Officer	Lewis Tomlinson
Target Date	5th December 2017		
Ward	Queen Ediths		
Site	45 Cavendish Avenue		
Proposal	Erection of a single storey 2 bedroom dwelling house to the rear of 45 Cavendish Avenue		
Applicant	Ms Muir 45 Cavendish Avenue		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The design and scale of the proposed development would not have an adverse on the character of the surrounding area; - The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; - The proposed development would not, subject to the provision of suitable mitigation to be secured by condition, have a significant adverse impact upon surface water flood risk either to the proposed property or to surrounding dwellings <p>The proposed development would provide a high quality living environment for the future occupiers;</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of a semi-detached two storey property on the north side of Cavendish Avenue. To the north (rear) of the property is Magnolia Close, a small cul-de-sac of six chalet-style dwellings.
- 1.2 There are no constraints relating to the rear garden. To the front of the property, our records indicate the presence of a Tree Preservation Order (TPO). It was not apparent from the site visit that there was a significant tree in the garden, and clarification is being sought from the Council's Trees Officer as to whether this has been plotted against the application site in error.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the erection of a 2 bedroom bungalow in the rear garden of No.45 Cavendish Avenue. It would be accessed via a shared driveway with the host dwelling. It would have one off street car parking space, and would also provide cycle and bin storage within the boundary of the proposed dwelling.
- 2.2 The scheme has been amended since submission to:
- ☐ Remove the turntable
 - ☐ Raise the ground floor level 300mm above surrounding gardens
 - ☐ Submission of Flood Risk Assessment and mitigation measures
 - ☐ Submission of tree report and protection measures

3.0 SITE HISTORY

- 3.1 17/0806/FUL – Erection of two bedroom dwelling house (withdrawn).

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 31, 32, 33, 35, 36 50, 51, 52, 55, 56, 57, 59 70, 71 80, 81, 82

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

Central Government Guidance	National Planning Policy Framework February 2019 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 Object in principle to the provision of a turntable. If this is resolved, no objection subject to 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.

Drainage Officer

Original comments

- 6.2 The proposed development is identified at high risk of surface water flooding, and nearby properties have suffered from internal flooding. Sufficient surface water drainage details proving the principle of draining the site have not been submitted. A Flood Risk Assessment to assess the potential for disposing of surface water by means of a sustainable drainage system must be provided.

Comments (dated 23/3/18) following submission of FRA

- 6.3 The FRA fails to demonstrate that acceptable mitigation measures can be delivered on the site. No details of the altered ground levels have been provided. Also, the building footprint will increase the runoff from the site. Infiltration is not an acceptable means of disposing of surface water in areas susceptible to surface water flooding, and the potential for disposing of surface water by other means must be explored.

Comments (dated 21/5/18) following further flood risk information

- 6.4 There is insufficient space available to provide compensatory flood storage, and no information has been provided to date to prove this is possible. The topographic levels, building height restrictions and space available on site suggests it is not possible to deliver this. A pumped drainage system is not a sustainable form of drainage and will increase residual flood risk.

Comments (dated 7/12/18) following further flood risk information

- 6.5 No objections subject to conditions requiring surface and foul water drainage, and flood resilient construction details.

The applicant has undertaken detailed site specific modelling to the site in question to determine the level of flood risk present. This information has concluded that the site levels fall outside of the 1 in 100 year surface water flood event plus an allowance for climate change. The parameters used for flood compensation are usually where a building resides within the 1 in 100 year flood event outline. In considering the scale of the development along with the mitigation outlined, the proposals will have a negligible impact on the surrounding areas.

The FRA still refers to the possible use of a pumped surface water drainage system which we do not consider sustainable. We recommend the applicant consults with us at the earliest opportunity at the detailed design stage to ensure that this component can be designed out. Managing rainwater as close to the surface as possible will help to minimise this risk. The use of raingardens/depressed area within the garden and aco type drains could help form part of the solution. (13th December 2018)

Set out below is further explanation as to why the original concerns have now been resolved.

Objection point 1

Firstly in relation to the main objection that had been included in all responses until 07.12.18 when I removed it. This was as a result of the site residing within the 1 in 100 year probability flood event outline for surface water – these maps are high level and therefore make assumptions, they do not include the use of site specific information such as actual ground levels. This is our trigger, as national guidance (NPPF) asks that residential development should be considered in terms of flood risk for a minimum of 100 years.

The applicant decided to undertake site specific modelling to determine the level of flood risk present, this concluded that the site falls outside of the 1 in 100 year probability flood event and therefore it would not be reasonable in planning terms to maintain our objection in relation to existing flood risk and for the developer to provide mitigation in the form of level for level flood compensation or voided buildings.

I believe where some of the confusion has come in, is that my latest comments relate to the document dated March 2018 Final v3.0 report on the front page, it might however be best if you refer to the document issue information on page 1 where it shows the audit trail to the document. To confirm my last response on 07.12.18 relates to the revisions which took place to the document on 26.11.18.

Objection point 2

The other objection previously raised on 21.05.18 was in relation to the potential that the site drainage may be pumped as this is not a sustainable solution. However on further discussion with the developers dated 07.06.18 they stated that with the lowest site levels being at 9.05m AOD and the recorded Anglian water sewer levels being in the region of 8.62m AOD a gravity connection may be possible (this was also confirmed by a check of Anglian Water records my end). Again it would be unreasonable to maintain an objection with this knowledge, hence why an informative is recommended for the detailed design stage - if the SuDS are designed as close to the surface as possible then a gravity connection should be achievable.

Environmental Health

- 6.6 No objection subject to the inclusion of conditions regarding construction hours and piling.

Landscape Officer

Original comments

- 6.7 It is not clear whether trees located along neighbouring boundaries will be affected by the proposals. A survey of the nearby trees and an impact assessment is needed to ensure the proposals do not cause harm to neighbouring trees or hedges.

Comments following submission of further details

- 6.8 No objection subject to the inclusion of conditions regarding further details on the green roof and boundary treatment.

Urban Design

- 6.9 It is considered that there are no material urban design issues with the proposals.

Streets and Open Spaces (Tree Officer)

- 6.10 Tree survey and impact assessment required.
- 6.11 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- ☐ 2B Cavendish Avenue
- ☐ 6 Cavendish Avenue
- ☐ 42 Cavendish Avenue
- ☐ 43 Cavendish Avenue
- ☐ 46 Cavendish Avenue
- ☐ 47 Cavendish Avenue
- ☐ 49 Cavendish Avenue
- ☐ 51 Cavendish Avenue
- ☐ 53 Cavendish Avenue
- ☐ 59 Cavendish Avenue
- ☐ 66 Cavendish Avenue
- ☐ 67 Cavendish Avenue
- ☐ 70 Cavendish Avenue
- ☐ 75 Cavendish Avenue
- ☐ 77 Cavendish Avenue
- ☐ 83 Cavendish Avenue
- ☐ 3 Magnolia Close
- ☐ 4 Magnolia Close
- ☐ 5 Magnolia Close
- ☐ MTC Engineering (Flood risk consultants acting on behalf of owners of 5 Magnolia Close)
- ☐ 6 Magnolia Close
- ☐ 118 Blinco Grove
- ☐ 130 Blinco Grove
- ☐ 22 Hills Avenue
- ☐ 62 Hills Avenue

- ☐ 72 Hills Avenue
- ☐ 75 Hills Avenue
- ☐ 81 Hills Avenue
- ☐ 30a Hinton Avenue
- ☐ 59 Langham Road
- ☐ Magdalen, Brobury, Hereford

7.2 The objections can be summarised as follows:

- ☐ The backland and cramped nature of the development would be out of keeping with the character of the area
- ☐ Overdevelopment
- ☐ Contemporary design out of keeping with character of area
- ☐ Overly small gardens for existing dwelling and new dwelling
- ☐ Massing along boundaries of neighbouring properties
- ☐ Loss of green/wildlife corridor
- ☐ Overbearing impact on No.6 Magnolia Close, 43 Cavendish Avenue and 47 Cavendish Avenue
- ☐ Overshadowing of No.6 Magnolia Close's south facing living room and kitchen
- ☐ Increase noise and traffic movement to the rear of gardens
- ☐ Poor design as bedrooms 1 & 2 would receive limited day light
- ☐ Proposed dwelling would be overlooked by windows in the rear of 6 Magnolia Close.
- ☐ There are surface water flooding issues in the area – adjacent properties were recently inundated with surface water. By replacing a grassed area with development, the proposal would displace flooded surface water from the site, raising water levels and increasing the depth of flooding to adjacent properties (including those in Magnolia Close which sit in a low spot in the area). It has not been demonstrated that this can be adequately mitigated against and surface water drainage from the dwelling satisfactorily dealt with.
- ☐ The drainage solutions are inadequate.
- ☐ Concerns previously raised by the Council's Drainage Engineer to the suitability a pumped drainage system do not appear to have been resolved in the latest details
- ☐ Cars will have to reverse onto the highway
- ☐ Not enough car parking
- ☐ Not affordable housing
- ☐ Sets a precedent for future back land development
- ☐ Contrary to Policy 52 of the 2018 Local Plan

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

- ☐ 41 Cavendish Avenue
- ☐ 5 Edendale Close
- ☐ 63 Grantchester Street
- ☐ 11 Great Eastern Street
- ☐ 2 Gunhild Close
- ☐ 274 Hills Road
- ☐ 18 Hinton Avenue
- ☐ 26 Emmanuel House, Lilywhite Drive
- ☐ 223 Mill Road
- ☐ 86 Mowbray Road
- ☐ 62 Nun's Way
- ☐ 40 Rathmore Road
- ☐ 143 Ross Street
- ☐ 9 Sherlock Road
- ☐ 5 Violet Close
- ☐ 51 Manor Park, Histon, Cambridge

7.4 The letters of support can be summarised as follows:

- ☐ The proposal would provide new housing in a sustainable location
- ☐ The scheme would be of high quality design and would not harm the character of the area
- ☐ Sufficient flood risk information has been provided
- ☐ Accommodation for an ageing population

7.5 One neutral representation has been received from Camcycle:

- ☐ Following the submission of further information regarding cycle parking, pleased to see the provision of three Sheffield stands. Please ensure that the cycle parking is covered

7.6 Councillor Colin McGerty has called the application in to be considered at planning committee due to concerns about drainage and flood risk.

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

8.0 ASSESSMENT

8.1 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. Surface water drainage and flood risk
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Trees

Principle of Development

8.2 Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused 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.

Policy 52 Protecting garden land and the subdivision of existing dwelling plots

8.3 As the proposal is for the subdivision of an existing residential plot, policy 52 of Cambridge Local Plan (2018) is relevant in assessing the acceptability of the proposal.

8.4 Policy 52 of the Cambridge Local Plan (2018) states that: Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:

- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
- b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
- c. the amenity and privacy of neighbouring, existing and new properties is protected;

- d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
- e. there is no detrimental effect on the potential comprehensive development of the wider area.

8.5 I consider that the proposal complies with the above five criteria and the reasons for this are set out in the relevant sections of this report.

Context of site, design and external spaces

8.6 The site is located within an area that is characterised by large two storey housing. Cavendish Avenue is located to the front of the site and Magnolia Close is located to the rear of the site. Significant concerns have been raised by local residents to the impact of the development upon the character of the area. Whilst there are not any other examples of backland development in the immediate vicinity, the scheme has been amended since the previously withdrawn application to ensure the development would not be prominent in the street scene. The proposed dwelling would be single storey and sited towards the western side of the garden. The built form of No.6 Magnolia Close is sited further back than the neighbouring properties at Magnolia Close. Backland developments and outbuildings are typically single-storey and of a more domestic scale. The proposed dwelling would be of a single storey scale. I have recommended a materials condition to ensure the proposed bungalow would be of an acceptable appearance. The proposal would also include a reasonable sized amenity area and gaps around the proposed dwelling for additional soft landscaped areas.

8.7 In one of the letters of objection, reference has been made to an appeal at 83 Cavendish Avenue. Planning application ref: 12/1436/FUL was refused under delegated powers for the following three reasons:

1. The proposed development by the virtue of the limited size of the outdoor amenity space serving the proposed dwelling and its relationship with adjacent dwellings being overlooked fails to provide an adequate level of private amenity space for future occupiers. In so doing the development fails to respond positively to the site context and constraints and

would have an adverse impact on the level of amenity, which the future occupiers of 83a Cavendish Avenue could reasonably expect to enjoy. Therefore the development is contrary to Cambridge Local Plan (2006) policies 3/4, 3/10 and 3/14 and advice provided in government guidance NPPF.

2. The proposal being a full two storey height building and gable design, by virtue of the relationship of the proposed dwelling to 30a Hinton Avenue and its private amenity space, coming closer to the common boundary with 30a Hinton Avenue, would create a sense of enclosure and loss of light to the detriment of the occupiers of 30a Hinton Avenue. The proposed development would have an enclosing effect on that dwelling and its associated garden on the south side and would lead to a reduction in light to and outlook from the garden. In so doing the development fails to respond positively to the site context and constraints and would have an adverse impact on the level of amenity, which the occupiers of 30a Hinton Avenue could reasonably expect to enjoy. The development is contrary to Cambridge Local Plan (2006) policies 3/4 and 3/14 advice provided by NPPF.
3. The proposed development does not make appropriate provision for public open space, community development facilities, waste storage or monitoring, in accordance with policies 3/7, 3/8, 3/12, 5/14 and 10/1 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010, and Guidance for Interpretation and Implementation of Open Space Standards 2010.

This application was dismissed at appeal (APP/Q0505/A/13/2193266) for the following reasons:

- ☐ Given its corner location, the proposed building would be prominent, and the small garden with its tight enclosure would appear both incongruous and jarring in views. As such, the character of the area would be negatively affected. (Paragraph 7 of the appeal decision)
- ☐ Both the rear and front garden would be overlooked and would fail to provide acceptable living conditions for future occupiers. (Paragraphs 12 & 13)

Neighbours consider the current proposal at No.45 to be directly comparable with the above appeal. However, the only similarity between the above application at 83 Cavendish Avenue and this application at 45 Cavendish is that both applications are proposals to subdivide plots. The proposal at 83 Cavendish Avenue sought planning permission to erect a two storey dwelling through a side extension to the existing dwelling. The proposal at 45 Cavendish is to subdivide the rear garden to erect a dwelling at the very rear of the site.

The first reason why the appeal at 83 Cavendish Avenue was dismissed was based on character grounds (albeit this wasn't one of the Council's reasons for refusal). Given the difference in the nature and siting of the proposed dwellings, this reason is not directly comparable to the proposal at 45 Cavendish Avenue. The second reason why the appeal at 83 Cavendish Avenue was dismissed was based on overlooking of the proposed garden. This was because the proposed front garden would have been 4.4m away from the first floor windows on the side elevation of 30a Hinton Avenue as well as being very visible from the road. The rear garden would have also been only 4.4m away from the first floor windows on the rear elevation of 30a Hinton Avenue, which is angled so that it directly faces the garden. In this case, the rear elevation of No.45 Cavendish Avenue is 11.9m away from the boundary of the proposed dwelling and the garden is 10m in depth. The rear courtyard area would be small and overlooked by No.6 Magnolia Close but, given the ample space to the front and that the rear courtyard is not the sole outdoor amenity space, I do not consider that the future occupiers would suffer an unacceptable level of privacy/amenity.

There has also been reference made to a dismissed appeal at 11 Golding Road. The scheme at 11 Golding Road was for two backland dwellings that were both two storey which is significantly different from the scheme proposed in this application.

- 8.8 The Urban Design Team has raised no objections to the application. The Landscape Team is supportive of the proposed works subject to conditions and I have recommended these accordingly. It is my opinion the form, height and layout of the proposed development is appropriate to the surrounding pattern

of development and the character of the area and would not constitute an overdevelopment of the site.

- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56 & 57.

Residential Amenity

Impact on amenity of neighbouring occupiers

No.6 Magnolia Close

- 8.10 No.6 Magnolia Close's rear elevation is 3.2m away from the boundary of No.45 Cavendish Avenue which is defined by a 2m high fence. Lounge french doors and a kitchen window look onto a patio area. The boundary between No.45 & No.43 runs directly down the middle between the lounge French doors and the kitchen window. It is to be noted that No.6's main rear garden is located at the west side of the dwelling. The rear elevation of No.6 Magnolia Close would be 6.3m away from the rear elevation of the proposed dwelling and the proposed dwelling would be 3.2m away from the boundary of No.6. While part of the proposed dwelling would be hard against the boundary of No.6, this part would be adjacent to the existing garage at No.6, which is located in the south-eastern corner of their property and away from their main private amenity space.

- 8.11 The proposed dwelling would be of a single storey scale. The element nearest to the boundary of No.6 would be 2.6m in height and the highest points of the roof are located much deeper into the site and further away from the boundary of No.6. Given the distance of the built form away from the boundary of No.6 and the single storey scale of the proposed dwelling, the proposal is not considered to have a significant overbearing or overshadowing impact upon the lounge/kitchen windows or the patio area in spite of its location directly to the south of No.6..

No.43 & No.47 Cavendish Avenue

- 8.12 The proposed dwelling would be located to the rear of No.45 Cavendish Avenue. Therefore it is adjacent to the very rear of the gardens for No.43 and No.47 Cavendish Avenue and away from the main rear amenity areas of these properties. The

dwelling would be of a single storey scale and would have gaps between the built form and the boundary of both these properties. Therefore it is considered that the proposal would not have a significant overbearing or overshadowing impact upon No.43 or No.47 Cavendish Avenue.

- 8.13 I have assessed above 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 dwelling due to its 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

- 8.14 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.
- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 36, 52, 55 and 56.

Amenity for future occupiers of the site

- 8.16 Neighbours have raised concern about the quality of amenity for bedrooms 1 & 2 of the proposed dwelling. While these bedrooms are not south facing, they have adequate windows/french doors as well as roof lights and additional windows. There are two first floor windows on the south facing elevation of 6 Magnolia. The western first floor window serves a bathroom and while the eastern first floor window serves a bedroom, the views would be too oblique to cause a significant amount of overlooking. Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. The proposed unit would comply and significantly exceed the standards. In this regard, the unit 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	1	70	99	+29

8.17 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. The proposed dwelling would have a south facing garden of an appropriate size for a 2 bed dwelling. It would also have an additional garden area to the rear of the site with 2 other areas of planting on the side boundaries of the proposed dwelling. The existing dwelling would also be left with an acceptable size garden. To ensure that adequate private amenity space is retained for the proposed dwelling, I recommended that permitted developments rights are removed for extensions and outbuildings.

8.18 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2018) policy 50.

Accessible homes

8.19 The development has been assessed for compliance with Policy 51 and complies with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Surface water drainage and flood risk

8.20 The site is identified as at high risk of surface water flooding, and nearby properties have previously experienced flooding issues. The Drainage Officer requested the submission of a flood risk assessment which was in turn submitted to the council. This failed to address the concerns raised and the objection was maintained due to concerns about how the proposed development would take up a large amount of the site, thereby displacing the surface water storage capacity of the site. Questions were raised by the Drainage Officer about whether the principle of a dwelling could be supported due to

the concerns about flood risk as it was unclear whether it would be possible to achieve a sustainable drainage feature within the site that could mitigate the impact of the development. During this process, 5 Magnolia Close appointed drainage consultants to assess the submitted flood risk assessment. This was because 5 Magnolia Close had previously experienced flooding on their property due to the ground level being lower than the surrounding area and were therefore concerned about the impact of development especially due its proposed large site area immediately adjacent to their common boundary. The drainage consultants acting on behalf of 5 Magnolia Close have disagreed with the findings of the reports submitted by the applicant and has argued that the original concerns raised by the Drainage Officer have still not been addressed.

- 8.21 Following an undertaking of a detailed site specific modelling to the site, and the exploration of other mitigation measures, it was concluded that the proposals would have a negligible impact on the surrounding areas. Following the submission of this additional information regarding flood risk and drainage, the Drainage Officer has removed the objection. The drainage consultants acting on behalf of 5 Magnolia Close maintain their concern that the original concerns have not been overcome. It is the Drainage Officer's opinion that a pumped system for this scale of development would not be considered sustainable and therefore would be inappropriate. However, upon further investigation into SUD's guidance and being mindful of local and national planning policy, a pumped system is acceptable when it is the only solution available. Achieving a gravity fed system should be the first course of action and clear justification backed up by an investigation should be provided if a gravity fed system cannot be achieved. A surface water drainage strategy condition is recommended in line with this. Foul water drainage and flood resilient/resistant construction conditions are also recommended. In my opinion, the proposal is compliant with the National Planning Policy Framework (2019) and policy 31 of the Cambridge Local Plan (2018).

Refuse Arrangements

- 8.22 A bin store is proposed within the site which would provide adequate waste storage. In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.23 Following the removal of the turntable, the Highway Authority does not consider there would be any adverse impact upon highway safety subject to the imposition of various conditions. I have not recommended conditions relating to the driveway given that this is an existing drive but I have recommended a condition to secure adequate space at the front of the site to allow a car to exit and enter the site in forward gear. A traffic management plan is also recommended given the backland nature of the development. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

Car Parking

- 8.24 The proposal includes 1 car parking space each for the proposed and existing dwelling. This complies with the maximum standards in the Cambridge Local Plan (2018) which seek 1 car parking space for dwellings with up to 2 bedrooms and 2 car parking spaces for dwellings with 3 or more bedrooms. The car parking spaces have been laid out to ensure they are accessible and to enable a parked car to leave the site in forward gear. There was previously a garage to the rear of 45 Cavendish Avenue and a driveway leading to it. There is a driveway leading to a garage at the adjacent property No.47. The proposed car parking would not go further than this garage at No.47 and would only be for one car. Therefore the proposed car parking arrangements and additional noise would not have a significant impact upon either the adjacent property at No.47 or the host dwelling at No.45.

Cycle Parking

- 8.25 The proposal includes cycle parking within the site. I have recommended a condition requesting further details of cycle storage to be submitted.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Trees

- 8.27 To the front of the property, our records indicate the presence of a Tree Preservation Order (TPO). It was not apparent from the site visit that there was a significant tree in the garden, and clarification is being sought from the Council's Trees Officer as to whether this has been plotted against the application site in error. An update will be provided on the amendment sheet.

9.0 CONCLUSION

- 9.1 In my opinion, the proposed development would not amount to overdevelopment of the site nor would it have an adverse impact upon the area, the neighbouring properties or the future occupants of the development. The proposed development would also not, subject to the provision of suitable mitigation to be secured by condition, have a significant adverse impact upon surface water flood risk either to the proposed property or to surrounding dwellings

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

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

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2018 policy 35)

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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)

5. 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)

6. The dwelling 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 the dwelling is occupied.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policies 52, 55, 56, and 82)

7. Notwithstanding the approved plans, the building, 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)

8. 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)

9. Prior to the occupation of the development, hereby permitted, the curtilages of the approved dwelling shall be fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56)

10. No development hereby permitted shall commence until a surface water drainage strategy has been submitted to and approved in writing by the local planning authority. This must include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance. The assessment for the design of the drainage system must provide information on achieving a gravity fed system as a first course of action, the results of which shall be submitted to and approved in writing by the local planning authority prior to any further investigation relating to a pumped solution should this prove to be necessary. The system shall 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:
- 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
 - provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed detail and management and maintenance plan.

Reason: To ensure appropriate surface water drainage.
(Cambridge Local Plan 2018 policies 31 and 32)

11. 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 foul water drainage.
(Cambridge Local Plan 2018 policies 31 and 32)

12. 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 policies 31 and 32)

13. No development shall commence until a scheme for flood resilient /resistant construction has been submitted to and approved in writing with the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 policies 31 and 32)

14. Prior to occupation of the dwelling, hereby approved, the turning head at the front of 45 Cavendish as shown on drawing 168.160revP4 shall be fully laid out and installed. The development shall be retained as such thereafter.

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

15. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the chalet bungalow hereby permitted have been submitted to and approved in writing by the local planning authority. Development of the chalet bungalow 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 52, 55, and 57)

16. No development above ground level, other than demolition, shall commence until full details of green and brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The roofs shall be maintained thereafter in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

17. For the hereby approved dwelling, notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouse, including insertion of new windows; loft conversion including rear dormers; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

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

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

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

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Application Number	17/0705/FUL	Agenda Item	
Date Received	8th May 2017	Officer	Mr David Spring
Target Date	7th August 2017		
Ward	Queen Ediths		
Site	The Bell Educational Trust Ltd Red Cross Lane		
Proposal	Installation of a replacement Multi Use Games Area (MUGA)		
Applicant	Bell Educational Trust c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The development would have an acceptable impact on the character of the area <input type="checkbox"/> The development would not have a significant adverse impact on residential amenity.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Bell Education Trust is an English language school for international students, which has been established on this site for more than 50 years. The application site is located at the southern end of the school's grounds and consists of hard-surfaced sports pitches.
- 1.2 To the east of the sports pitches are the rear gardens of residential properties on Babraham Road. A line of mature trees (that are protected by Tree Preservation Orders) and planting runs along the boundary with these properties. To the south is the access road to Nine Wells and to the west is a recently constructed block of flats. It is understood that these flats are now all occupied.

- 1.3 The school site has a Protected Open Space designation over much of its grounds.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the installation of a replacement Multi Use Games Area (MUGA).

- 2.2 Currently in this space there are three tarmac courts, two for tennis and one for basketball. These would be replaced by the proposed single astro-turf pitch to be used mainly for football. Over the course of this proposal the area of this pitch has been slightly reduced and details provided of a proposed acoustic fence enclosure. This would be sited around the eastern, southern and western sides. The majority of the fence would be 4m high, with the northern half of the western boundary reducing to 3m in height. This fence would be sited between the pitch, which would be enclosed by a 4.5m high mesh fence, and the perimeter of the site.

- 2.3 Further amendments were received on 13th December 2018. These amendments consisted of:

1. Removal of the proposed climber from the western fence line to enable the hedge to grow in the space between its current location and up to the acoustic fence at a height of between 3.5 and 4 metres.

2. The insertion of two gates at the southern end of the pitch, within the pitch fencing to enable access for landscape maintenance only.

3. The allowance for the beech hedge at the southern end of the site adjacent to the proposed acoustic fence to be allowed to reach between 4 and 4.5 metres in height.

4. The production of a Landscape Management Plan to demonstrate the ability for the proposed landscaping to be retained in situ and ensure its ongoing survival and successful growth as proposed in the Landscape Plan.

3.0 SITE HISTORY

- 3.1 Under planning application references 06/0795/OUT and 13/1118/S73 planning permission was granted for residential development and student accommodation on land that was owned by the Bell School. Much of the site was known as the Pony Field and part of the site was occupied by a football pitch, used by the school. The provision of the MUGA within the grounds of the Bell School is in response to the S106 requirements of that planning permission (13/1118/S73). This states that the student accommodation should not be occupied until two Multi-Use Games Areas have been provided within the school site (or a contribution paid to the Council if not provided). The Council at the time of the original outline application (planning reference 06/0795/OUT), took the view that the provision of housing outweighed the loss of the football pitch, especially as it was a private facility for the Bell School and that there was still capacity within the remainder of the school grounds to provide a replacement.
- 3.2 Reserved matters consent for the development of the adjacent land was approved under application ref 13/1786/REM.

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
		31 32 35
		44

	55, 56, 59 67 69 70 71, 73, 81
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5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001). Cambridge Landscape and Character Assessment (2003) Cambridge City Council (2011) - Open Space and Recreation Strategy Balanced and Mixed Communities – A Good Practice Guide (2006)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority does not consider that this application has any implications that merit comment by the Highway Authority.

Environmental Health

Original comments (received 30/5/17 and 17/8/17)

- 6.2 The submitted acoustic assessment includes noise mitigation measures (a 2m high bund to the east, combined 3m and 4m high fences to the west, and a 3m fence/barrier to the south) that have not been included in the drawings. These barriers are essential to prevent harm to neighbouring properties and full details must be provided as part of the application to ensure they are appropriate to the Local Planning Authority from a visual point of view and therefore likely to be delivered.

Revised comments following submission of further details of the acoustic fence enclosure (received 24/10/17)

- 6.3 No objection to the amended scheme which has an acoustic barrier subject to the following recommended conditions which would curtail noise pollution on site to an acceptable level. These include:

- ☐ The noise barriers must be built in accordance with the plans.
- ☐ The MUGA shall only be used Monday – Friday 08:00-18:00.
- ☐ The MUGA shall only be used by Bell School students.
- ☐ The MUGA shall not be used for hockey (this is potentially noisier than football and the submitted noise assessment has only considered noise impacts from football).
- ☐ An Operational Noise Management plan should be put in place.
- ☐ Restrict construction and collection/delivery hours during construction.

Landscaping Team

Original comments

- 6.4 The proposed acoustic fence would be sited in the narrow space between the site boundary and the MUGA fence. This raises concerns about how maintenance of the hedges, fences and gap between the fences will be achieved.

Comments on amended plans (received 14/1/19)

- 6.5 The proposal is acceptable. The resubmission has adequately resolved outstanding concerns about maintenance access, screening and planting proposals. Landscape can now support the proposals.

Streets and Open Spaces (Trees)

- 6.6 No arboricultural objections to the original proposed for the bund. With regard to the revised proposal for fencing to the eastern side, the works required to trees to accommodate the fencing will be locally, visually significant but will have no material impact on tree health or public amenity contribution. In order to protect the trees from construction activity, a site specific and phased tree protection method statement will be required, which can be secured by condition.

Drainage

- 6.7 The subbase depth will need to be of adequate size to ensure an expected usability of the proposed MUGA during and following rainfall events. Surface water should be contained within the site up to the 1 in 100 year + 40% allowance for climate change. A condition requiring further details of surface water drainage works is therefore recommended.

Lead Local Flood Authority

- 6.8 No objection subject to a surface water drainage condition being added to any consent.

Environment Agency

- 6.9 No objection. The application falls within flood risk standing advice and it will therefore be necessary for the Council's Drainage Manager to respond on behalf of the EA in respect of flood risk and/or surface water drainage issues.

Sport England

Original Comments

- 6.10 No objection as the proposal is considered an enhancement of existing sporting facilities without affecting any other sports pitches or sports facilities.

Revised Comments

Sport England's position remains that they support this proposal subject to a restrictive hours of use condition as previously discussed, but that the impact on residential properties with regard to potential noise disturbance needs to be assessed under the relevant Environmental Protection legislation, by qualified Environmental Health Officers.

Developer Monitoring Unit

- 6.12 The Developer Contributions Monitoring Unit (DCMU) does not propose to seek specific S106 financial contributions under the council's Planning Obligation Strategy SPD 2010, as Cambridge City Council does not seek S106 financial contributions from such developments.

Nature Conservation Officer

- 6.13 The ecological survey and report submitted are acceptable. The proposed ecological enhancements should be included on a plan for approval prior to determination, or a condition requesting such a plan and installation prior to occupation should be imposed.

Designing Out Crime

- 6.14 No concerns regarding community safety or crime issues.
- 6.15 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Councillor Pippas has requested that the application be referred to Planning Committee if Officers are minded to support the application, as he considers the proposal would have a detrimental impact on the amenities of local residents.
- 7.2 Councillor Moore expresses concern regarding noise due to the proposed use for football pitches. The MUGA should be located further away from residential properties as it would be unreasonable to limit the time that students use the facilities.
- 7.3 Councillor McGerty expresses concern that the development would have undue noise implications for current and future residents of Knightly Avenue, Urwin Gardens and Babraham Road.
- 7.4 The owners/occupiers of the following addresses have made representations:
- ☐ Babraham Road Action Group
 - ☐ 2 Babraham Road
 - ☐ 4 Babraham Road
 - ☐ 4a Babraham Road
 - ☐ 6 Babraham Road
 - ☐ 6b Babraham Road
 - ☐ Gog Magog Partnership
 - ☐ 5 Knightly Avenue
 - ☐ 12 Knightly Avenue
 - ☐ 18 Knightly Avenue
 - ☐ 1 Urwin Gardens
 - ☐ 29 Urwin Gardens
- 7.5 The representations can be summarised as follows:

Visual impact/character of the area

- The proposed acoustic fencing would have a detrimental visual impact and be harmful to the character of the area. The latest drawings suggest the boundary hedge can grow to a height of 4-4.5m and that the fence would be concealed behind the hedge. However, as it is a deciduous hedge, it would not conceal the fence in the winter months.
- The hedge and trees along the southern boundary should be retained.
- Further details should be submitted to demonstrate the visual impact the proposed fencing would have on the area.

Noise and disturbance

- The maximum noise impact on upper rooms of surrounding houses/apartments is predicted within the reports to exceed acceptable levels.
- The predicted decibel level of 73.2 db would have a detrimental impact on the adjacent apartments in Knightly Avenue.
- The noise report identifies three locations where the worst case noise scenario is unacceptable.
- No.1 Urwin Gardens and the adjacent apartment block are incorrectly identified within the original documentation as 2 storey rather than 3 storey properties. The addendum addresses this but, even with the height of the acoustic fence to the southern boundary being increased from 3m-4m, the noise modelling still shows an unacceptable noise impact.
- Sport England's Acoustic Design Guidance asserts that 50 decibels should be regarded as the maximum loudness to avoid annoyance of neighbours. It also draws attention to the fact that noise is often louder above the area protected by sound barriers. The 1st, 2nd and 3rd floor levels of the adjacent properties will therefore be adversely affected.
- If most noise originates from human voices, the sound levels set out in the tables of various receptor points in the vicinity of this MUGA are not accurate.
- Sport England recommends that MUGAs are at least 12m away from residential boundaries, and ideally 30m away. The distance between the proposed MUGA and the new apartments appears to be only about 4m.
- The existing courts are used for tennis and basketball. The proposed MUGA would mainly be used for 5-a-side football which is a much noisier game. The ball smashing repeatedly into the outside fencing is unacceptable in a residential area.

- ☐ The MUGA is also likely to be very heavily used when the proposed student accommodation block is eventually built.
- ☐ Some residents comment that any permission should be subject to the physical noise mitigation measures requested by the Environmental Health Officer, as well as hours of operation being restricted to accord with those specified by the applicant. Usage at the weekends and evenings would not be appropriate.
- ☐ Other residents, however, consider that the proposed acoustic fence and restricted hours would not be sufficient to curtail the adverse impacts upon neighbours, many of whom are retired and therefore at home during the day.
- ☐ The acoustic fencing would be very prominent in the outlook from the adjacent block of flats to the west. Cross section drawings should be submitted to show this impact.
- ☐ The noise report has not been updated to reflect the change from the bund to acoustic fence along the eastern boundary.
- ☐ There are no other examples of MUGAs located so close to residential properties.
- ☐ There would be an unacceptable noise impact to the bedroom and second floor terrace of No. 5 Knightly Avenue.
- ☐ Noise issues could be avoided by moving the MUGA further north.
- ☐ Clarification should be sought as to whether any floodlighting is intended.

Use

- ☐ No objection to the use of the area solely for the use of tennis or basketball.
- ☐ Students have access to pitches at Trumpington Community College.
- ☐ The Southern Fringe developments provide for sporting facilities at Great Kneighton where there is a MUGA. Here, full size as well as 5-a-side football can be played.
- ☐ The original sport facilities of the school were sold for housing.
- ☐ It is inevitable that footballs will be kicked over the perimeter fencing and these present a real threat to cyclists and passing vehicles, as well as potentially resulting in damage to nearby properties.

Impact on trees

- ☐ Major crown and root works are being proposed to trees on the eastern boundary that are covered by a TPO, without any consultation/comment from the Council's Trees Officer. Any crown reduction would also make the sports pitch more visible from properties on Babraham Road.
- ☐ Impact on trees and wildlife at the southern end of the site.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 As noted within Section 3 of this report, the site lies adjacent to the Ninewells development, part of which includes land that was formerly within the School's grounds and used as a football pitch. One of the S106 obligations for this site required two Multi Use Games Areas (MUGA's) to be provided within the Bell School's grounds (or a contribution paid) in order to offset the loss of sports facilities arising from the development.

8.3 This application relates to an area of land at the southern end of the school's grounds, which is currently laid out as hard-surfaced/tarmacked sports pitches, comprising two tennis courts and one basketball court. The proposal seeks to resurface this area with astro-turf and to use the new pitch primarily for five-a-side football. Significant concerns have been raised by local residents on the grounds that 5-a-side football would result in greater noise disturbance to nearby residents than either tennis or basketball. These amenity impacts are explored in further depth later in this report. With regard to the

principle of using the land for other sports, it should be noted that the site lies within the existing school grounds and that the application is not proposing any change in the use of the land. There are currently no restrictions on either the type of sport or hours of operation of the existing pitches. As such, the existing pitches could be re-surfaced and used for any sport without the need for planning permission or the introduction of noise mitigation measures. This fall-back position has been taken into consideration in my assessment of the proposal.

- 8.4 Much of the Bell Educational Trust site is allocated within the Local Plan as Protected Open Space. Policy 67 of the Cambridge Local Plan states *'Development will not be permitted which would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced elsewhere and the site is not important for environmental reasons'*. One of the types of open space protected by this policy is outdoor sports facilities. The proposed MUGA seeks to replace the existing facility which has become under-used due to tree root damage to the surface. Sport England supports the proposal, stating that it would increase opportunities for pupils to take part in sport without compromising any other recreation facility on the site. The proposal is also consistent with the aims of the National Planning Policy Framework which seeks to ensure that existing open space is only used for alternative sports and recreation provision.
- 8.5 In my opinion, the principle of replacing and upgrading the existing sports pitches is acceptable, and accords with Policy 67 of the Local Plan as well as the aims of the NPPF.

Context of site, design and external spaces

- 8.6 The replacement surfacing would not have a greater visual impact on its surroundings than the existing tarmacadam surface. However, during the consideration of the application, concerns were raised by the Environmental Health Officer regarding the likely intensification in use arising from the upgraded pitch, and also to the increased noise associated with football rather than tennis and basketball. In response to these concerns, the application has been amended to include an acoustic barrier around three sides of the pitch. The proposed acoustic fencing would be 4m high to the eastern and southern

boundaries, and 4m high along the southern half of the western boundary, reducing to a height of 3m along the northern extent of this boundary. The existing sports pitches are currently enclosed by mesh fencing, but the site is relatively open, with views out of the school into the new Ninewells development and vice versa.

- 8.7 There are attractive hedges along the southern boundary of the site with Knightly Avenue, and forming the western boundary with the adjacent apartment block. Officers had concerns that, in spite of these hedges, the required acoustic fencing would be prominent in views from the south and at the approach to the Ninewells development, particularly as the Landscape Officer had raised concerns regarding the practicality of maintaining the boundary hedges and proposed fences. Officers therefore sought to explore whether the proposed pitch could be repositioned further to the north and whether, in turn, this would reduce the height of any required acoustic attenuation.
- 8.8 Prior to the submission of the application, the applicant's agent sought pre-application advice on the location of the two sports pitches required through the S106 for the wider site. A number of suggested locations, which included a site immediately to the north, were considered unacceptable due to the impact on protected trees.
- 8.9 The applicant's agent advised that the acoustic consultants undertook further modelling associated with the suggested repositioning, and this demonstrated that, whilst this may improve noise levels for some properties, it actually worsens the situation for other properties (R9, R10 and R12 in the original survey) and also has no impact on the required acoustic fence height (and the EHO has since advised he concurs with these conclusions). On this basis, the agent requested that the Council consider the application as submitted.
- 8.10 A meeting was subsequently held with the applicant, applicant's agent, Environmental Health Officer and Landscape Officer in order to explore whether there would be a way in which a 4m high acoustic fence could be satisfactorily screened. The Landscape Officer commented that it would be possible for the existing hedges to grow to a height of 4-4.5m along the southern boundary and 3.5-4m along the western boundary, and that the landscape scheme should be designed so that the

hedges could fill the space to the fence line. The plans have since been amended accordingly, and a landscape management and maintenance strategy provided. The revised details have resolved the Landscape Officer's concerns and demonstrated that the hedges can be managed to reach their full potential height, thereby providing adequate screening of the acoustic fencing and ensuring that the impact on the character and appearance of the area would be acceptable.

- 8.11 In my opinion the proposal would have an acceptable visual impact and is compliant with Cambridge Local Plan (2018) policies 55, 56 and 59.

Residential Amenity

Impact on amenity of neighbouring occupiers

Relationship with adjacent dwellings

- 8.12 The proposed MUGA lies in close proximity to a number of residential property. Neighbours closest to the proposal include six apartments in the three storey Reach House to the west. These are located between 6.3 and 7.3 metres to the edge of the pitch and between 6.7 and 5.7 metres away from the acoustic fencing. Other adjoining neighbours are located further away and include Nos. 4, 4a and 6b Babraham Road to the east, and No. 1 Urwin Gardens to the south. The rear boundaries of Nos. 4 and 4a Babraham Road adjoin the eastern boundary of the site, albeit are separated by very long, approximately 40 metre deep, rear gardens. No. 6b Babraham Road and No. 1 Urwin Gardens are located on the opposite side of Knightly Avenue to the site.

Noise

- 8.13 Local residents have raised significant concerns regarding the increased noise the replacement MUGA would create. The majority of residents would have no objections to the area being used for tennis and basketball but consider that a use primarily for 5-a-side football will create far more noise nuisance than the existing pitches.

- 8.14 The Environmental Health Officer considers that the proposed MUGA has the potential to intensify the use of the area, including for a wider range of sports than at present, and that this could result in noise issues if used for 5-a-side football or similar recreational activities. The submitted noise report concludes that there would be detrimental impacts to the occupiers of a number of nearby residential properties and, as a result, the proposal includes mitigation in the form of acoustic fencing adjacent to the three sides of the pitches adjoining residential properties. In response to concerns raised by local residents, the original noise assessment was updated to consider the impact on the 2nd floor habitable rooms at 1 Unwin Gardens, and the EHO has raised no objections to its findings, stating that the levels would likely be the same as the storey below.
- 8.15 In addition to the acoustic screen, Environmental Health has also recommended a number of conditions to further ensure noise emissions are acceptable. These include:
- ☐ Limiting hours of use to Monday to Friday 08:00 – 18:00
 - ☐ Restricting the use of the all-weather pitch to pupils at the school.
 - ☐ Preventing use for hockey.
 - ☐ Requiring an operational noise management and monitoring plan.
 - ☐ Restricting construction and construction delivery hours.
 - ☐ And limiting construction delivery hours.
- 8.16 I concur with all the above except for the suggested hours of use. No flood lights are proposed, which does restrict the use of the pitch to daylight hours, and the language school is locked at 6pm every day. Having discussed the proposed conditions with the applicant, they have expressed a wish to use the MUGA from 8am-1pm on Saturdays. In my opinion, these hours are reasonable and would not give rise to significant adverse harm to the amenities of adjacent residents.
- 8.17 In my opinion, the proposal would result in the provision of an improved sports facility for the school, whilst also providing mitigation in the form of a noise barrier and restrictive conditions, that are not in place at present, and would not be in force if the applicant were to utilise its permitted development rights to resurface and reuse the existing pitch for other sports.

- 8.18 A number of local residents have raised concerns that the proposal conflicts with Sport England's guidance that MUGAs should be at least 12m, and ideally 30m, away from residential boundaries. Sport England has clarified that the documentation referred to relates to full-size floodlit pitches used for formal sport such as football and hockey, so is not applicable to this proposal. In addition, the 12m threshold was referred to in guidance that has since been superseded, and the current guidance contains no distance criteria.

Enclosure from acoustic barriers

- 8.19 Residents to the south and in the apartments to the west have expressed concern regarding the enclosing impact of the proposed acoustic fencing. The nearest dwellings are the apartments to the west, which have living room and bedroom windows and balconies on the elevation facing the site. The living room windows in the southern part of the eastern elevation are the closest windows overlooking the site. These are secondary windows, as the living rooms are also served by large openings and balconies to the front. I therefore consider the outlook to and light from the windows, notably those at ground and first floor level, would not be unduly compromised by the acoustic fencing. The northern part of the eastern elevation is recessed further away from the boundary and comprises, on each level, two bedroom windows and a lounge window with balcony, and these are all the primary/sole windows serving the rooms in question. In order to minimise the impact on these properties, the acoustic barrier is proposed to be sited behind the hedge line, which would be managed to grow to a height of 3.5-4m, and along the northern half of the boundary, reduces to a height of 3m. In my opinion, given this separation from windows in the rear wing of the adjacent block, I consider the proposal would not have a harmful enclosing impact upon the occupiers of these properties.
- 8.20 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 55, 56 and 59.

Impact on trees

- 8.21 There are a number of mature trees notably adjacent to the eastern boundary of the site that are protected by Tree Preservation Orders (TPO's). The Tree Officer raised no objections to the initial proposal, which proposed a 2m high bund to the east. The scheme has since been amended to include a 4m high acoustic fence along the eastern boundary, and the arboricultural impact assessment has been revised to assess the impact of the revised boundary treatments upon the protected trees. None of the protected trees are proposed to be removed, although it is proposed to crown lift a number of protected trees that overhang the pitch, as well as to remove three lower quality apple trees near to the southern boundary. The Trees Officer has advised this will have a visual impact but that it wouldn't adversely affect the tree health or public amenity contribution of the trees.
- 8.22 Subject to the condition recommended by the Trees Officer, I consider the impact of the proposal upon the trees adjacent to the eastern boundary would be acceptable, and the proposal compliant with Cambridge Local Plan (2018) policy 71.

9.0 CONCLUSION

- 9.1 This proposal would have an acceptable impact on the character of the area and, subject to the provision of an acoustic fence and other noise mitigation restrictions, the impact on the amenities of adjacent residents would be acceptable.

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 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

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

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

4. There shall 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. Prior to the bringing into use of the MUGA, hereby permitted, the acoustic barrier shall be constructed in accordance with the approved details, and shall be maintained in accordance with these details thereafter. The MUGA shall be constructed/installed and then maintained and retained thereafter fully in accordance with the submitted drawings and specifications / details, specifically:

- SSL1873 drawing no. 07b (rev 1) dated 07/12/2017
- SSL1873 drawing no. 07 (rev 2) dated 07/12/17
- Jacksons Fine Fencing drawing no. J7/04177 dated 10/01/08 (updated 18/07/2012) (Jakoustic Fencing treatment - absorptive modification).

- MAS Environmental Ltd, 'Bell School Red Cross Lane, Cambridge Noise Impact Assessment for Multi Use Games Area (MUGA)', (reference BET170213) dated 13th February 2017 - in particular, the noise mitigation measures detailed within Section 5.3 and Figure 5
- MAS Environmental Ltd 'Bell School, Red Cross Lane, Cambridge Noise Impact Assessment for Multi Use Games Area (MUGA) Addendum to MAS report dated 13th February 2017' (ref: BET170213), dated 28th June 2017.
- Surfacing Standards Limited 'Bell School, Red Cross Lane, Cambridge: Construction of an external 5v5 mini soccer 3G Artificial Turf Pitch (ATP) with fencing and hard standing pathways - Technical Information to Assist Planning' (Project Code: SSL 1873 - 07/03/2017) including the installation of resilient fittings / neoprene insert washers to the perimeter ball stop fencing (open mesh panels) to reduce panel rattle & vibration from ball impact.

Reason: To protect/safeguard the health and quality of life (amenity) of residential premises in accordance with the National Planning Policy Framework 2019 and aims of Policy 35 of the Cambridge Local Plan 2018.

6. The MUGA hereby approved shall not be used other than during the following hours:

Monday-Friday 08:00-18:00

Saturday 08:00-13:00

There shall be no use on Sundays or on Bank/Public Holidays.

Reason: To protect/safeguard the health and quality of life (amenity) of residential premises in accordance with the National Planning Policy Framework 2019 and aims of Policy 35 of the Cambridge Local Plan 2018.

7. The MUGA shall only be used by Bell School students/pupils (those enrolled at school) and shall not be made available for use by the wider community.

Reason: To protect/safeguard the health and quality of life (amenity) of residential premises in accordance with the National Planning Policy Framework 2019 and aims of Policy 35 of the Cambridge Local Plan 2018.

8. Before first use of the MUGA hereby permitted a 'Multi-Use Games Area (MUGA) Operational Noise Management and Monitoring Plan' to incorporate a User's Code of Conduct shall be submitted to and approved in writing by the local planning authority. This shall include details of site wide measures to be undertaken and implemented to mitigate and reduce noisy activities and anti-social behaviour as far as is reasonably practicable, as well as details of a written complaints procedure/action plan. The approved plan shall be implemented in full and adhered to at all times.

Reason: To protect/safeguard the health and quality of life (amenity) of residential premises in accordance with the National Planning Policy Framework 2019 and aims of Policy 35 of the Cambridge Local Plan 2018.

9. The MUGA hereby approved is not to be used for Hockey.

Reason: To protect/safeguard the health and quality of life (amenity) of residential premises in accordance with the National Planning Policy Framework 2019 and aims of Policy 35 of the Cambridge Local Plan 2018.

10. The development hereby permitted shall be carried out in accordance with the recommendations set out in section 4 of the Preliminary Ecological Appraisal Report dated October 2016 by Denny Ecology.

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

11. No development hereby permitted shall be commenced until a surface water drainage scheme based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The drainage system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding of third party land for a 1 in 100 year event + 40% allowance for climate change. The scheme shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018, Policies 31 and 32)

12. Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an 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.

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.

The approved tree protection methodology 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 approved tree protection plans, 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. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

**PLANNING COMMITTEE
2019**

3rd April

Application Number	18/0907/FUL	Agenda Item	
Date Received	6th June 2018	Officer	Lewis Tomlinson
Target Date	5th September 2018		
Ward	Castle		
Site	50 St Stephens Place And 51 Canterbury Street		
Proposal	The demolition of an office building and the erection of a development of nine flats.		
Applicant	Mr Jonathan Woods 92 High Street Barton		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The design and scale of the 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; - The proposed development is unlikely to give rise to any significant adverse impact upon on street car parking capacity on the surrounding streets. - The proposal would result in an acceptable level of amenity for future occupiers - The proposal overcomes the previous reasons for refusal on 17/2243/FUL
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises No. 50 St Stephen's Place and No. 51 Canterbury Street. This is a single building with frontages onto both streets. The frontage onto Canterbury Street is two storeys with space for parking in front accessed from the informal lane which runs to Westfield Lane. The building has been extended at the rear with a one-and-a-half storey building with an asymmetric pitched roof. There is a parking court in front with access via St Stephen's Place.
- 1.2 To the east is No. 55 which is a semi-detached two storey dwelling with the main entrance on the side elevation via a passageway alongside the application site. The property has a long narrow rear garden which extends the length of the application site. To the south-east is No. 53 Canterbury Street, which is a two storey detached property with a rear garden. To the south and west is St Stephen's Place which is a three storey flatted development of residential units with communal landscaped areas.
- 1.3 The site is within the Castle and Victoria Road Area of the Central Conservation Area. The building is not identified as important to the character of the conservation area within the adopted Castle and Victoria Road Conservation Area Appraisal (2012). Trees are protected by virtue of the conservation area and there is a tree preservation order covering a tree within St Stephen's Court to the west of the site.
- 1.4 The streets surrounding the site are inside the controlled parking zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for the demolition of the building and the erection of 9 residential units.
- 2.2 Following discussions, the applicant has amended the proposal:
 - ☐ To decrease number of units from 10 to 9
 - ☐ To provide amenity areas for all units
 - ☐ Ensure compliance with the requirements of Part M4 (2) of the Building Regulations

2.3 A previous scheme for 11 units (under reference 17/2243/FUL) was refused under delegated powers for the following 7 reasons:

1. The proposal, by virtue of the height and length of the building and the proximity to the north-eastern boundary, would have a significant overbearing and enclosing impact on the rear garden of No. 55 Canterbury Street which would result in unacceptable harm to the residential amenity of the occupants of this property. As such, the proposal would be contrary to policies 3/4, 3/7, 3/12 and 5/1 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
2. The proposal fails to provide an acceptable amount and quality of external amenity space for the future occupants. The proposed balconies, by virtue of their size and/or shape, would fail to provide adequate useable private amenity space to meet the requirements of the future occupants which could include families. As such, the proposal would be contrary to policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
3. The bedrooms 1 and 2 of Flat 1, Flat 5 and Flat 9 would be served by one window which would be enclosed either within a 'niche' in the building or in close proximity to the protected Cherry Tree, which would limit the amount of natural light reaching these north-west or north facing windows. The future occupants would be dependent on artificial lighting which would provide a poor quality living environment and level of residential amenity. As such, the proposal would be contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
4. The access from St Stephen's Place to the main entrance to the building via a passageway between the cycle store and the bin store or car parking space, would provide a poorly legible, unappealing and inconvenient access to the units which would provide a poor level of residential amenity for the future occupants of those units. The access could be blocked by gates to the cycle store being left open. As such, the proposal would be contrary to

policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).

5. The proposal fails to provide convenient cycle parking for the occupants of Flat 4. The occupants would have to access the communal store at the rear of the site via Westfield Lane and St Stephen's Place which would be an inconvenient arrangement and fails to comply with the Cycle Parking Guide for New Residential Developments SPD (February 2010). As such, the proposal would be contrary to policies 3/4, 3/7, 3/11, 3/12 and 8/6 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
6. The proposal, by virtue of the over-development of the site, represents poor design which fails to preserve or enhance the character and appearance of the Conservation Area. In particular, the contrived angular form of the building, the relatively blank north eastern elevation, and reliance on louvered windows and balcony screens, which all arise from the need to mitigate the impact of the proposed development on the residential amenity of neighbouring properties; the cramped arrangements with the bin and bike stores in front of the main entrance creating a poor frontage to the scheme onto St Stephen's Place; the limited amount space for soft landscaping around the building; and the potential impact on trees within the site and offsite during construction and the pressure to prune from future occupants of the units. As such, the proposal would be contrary to policies 3/4, 3/7, 3/11, 3/12, 4/4 and 4/11 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
7. The application fails to secure planning obligations towards infrastructure provision and improvements to mitigate the adverse impacts of the new development on local and community infrastructure of the City and the Cambridge sub-region. As such, the proposal would be contrary to policies 3/8, 5/14 and 10/1 of the Cambridge Local Plan (2006) and the Planning Obligation Strategy 2010.

3.0 SITE HISTORY

- 3.1 17/2243/FUL - The demolition of an office building and the erection of a development of eleven dwelling flats. (refused)

4.0 PUBLICITY

- 4.1 Advertisement: Yes
Adjoining Owners/Occupiers: 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	1, 3, 28, 29, 31, 32, 34, 35, 36, 41, 45, 50, 51, 55, 56, 57, 59, 61, 70, 71, 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) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

	Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012)

6.0 CONSULTATIONS

Cambridgeshire Airport

6.1 No objection.

Cambridgeshire County Council (Highways Development Management)

6.2 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

6.3 Recommends the inclusion of a condition regarding a traffic management plan and an informative regarding residents not qualifying for parking permits.

Conservation Officer

6.4 It is considered that there are no material Conservation issues with this proposal

Developer Contributions Monitoring Officer

- 6.5 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.

Drainage Officer

- 6.6 No objection subject to surface water drainage condition.

Environmental Health Officer

- 6.7 No objection subject to the inclusion of conditions regarding construction hours, construction collections, piling, dust and an informative regarding dust.

Historic Environment Team

- 6.8 Our records indicate that the site is located in an area of high archaeological potential in the historic Castle area of the city. We have commented on this site recently. We would recommend that the same archaeological standard condition is placed on the development as was recommended for prior application 17/2243/FUL within the same bounds

Lead Local Flood Authority (LLFA)

- 6.9 Following the submission of further information, no objection subject to surface water drainage condition.

Landscape Officer

- 6.10 No objection subject to a hard and soft landscaping condition, green roof condition and boundary treatment condition.

Sustainability Officer

- 6.11 No objection subject to renewable energy and water efficiency conditions.
- 6.12 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 objections:
- ☐ 1 St Stephens Place
 - ☐ 5 St Stephens Place
 - ☐ 16 St Stephens Place
 - ☐ 30 St Stephens Place
 - ☐ 44 St Stephens Place
 - ☐ Poolheath Residents Association
- 7.2 The representations can be summarised as follows:
- ☐ The 7 previous reasons for refusal still apply
 - ☐ Lack of car parking would impact upon local traffic network
 - ☐ Insufficient cycle parking
 - ☐ Noise and disturbance from the potential increase in vehicular movements
 - ☐ Construction and servicing traffic through St. Stephen's Place
 - ☐ Access to proposed development through St. Stephen's Place
 - ☐ Inadequate solutions to surface water drainage
 - ☐ The proximity of the building to St Stephen's Place resulting in an overbearing impact and loss of light upon the windows of the south-east facing elevation and north-west facing elevation of flats No's. 28, 36 and 44 Stephen's Place
 - ☐ Direct overlooking of the flats on St Stephen's Place
 - ☐ The building is too close to the proposed retained trees and will have an adverse impact upon them.
 - ☐ The loss of trees
 - ☐ Overbearing impact and loss of light upon No.28, 36 and 44 St Stephen's Place
- 7.3 Camcycle have made neutral comments:

- ☐ Sliding door or an outward door for the cycle store for ease of access suggested
- ☐ Appreciate that the proposal provides the correct amount of cycle parking but is there scope to provide a cargo cycle parking? Replace one of the Sheffield stands with a low-profile ground anchor.

7.4 Councillor Cheney Payne has objected to the application for the following reason

- ☐ The proximity of the building to St Stephen's Place will impact upon light and outlook of the residents of St Stephen's Place
- ☐ Out of keeping with neighbouring properties within the Conservation Area
- ☐ Reduction in green space in the area
- ☐ Insufficient amount of car parking as only 2 car parking spaces are proposed and the site will not qualify for the residents parking scheme. This will disadvantage new residents.
- ☐ Previous application for 11 flats was refused, this application has not overcome the reasons for refusal

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Integrated water management and flood risk
8. Trees
9. Archaeology
10. Affordable Housing/Planning Obligations
11. Third party representations

Principle of Development

- 8.2 The proposal is for the demolition of a building that is in use as offices (use class B1(a)). Policy 41 of the Cambridge Local Plan (2018) sets out how applications for the loss of floorspace or land within use class B will be resisted unless realistic marketing for a period of 12 months indicates that no future occupiers can be found. Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused 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.
- 8.3 The building could potentially be converted from office to residential under permitted development through a prior notification application. This is effectively a fall-back position for the applicant. Development under a prior notification application could result in a poor scheme as it would not be required to meet internal space standards, provide private amenity areas or meet Part M4 (2) of the Building Regulations. This application would meet and provide all three of the above and is therefore considered to be a high quality development. It is to be noted that the site sits within a predominantly residential area and would make effective use of previously developed land to provide 9 new dwellings to help meet the strategic housing aims of the Local Plan.
- 8.4 I recognise that the marketing has not been undertaken but in consideration of all the above points and on balance, I consider the principle of the development is acceptable in this case subject to material considerations discussed below.

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

- 8.5 The site is within the conservation area and has two frontages with different characters. The Canterbury Road frontage sits on a corner characterized by traditional dwellings, but is accessed from the green lane that runs between Canterbury Street and Westfield Lane. Thus, while visible from Canterbury Street, it has a recessed position relating to the green lane, rather than to the frontage onto the street. The existing building is set back from the frontage of No.55 so that it does not dominate the

corner. This creates a relatively open corner, albeit dominated by informal car parking. However this allows views towards the greenery along the lane, and the taller development at St Stephen's Court is only glimpsed through the trees.

8.6 While the previous scheme and this scheme do share similarities, the design has evolved to address previous officer concerns. The previous proposal has a more angled form in an attempt to deal with residential amenity constraints of the site. This proposal has significantly reduced the angled form while ensuring that the residential amenity of neighbors is protected. The built form has been pulled away from the boundary abutting St Stephens Place. The bin and cycle store are more suitably placed and therefore more accessible for the future occupants. The site is also more legible with the main entrance facing onto St Stephens Place. As the built form has been pulled off the boundary with St Stephens Place, there is an acceptable amount of landscaping towards St Stephens Place. There is also a large amount of landscaping towards Canterbury Street and also a shared amenity area. Boundary treatment, landscaping and materials conditions are recommended to ensure a high quality development. When viewed from the south east, the proposed building would act as a buffer between Canterbury Street and St Stephens Place given the proposed height. Through the use of different materials and glazing, the massing has been broken up.

8.7 It is my opinion the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment for the reasons outlined above. The proposal therefore overcomes the 4th and 6th reasons for refusal of 17/2243/FUL. 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

8.8 The neighbouring properties are the St Stephen's Place flats to the west, No. 55 Canterbury Street to the north-east and No.53 Canterbury Street to the south-east.

St Stephen's Place

- 8.9 St Stephen's Place to the south-west presents a 'T' shaped block facing towards the application site. There are no windows on the end elevation closest to the site. There are windows on the elevations of the wings, some of which have direct views towards the site approximately 8m from the boundary, and others that look out perpendicular to the site with oblique views. The areas around the blocks are communal open space. Flats No.28, 36 and 44 St Stephen's Place are the flats on the wing nearest to the proposed development and all have a bay window on the north-west facing elevation and a window on the south-east facing elevation. These two windows on each of the flats, No.28, 36 and 44, are of a large size and serve the same room which consists of a living/dining area. The side window element on the bay window on the North West facing elevation would be impacted by the front of the building as it would project beyond the west facing elevation of this element of St Stephen's Place. However, the front of the building has been angled so that it does not cut the 45 degree line taken from the main window element on the bay window.
- 8.10 The previous scheme was angled at the rear so the building did not cut the 45 degree line when taken from the window on the south-east facing elevation. The proposed balconies for units 4 & 7 on the current scheme would protrude into this 45 degree horizontal line but the protrusion is considered to be minimal. When taking the 45 degree vertical line test from the windows on the south-east facing elevation of No's. 28, 36 and 44, it would only fail for No's 28 & 36 but not No.44. There are large trees adjacent to the windows on south-east facing elevation of No.28 & 36 which have an existing detrimental impact upon these windows for No.28 and No.36. These trees are protected as they fall within the Conservation Area. I do not consider that a daylight/sunlight assessment for these flats is required. For the above reasons I do not consider that the proposal would have a significant overbearing impact upon these flats or result in a significant loss of light. There would be direct views from the balconies serving units 4 and 7 towards the opposite windows on St Stephen's Court approximately 10m apart. However, a condition regarding a 1.7m screen is recommended which would mitigate this.

55 Canterbury Street

8.11 The previous scheme (17/2243/FUL) was refused due to the overbearing impact upon No.55 Canterbury Street rear garden. Under the previous scheme, the entire built form including the balconies was right up to the edge of the North West boundary and the built form without the balconies was set 5m off the North West boundary. This proposal brings the entire built form including the balconies 3.5m off the North West boundary and brings the built form without the balconies 8.5m off the boundary. The proposal has also angled the north facing elevation to further mitigate the impact upon No.55. These reductions are considered to mitigate the impact upon the main rear amenity area of No.55 and therefore overcome the 1st reason for refusal on 17/2243/FUL. The proposal would also not significantly overlook or overshadow No.55.

53 Canterbury Street

8.12 This is a two storey property fronting onto Canterbury Street with a small ground floor window on the side elevation facing towards the application site, windows on the rear elevation and a small rear garden. Due to the orientation and separation distance, I consider the proposal would be acceptable in terms of overbearing and overshadowing. In order to ensure the proposal would not overlook No.53's rear garden, a condition obscure glazing the following windows is recommended:

- ☐ The first floor windows on the South East facing elevation of Unit 5 serving the bedroom.
- ☐ The southern first floor window on the South East facing elevation of Unit 6 serving bedroom 1.

Wider area

8.13 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. 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

8.14 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All the proposed units comply and some even 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	3	6	1	95	105	+10
2	3	5	1	86	110	+24
3	1	2	1	50	59	+9
4	1	2	1	50	50	0
5	1	2	1	50	55	+5
6	2	3	1	61	61	0
7	2	4	1	70	97	+27
8	1	1	1	37	37	0
9	1	1	1	37	37	0

8.15 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. The proposal includes private amenity areas for all units. The two 3 bed units (units 1 & 2) which are located on the ground floor have private gardens as well as a patio terrace. Units 3 – 6 would all have an adequate size balcony. Unit 7, which is one of the larger units, would have two balconies. Units 8 & 9 would have smaller balconies but in this case it is considered to be acceptable given that these two units are studio flats. Various conditions are recommended to ensure the amenity of the future occupiers is protected:

- ☐ Boundary treatment for Unit's 1 & 2 gardens
- ☐ The ground and first floor windows on the South West facing elevation of the stair core are obscure glazing.
- ☐ Bedroom 1 window obscure glazing 1.7m due to the large window

- 8.16 The proposal also includes an area of shared amenity space which would provide a garden area with seating. In my opinion, the proposal provides an acceptable amount of external amenity space for all units and provides an acceptable level of amenity for all bedrooms which overcomes the 2nd and 3rd reasons for refusal of 17/2243/FUL. 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.

Accessible homes

- 8.17 The development has been assessed for compliance with Policy 51. The applicant has amended the scheme to comply with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Refuse Arrangements

- 8.18 The proposed refuse storage would be within a bin store attached to the cycle store. This would provide screening and storage for the required amount of waste. In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.19 The Highway Authority was consulted as part of the application and does not consider there would be any adverse impact upon highway safety. A traffic management plan condition is recommended which would address the logistics of construction especially in regards to the use of St Stephens car park. 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 1 disabled car parking space and 1 visitor car parking space. The site is located in a very sustainable location just off Huntingdon Road with the city

centre being within walking/cycling distance. There are also multiple bus stops and services in close proximity to the site.

- 8.21 The streets surrounding the site fall within the Controlled Parking Zone. The Highway Authority has advised that the residents of new developments that fall within controlled parking zones do not qualify for resident parking permits and an informative regarding this shall be added. Neighbours have raised concerns about the use of the right of way accross St Stephens car park during construction and the issue of the new residents of the development using the private land to park their cars. The Local Planning Authority cannot get involved in civil matters during the planning process. It falls upon the applicant to enter into legal agreements with neighbouring properties in relation to a right of way and the upkeep of it. In my view, the proposal would not increase parking pressures on nearby streets to an unacceptable degree and would not therefore be detrimental to the amenity of nearby residents.

Cycle Parking

- 8.22 The proposal includes 26 cycle parking spaces, 1 per resident which is policy compliant. A secure and convenient cycle store is provided next to the bin store. This would overcome the 5th reason for refusal of 17/2243/FUL. No elevations of the cycle store are provided, therefore further details of the cycle store are requested by condition. This would provide an opportunity to provide a sliding door as per Camcycles comments. Camcycle raises whether there is room to provide cargo bike storage. However, I do not consider this would be practicable given the proximity of the storage to the entrance of the site. It is also not a policy requirement.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Integrated water management and flood risk

- 8.24 Following the submission of supporting drainage information, The Drainage Team alongside the Lead Local Flood Authority has advised that a surface water drainage strategy can be secured by condition in this case. This condition is therefore recommended. In line with Policy 31, a condition regarding the provision of green or brown roofs on the flat roofs within the

development has been recommended. In my opinion, the proposal is compliant with the paragraph 163 of the National Planning Policy Framework (2018) and policy 31 of the Cambridge Local Plan (2018).

Trees

- 8.25 There a number of trees on the site and surrounding the site including a TPO'ed tree west of the site. Neighbours have raised concerns regarding the loss of existing trees on the site and also the proximity of the built form to the trees that are proposed to be retained. The Tree Officer has been consulted as part of the proposal and has not raised any objections subject to the imposition of conditions requiring further tree information to be submitted. The proposal would therefore be in accordance with policy 71 of the Cambridge Local Plan (2018).

Archaeology

- 8.26 The site is in an area of high archaeological potential and the County Historic Environment Team has recommended a condition for a programme of investigative work. I accept this advice. The proposal would therefore be in accordance with policy 61 of the Cambridge Local Plan (2018).

Affordable Housing/Planning Obligations

- 8.27 The proposed development is for a scheme of 9 units. As the proposed amount of units on the site would be below the threshold of 10, there is no policy basis to require affordable housing provision as part of this application. This also applies to planning obligations. Therefore the proposed scheme would overcome the 7th reason for refusal on 17/2243/FUL.
- 8.28 In my opinion the proposal is compliant with policies 45 & 85 of the Cambridge Local Plan (2018).

Third Party Representations

- 8.29 Neighbours have raised the concern that access to the development would be through St Stephen's Place. However, access across private land is a civil matter. Concerns about construction traffic have been address in the above highway safety section of the report. The rest of the third party

representations have been addressed in the preceding paragraphs.

9.0 CONCLUSION

- 9.1 The proposal overcomes the previous reasons for refusal on 17/2243/FUL and would provide a high quality development that respects the character of the area, would not have an adverse impact upon the occupiers of 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 91 of the Town and Country Planning Act 1990 (as amended by 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 hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied and maintained thereafter in accordance with the approved details.

The scheme shall be based upon the principles within the agreed Surface Water Drainage Strategy prepared by prepared by AFP (ref: PLS/18/0410) dated 03/08/18 and shall also include:

a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;

b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;

c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;

d) A plan of the drained site area and which part of the proposed drainage system these will drain to;

e) Full details of the proposed attenuation and flow control measures;

f) The site Investigation and test results for the infiltration rates as outlined in the A F Howland report ref. JAH/18.404 7 November 2018;

g) Temporary storage facilities if the development is to be phased;

h) A timetable for implementation if the development is to be phased;

i) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

j) Full details of the maintenance of the surface water drainage system;

k) Measures taken to prevent pollution of the receiving groundwater and/or surface water

l) Formal agreement from a third party if discharging into their system is proposed, including confirmation (and evidence where appropriate) that sufficient capacity is available.

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

Reason: To ensure appropriate surface water drainage.
(Cambridge Local Plan 2018 policies 31 and 32)

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

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2018 policy 35)

5. There shall 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)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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)

7. 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.

8. No development above ground level, other than demolition, shall commence 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.
9. 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)

10. Prior to first occupation or the bringing into use of the development, hereby permitted, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is maintained as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

11. 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)

12. 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 and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2018 policy 29).

12. 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 2018 policy 31 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

13. The dwellings hereby approved shall not be occupied until details of facilities for the covered, secured parking of bicycles and the storage of bins for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The 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. (Cambridge Local Plan 2018 policies 55, 56, and 82)

14. Notwithstanding the approved plans, the building, 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)

15. 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)

16. 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 windows on the South East facing elevation of Unit 5 serving the bedroom.
 - The southern first floor window on the South East facing elevation of Unit 6 serving bedroom 1.
 - The ground and first floor windows on the South West facing elevation of the stair core.
 - The ground floor window on the South West facing elevation of Unit 2 serving bedroom 1.

The development shall be retained as such thereafter.

Reason: In the interests of residential amenity and for the amenity of future occupiers (Cambridge Local Plan 2018 policies 55 and 58)

17. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of the 1.7m solid privacy screens to be erected on the balconies on the south west facing elevations of units 4 and 7 shall be submitted to and approved in writing by the local planning authority. The screens shall be erected prior to occupation of units 4 and 7 in accordance with the approved details and shall thereafter be retained and maintained.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 58)

18. Prior to the occupation of the development, hereby permitted, the curtilages of the approved units 1 and 2 shall be fully laid out and finished in accordance with the approved plans. The curtilages shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56)

19. No demolition/development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:
- a) the statement of significance and research objectives;
 - b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - c) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.
- Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.
- Reason: To ensure that the significance of historic environment assets is conserved in line with NPPF section 12

20. Notwithstanding the approved plans, all flat roofed elements within the development shall be green or brown roofs. No development above ground level, other than demolition, shall commence until full details of these green or brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The green roofs shall be installed in accordance with the approved details and shall be maintained thereafter.

Reason: In the interests of responding suitably to climate change and water management (Cambridge Local Plan 2018; Policy 31)

21. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of the materials to be used in the construction of the external surfaces of buildings, which includes external features such as entrance doors, porch and canopies, projecting windows, recessed brick panels, roof cladding, external metal work, balconies, balconies screens and balustrades, rain water goods, coping, bike and bin stores shall be submitted to and approved in writing by the local planning authority.

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))

22. Brick sample panels of the facing materials to be used shall be erected on site and shall be 1m x 1m to establish the detailing of bonding, coursing, colour and type of jointing and any special brick patterning/articulation detailing (e.g. soldier coursing, hit and miss detail) shall be agreed in writing with the local planning authority. Development shall 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))

23. Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an 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 satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

24. The approved tree protection methodology 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 approved tree protection plans, 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. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

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.

INFORMATIVE: The residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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Application Number	19/0051/PIP	Agenda Item	
Date Received	14th January 2019	Officer	Mairead O'Sullivan
Target Date	18th February 2019		
Ward	Romsey		
Site	Cambridge and Huntingdon Health Authority, 18 Vinery Road		
Proposal Applicant	Residential development of 9 dwellings. Mr O Lines 36 Green End Fen Ditton		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The facility is considered to be no longer required and its loss is considered acceptable - The principle of 9 residential units on site is considered to be acceptable.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site lies on the south eastern side of Vinery Road. Vinery Road is a predominantly residential street to the north of the eastern end of Mill Road. The existing building on site has been vacant since 2014 but was last used as primary care support by the NHS. The existing building is part two storey and part single storey with some car parking around and an access point from Vinery Road.
- 1.2 To the south of the site are three semi-detached houses which are set back from the street with garages to the side and either hard standing or small gardens to the front which are bounded by low walls and fences. A number have hedges and planting to

the front. The opposite side of the road is within the Conservation Area. This comprises two storey brick properties with ground floor bay windows. These buildings are only marginally set back from the street with dwarf walls to the front. Further south, the site is bounded by the site of Cambridge Mosque which is currently under construction. Part of the Brookfields site is to the north and east of the site

- 1.3 The site itself is outside of the Conservation Area but the boundary of the Mill Road Conservation Area is the other side of the street so the site will be visible from within the Conservation Area. The site lies within the Mill Road Opportunity Area. There are six TPOs on site. The site is within close proximity to the Mill Road East District Centre.

2.0 THE PROPOSAL

- 2.1 The application seeks permission in principle for a residential development of 9 dwellings.
- 2.2 Permission in principle is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. Permission in principle can be granted through the receipt of a valid application or by entering a site in Part 2 of the brownfield land register.
- 2.3 The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. The statutory time limit for determination of a permission in principle is 5 weeks however as there are objections contrary to the officer recommendation, the application could not be determined under delegated powers and an extension of time has been agreed to allow the application to be heard at planning committee.

3.0 SITE HISTORY

- 3.1 The site was originally part of Brookfields Medical Campus which has an extensive site history. None of this is relevant to the application.

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 3 24 28 31 32 33 34 35 36 50 51 52 55 56 57 59 61 71 73 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards
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	<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>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council</p> <p>Cycle Parking Guide for New Residential</p>

	Developments (2010)
	Mill Road Area Conservation Area Appraisal (2011)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No in principle objection to the development as proposed.

Environmental Health

- 6.2 No objection in principle to the application site being developed for residential purposes.

Urban Design and Conservation Team

- 6.3 Insufficient information to comment: It is not possible to assess the impact of the proposed development on the adjacent conservation area as there is not enough information submitted. At the very least the Conservation Team would need to know the site layout of the proposed buildings, the heights and how they would address the street. It should be noted that opposite the site is a terrace of fine Victorian houses which are typical of the conservation area and make a positive contribution to it.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:
- Cadent gas
 - 65 St Philips Road (owner of 16 Vinery Road)
 - 14 Vinery Road
 - 16 Vinery Road
 - 17 Vinery Road
 - 43 Vinery Road

- 45 Vinery Road

7.2 The representations can be summarised as follows:

- Very little detail available so not possible to make an assessment of the design or impact on locality.
- Do not want apartments
- Concerned about consultations
- Concerned about impact on public highway
- Question where the access will be
- Are trees and shrubs to be removed
- There are low/medium pressure gas pipes and associated equipment in proximity to the site and the contractor should contact plant protection before carrying out works

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

Principle of Development

- 8.1 The applicant has provided details of the last use of the building. The building was used as primary care support (administrative support) for the NHS. The last use of the building would be considered a D1 use as it had a health purpose but the building was never used by a direct patient facing service. Primary Care Support had been provided by a company called Serco but the NHS then retendered the service and it is now offered by Capita. The NHS have also provided a letter which confirms that the building has been surplus to requirements and vacant since 2014.
- 8.2 As the last use of the site was a D1 use, the last use of the site would be considered a community use and policy 73 of the Cambridge Local Plan (2018) is relevant. This states that the loss of a facility that was last in community use will only be permitted where the facility can be replaced within the new development or relocated to its existing scale, range, quality and accessibility for users or the facility is no longer needed. Appendix K of the Local Plan details how to demonstrate a facility is no longer required.

- 8.3 Appendix K states that proposal where facilities are being replaced elsewhere should demonstrate the following:
- a. equal or improved site accessibility to users by all means of transport including foot and cycle; and
 - b. sufficient spare capacity or agreement to accommodate displaced users at other equivalent community/leisure facilities with similar accessibility for users. For existing leisure facilities, in the absence of a robust district-wide needs assessment/capacity assessment, applicants will be expected to carry out such an assessment at their own cost; and
 - c. through local consultation, the level of interest in and viability of the continued use of the premises as a community/leisure facility
- 8.4 The site never offered a patient facing service so criteria a. is not relevant. The service is still offered to the NHS by a different operator so no users have been displaced. K.5 goes on to state that any marketing of the site would need to be for a similar facility to that being lost. The last use of the site was administrative support to a health service and is unlikely to be taken up by a user other than the NHS. As a result the loss of the use is considered acceptable.
- 8.5 Policy 3 of the Cambridge Local Plan supports the provision of new residential development in and around the urban area of Cambridge. Policy 52 relates to the subdivision of existing plots and is also relevant as the proposal seeks to establish the principle of 9 residential units on site. Policy 52 states that the subdivision of a plot will be permitted where the form height and layout is in keeping with the surrounding character, sufficient gardens space and trees of worth are retained, the amenity and privacy of the existing and new properties is protected, adequate provision of amenity space, vehicular access and car parking to existing and proposed properties and there is no detrimental effect on potential comprehensive development of the wider area. The redevelopment of the site as 9 residential units would not impact on the potential for comprehensive development of the wider area. The other criteria would be assessed when further detail is submitted as part of the technical detail application.

8.6 I note the Conservation Officers holding objection due to lack of information. The lack of information provided as part of the application has also been raised by a number of the neighbour objections. The proposal is for permission in principle and as a result the only requirements for validation are a completed application plan, site location plan and application fee. The permission is only for the principle of the number of residential units proposed. All other details including layout, height, scale, appearance, car parking and type of units proposed will be provided, consulted on and assessed as part of a subsequent technical details application.

8.7 Both the Environmental Health Officer and Highway Engineer have no objection to the principle of development. More detailed comments will be provided as part of the technical details application.

9.0 CONCLUSION

9.1 The D1 facility is considered to no longer be required and its loss is considered acceptable. The principle of 9 residential units on site is considered acceptable. It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and amount of development

10.0 RECOMMENDATION

APPROVE

PLANNING COMMITTEE

3rd April 2019

Application Number	18/1945/FUL	Agenda Item	
Date Received	17th December 2018	Officer	Mairead O'Sullivan
Target Date	11th February 2019		
Ward	Abbey		
Site	Unit 2 61 Ditton Walk		
Proposal	Change of use from B1 to flexible B1/D1 use.		
Applicant	Mr Mark Swann 125 Pym Court Cromwell Road		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would result in the loss of B1 floorspace contrary to policy 41 of the Cambridge Local Plan 2018
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a single storey industrial building which is part of a group of industrial buildings known as The Enterprise Centre on the north western side of Ditton Walk. The interior of the building is currently a warehouse space with adjoining office elements with toilet facilities. The site is currently in B1(c) use.
- 1.2 This part of Ditton Walk has a mixture of residential and commercial use. The adjacent site at 63 Ditton Walk has permission for a residential development comprising 3 flats. To the south of the site are a number of industrial units. The opposite side of the road is characterised by 2 storey semi-detached residential dwellings. The site backs on to Coldhams Common.
- 1.3 There are no site constraints.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for a change of use from the existing B1 use to a flexible B1/D1 use. A flexible use would allow the applicant to switch between the B1 and D1 uses without the need for multiple planning permissions. The right to switch between the uses lasts for ten years and the use in operation at the end of the ten year period becomes the lawful use of the property from that date onwards.
- 2.2 The intended occupier of the unit which requires the change of use is Cambridge Ballet Academy. Cambridge Ballet Academy is the only local provider which delivers the BTEC Level 3 Extended Diploma in Dance. There are other providers in the area which offer similar services, but Cambridge Ballet Academy is the only company which caters specifically for dance. The Company caters for small class numbers of between 4 and 7 students who typically would travel to the site by bike.

3.0 SITE HISTORY

- 3.1 There is no site history.

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.
- 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 32 33 34 35 36

	41
	55 56
	73
	81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
Previous Supplementary Planning Documents (These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)	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 objection: The proposal is likely to generate short to medium term parking demand that may not at all times be accommodated within the site. Therefore, the development may impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Environmental Health

First comment

- 6.2 Further information required: No objection to the principle of the use but further information is needed to make an assessment. Of particular concern is the fact that the adjoining land at 63 Ditton Walk has recently been granted approval for development of residential premises with gardens. Given the close proximity, there is the potential for noise breakout from the dance studio to impact on those premises. We need to be certain that the existing structure can adequately contain the noise from the proposed activities within.

Second comment

- 6.3 No objection: Conditions are recommended regarding building noise insulation, plant noise insulation, hours of use, doors and windows being kept closed when playing music and restricting the D1 use to the ballet school use.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:
- 162 City Road London

- 29 Denmark Road, Cottenham
- 3 Heath Drive, Cottesmore
- 22 Newmarket Road

7.2 The representations can be summarised as follows:

- Travels long distance for child's ballet tuition. If it is not possible to provide their training in Cambridge they would need to travel to London as the course is not widely available.
- The existing facilities are over 3 different venues and are shared and do not have all of the required facilities (for example changing rooms) and there are safeguarding concerns
- The proposal would allow the school to provide sprung floors, which help avoid injuries, and full length mirrors so the students can see their full bodies
- Parents use local shops and services
- Cambridge Ballet Company provides an excellent service

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 41 of the Cambridge Local Plan (2018) protects uses within the B use class. The site lies outside of a Protected Industrial Zone so criteria C and D are relevant. These state that development (including change of use) resulting in the loss of floorspace within the B use class will not be permitted unless:

c. the loss of a small proportion of floorspace would facilitate the redevelopment and continuation of employment uses (within B use class or sui generis research institutes) on the site and that the proposed redevelopment will modernise buildings that are out of date and do not meet business needs; or
d. the site is vacant and has been realistically marketed for a period of 12 months for employment use, including the option for potential modernisation for employment uses and no future occupiers have been found.

- 8.3 The application proposes a flexible B1/D1 use. As detailed in paragraph 2.1, this allows the site to move between the B1 and D1 uses without the need for planning permission. At the end of 10 years of the permission being issued, the use at that time will become lawful.
- 8.4 The proposal does not meet with either of the above criteria. The proposal could potentially result in the loss of the B use of the building at the end of the 10 year period. The proposal does involve works to the interior of the building to make it suitable for the dance use but the policy is specific that the employment use must be within the B use class or else a sui generis research use. As the B1 use is not proposed to be wholly removed there is no way which it can be marketed to meet criterion d.
- 8.5 The other relevant policy is 73 which relates to community, sports and leisure facilities. As the proposed use is educational it would fall within a D1 use which is classed as a community use. Proposals for new community uses will be permitted if:
a. the range, quality and accessibility of facilities are improved;
b. there is a local need for the facilities; and
c. the facility is in close proximity to the people it serves.
- 8.6 The proposed use would be classified as a community use in policy terms but the applicant does not propose any use by the wider community. The proposal would allow Cambridge Ballet Academy to occupy the building. They are the only solely dance provider of Btec Level 3 extended diploma in dance in Cambridge. They currently use shared facilities around the city and wish to have their own custom premises. As a result the proposal would meet with criterion a. and b. Two of the representations mention travelling long distances to avail of the course so I am unclear whether the site does serve local

people. The representations state that if the course was not available in Cambridge students would need to travel to London so although the use may not only be serving local students it does appear to reduce the travel distance for those who use the facility. The policy goes on to state that developers will be expected to demonstrate use of the sequential test in considering sites for development.

- 8.7 The applicants have not provided any evidence that a sequential test was undertaken as part of the process to select a suitable premises; other than stating that East Barnwell Community Centre was considered,. I have queried with the City Council's community services what community facilities exist nearby to understand if there is a shortage of D1 uses in the area. I understand that the Leper Church is within 5 minutes walking distance of the site. Within approx. 15 minutes walking distance from the site are the East Barnwell Community Centre, River Lane Community Centre, Barnwell Road Library and Christ the Redeemer Church. Within 20 minutes walking distance from the site are the Abbey Meadows School Community Wing and St Philips C of E Primary School. The Council has currently allocated £255k of S106 community facilities for the County Council's East Barnwell Community Centre proposals. Given the prevalence of community uses nearby I do not consider there to be sufficient need in the area for the D1 use to justify the loss of B1 floorspace contrary to policy 41.
- 8.8 The applicant has provided a response to my concerns regarding the loss of the B1 floor space. They note that the East Barnwell Community Centre was considered but as this is due for demolition it did not work with their timescales. They also note that the school requires specialist equipment and sprung floors as well as gender specific changing facilities and a secure room for storing exam papers. I understand that the proposed use does have particular needs however these requirements do not overcome the fact that the proposed change to the flexible use has the potential to result in the loss of B floorspace contrary to policy 41.
- 8.9 It would not be possible to grant a temporary permission to allow the dance school to occupy the building for a period of time as this is not the correct way to utilise temporary permissions. The NPPG at paragraph 014 states that

Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.

It then notes that temporary permission may be granted for vacant buildings to allow longer term regeneration plans to come forward. This is also permitted under policy 41 to allow a temporary use to occupy the building while marketing takes place. The proposal would not meet with any of these criteria and as a result I consider it would not be appropriate or reasonable to grant permission for the D1 use for a temporary period.

Context of site, design and external spaces

- 8.10 The applicant does not propose any physical alterations to the external envelope of the building and as a result there are no design implications.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55 and 56.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The Environmental Health Officer requested further information from the applicant regarding the construction of the building. The concern was the impact on nearby residential amenity, in particular the impact on the future occupier of the approved flats at 63 Ditton Walk. The applicant provided some additional information which allowed the Environmental Health officer to remove his objection subject to conditions. The conditions require the approval of plant and building noise insulation details, restrict the hours of use of the building to 08.30 -21.00 Monday – Friday and 10.00 – 16.00 on Saturdays, and require windows and doors to be closed when music is being played. A condition is also requested requiring the D1 use to be restricted to that described in the Design and Access Statement. I agree with these comments and if I were minded to recommend approval, a condition would be recommended requiring the use be restricted to a D1 dance school use.

- 8.13 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that, in this respect, it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

Highway Safety

- 8.14 The Highway Authority has no objection to the proposal. The Highway Engineer has noted that the proposal may give rise to an increase in demand for short to medium term on-street car parking in the area but this is not considered to impact on Highway Safety.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

- 8.16 Cambridge Ballet Academy only accommodate a small number of students (between 4 and 7) and staff (a total of 7 but maximum of 3 on site at any time) and several will cycle to the site. The applicant is satisfied that bikes can be accommodated internally and if the need arises additional Sheffield Stands could be accommodated externally. I have no objection to this approach given the small number of students.
- 8.17 There is a shared car park for the units within the business park which includes disabled parking and there is an area where parent can drop off children. Given the small number of students and staff I consider this arrangement would be adequate.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Third Party Representations

- 8.19 Any outstanding issues raised by the third party representations are addressed in the below table.

Representation	Response
Travels long distance for child's ballet tuition. If it is not possible to provide their training in	Noted

Cambridge they would need to travel to London as the course is not widely available.	
The existing facilities are over 3 different venues and are shared and do not have all of the required facilities (for example changing rooms) and there are safeguarding concerns	I note the schools need for better facilities but this does not overcome the conflict with policy 41
The proposal would allow the school to provide sprung floors, which help avoid injuries, and full length mirrors so the students can see their full bodies	I note the benefits of the scheme but these are not considered to outweigh the conflict with policy 41.
Parents use local shops and services	This potential benefit is noted but users of the B1 floorspace would also be likely to use local services
Cambridge Ballet Company provides an excellent service	Noted.

9.0 CONCLUSION

- 9.1 I note that Cambridge Ballet School are the only dance provider of Btec Level 3 extended diploma in dance in Cambridge and to provide this service they have a particular set of needs such as sprung floors, gender specific changing facilities and a locked office for exams. Whilst the proposed use clearly has benefits, the proposed B1 use of the site is protected by Policy 41. The proposed flexible use does not result in the immediate total loss of the B1 floor space but should the D1 Dance school use remain in place after 10 years, the B floor space would be lost. As it is not possible to ensure the retention of the B use in the long term, the proposal does not comply with policy 41 of the Cambridge Local Plan (2018).

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed flexible B1/D1 use does not guarantee the return of the B floorspace at the end of the 10 year period for the flexible permission. As a result the proposal has the potential to result in the loss of the B floor space contrary to policy 41 of the Cambridge Local Plan (2018).

**PLANNING COMMITTEE
2019**

3rd April

Application Number	18/1353/FUL	Agenda Item	
Date Received	3rd September 2018	Officer	Mairead O'Sullivan
Target Date	29th October 2018		
Ward	Arbury		
Site	Kingsway Clinic Carlton Way		
Proposal	Conversion of former NHS Clinic into 4no. Flats.		
Applicant	Victoria Simpson Cambridge City Council Estates and Facilities Unit 130 Cowley Road		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would enliven a vacant ground floor frontage of the building - The proposal would provide 4 quality affordable residential units
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site lies within a residential development known as the Kingsway Flats. The site lies on the north western end of Carlton Way; a predominantly residential area. The development dates from the 1960s and comprises a five storey concrete and red brick building. The element of the building in question was last used as an NHS clinic and forms the ground floor of the block which lies perpendicular to Carlton Way. The flats are arranged in a series of blocks with communal stairways fronting onto open green spaces.
- 1.2 The site does not lie within the Conservation Area. There are no TPOs on site. The site lies adjacent to two areas of Protected

Open Space (Kingsway and Verulam Way). The site lies outside the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the conversion of the former NHS clinic (D1 use) to 4 flats (C3 use). The application has been amended since submission as the units did not meet the internal space requirements of policy 50. Additional information was also provided to address comments from the Drainage Officer.
- 2.2 The clinic was last used on a part time basis by the NHS. The facility is no longer required as all of the services which operated from the premises have vacated to other sites around the city. The four flats are proposed to be affordable units which would be retained and managed by the City Council. These would be made up of 2 x 1 bed 2 person flats and 2 x 1 bed 1 person flats. The units would be accessed from the southern elevation of the block which runs perpendicular to Carlton Way.

3.0 SITE HISTORY

Reference	Description	Outcome
C/64/0042	129 flats, 152 car acc., play area and health clinic.	Permitted
C/65/0006	130 flats, 140 garages, play areas, dental and health clinic	Permitted
C/90/0583	Change of use (conversion of Laundry into meeting room laundry waiting area and single storey front extension)	Permitted
C/91/0692	Installation of 1 x 110cm satellite dish to provide short term satellite tv services to 129 residential units.	Permitted

4.0 PUBLICITY

4.1	Advertisement:	No
	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	<p>1 3</p> <p>28 31 32 35</p> <p>50 51 53</p> <p>55 56 57 58 59</p> <p>73</p> <p>81 82</p>

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

Central Government Guidance	<p>National Planning Policy Framework 2019</p> <p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</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>
Previous Supplementary Planning	Sustainable Design and Construction (May 2007)

Documents (These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)	<p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Affordable Housing (January 2008)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection: The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Environmental Health

- 6.2 No objection: A construction hours condition is recommended.

Refuse and Recycling

- 6.3 No objection: The bin allocation for the conversion into flats seem to be fine.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.4 Objection: The development site is identified at risk of surface water flooding in the Environment Agency's Surface Water Flood Map. An assessment of the risk posed from surface water flooding should be undertaken and adequate mitigation identified.
- 6.5 No objection: The flood risk assessment has identified the sunken area that poses a risk to the proposed change of use and suitable mitigation measures to reduce this risk. A condition is recommended requiring details of flood resilient construction to be approved.
- 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 No representations have been received

8.0 ASSESSMENT

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

1. Principle of development
2. Affordable Housing
3. Context of site, design and external spaces
4. Water management and flood risk
5. Residential amenity
6. Refuse arrangements

- 7. Highway safety
- 8. Car and cycle parking

Principle of Development

- 8.2 The last use of the site was as a NHS clinic (D1 use). A D1 use is considered a community use and as a result policy 73 is relevant. This states that the loss of a facility that was last in community use will only be permitted where the facility can be replaced within the new development or relocated to its existing scale, range, quality and accessibility for users or the facility is no longer needed. Appendix K of the Local Plan details how to demonstrate a facility is no longer required.
- 8.3 Appendix K states that proposals where facilities are being replaced elsewhere should demonstrate the following:
 - a. equal or improved site accessibility to users by all means of transport including foot and cycle; and
 - b. sufficient spare capacity or agreement to accommodate displaced users at other equivalent community/leisure facilities with similar accessibility for users. For existing leisure facilities, in the absence of a robust district-wide needs assessment/capacity assessment, applicants will be expected to carry out such an assessment at their own cost; and
 - c. through local consultation, the level of interest in and viability of the continued use of the premises as a community/leisure facility
- 8.4 The clinic is no longer used by the NHS and was disposed of as part of a rationalisation programme to reduce the number of properties they deliver services across. At the time of the decision the clinic was only used part time. The clinical services which were located at the clinic are as follows: Children's Services; Paediatric Audiology and Paediatric Speech and Language Therapy (SaLT).
- 8.5 The SaLT service was relocated to the Chesterton Medical Centre which is within 21 minutes' walk from the site. The audiology service operated a 1 day per week clinic which has moved to a purpose built facility in the newly refurbished Peacock Children's Centre. This service provided a service for people across Cambridge rather than specifically in the locality. The facility can be reached by public transport from the site. A

local charity called Cambridge Talking News, which supports people with hearing difficulties, was offered a space at Brookfields Hospital but the operator declined as they had found their own alternative accommodation.

- 8.6 I am satisfied that the last uses of the site have been replaced in adequately accessible locations/facilities elsewhere. Appendix K states that any marketing exercise would need to be targeted to the last use of the site and would not be for any generic use within the wider use class. Given the niche nature of the use, I agree with the applicant that the NHS are the only likely occupier and as it is surplus to their requirements, I do not consider it necessary to market the unit.
- 8.7 Policy 3 of the Cambridge Local Plan (2018) supports the provision of new residential development in and around the urban area of Cambridge. Policy 53 relates to flat conversions. This states that the conversion of a non-residential building into self-contained flats will be permitted where:
- a. the proposed development (the original building including acceptable extensions and roof conversions) has an internal gross floor area of at least 120 sqm (excluding stairwells, balconies, external open porches, conservatories and areas with a floor to ceiling height of less than 1.5m), and proposed room sizes meet minimum room sizes (see Policy 50);
 - b. the ground or lower ground floor includes a family unit (two bedroom plus) with garden access;
 - c. the proposal, in terms of the number of units and scale of associated extensions, would not have a negative impact on the amenity or character of the area or on highway safety in streets already experiencing parking stress;
 - d. the proposal would result in a good standard of amenity for its occupiers and is designed to avoid cumulative and negative impacts on neighbouring residential properties; and
 - e. the proposal includes appropriate refuse, recycling and cycle storage to serve the development
- 8.8 The clinic has a gross floor space of greater than 120sqm. All four units would be on the ground floor so criterion b is not relevant. The proposal does not include any extensions, other than in-filling the void under the balconies of the first floor flats, but impact on the surrounding character, highway safety and neighbour amenity will be assessed further under the relevant

heading below. Amenity for future occupiers and bin and bike storage will also be addressed under the relevant headings below.

Affordable Housing

- 8.9 The application is made by Cambridge City Council who is the land owner. Although the proposal does not meet the policy threshold to require affordable housing provision, the intention is that the units would be affordable and these would be retained and managed by Cambridge City Council.

Context of site, design and external spaces

- 8.10 The surrounding use on site and in the wider area is residential so introducing a residential use in place of the clinic is considered to be in keeping with the surrounding character. The building will be marginally extended in line with the balconies above. This is not considered to have any design implications. As it stands a large element of the building is vacant at ground floor. The proposed use would enliven the frontage with windows and doors onto this space. There is the potential to provide some landscaping to the front of each unit which would provide pleasant green pockets amongst the built environment.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 53, 55, 56, 58, 59.

Integrated water management and flood risk

- 8.12 Following the submission of additional information, the Drainage Officer has withdrawn their objection subject to a condition requiring approval of details of flood resilient construction. I consider this approach to be acceptable.
- 8.13 In my opinion the applicants have suitably addressed the issues of water management and flood risk, and the proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.14 The proposal infills the void under the balconies above but otherwise the footprint would remain unchanged and as a result the proposal would not enclose or overshadow any nearby occupiers. The change of use from a clinic to 4 residential units is not considered to give rise to such an intensification of use of the site to cause noise and disturbance to surrounding occupiers.
- 8.15 A construction hours condition has been recommended by the Environmental Health Officer to protect the amenity of nearby occupiers during construction. I consider this to be acceptable and have recommended the condition.
- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 53, 55 and 56.

Amenity for future occupiers of the site

- 8.17 The plans as originally submitted did not meet with the internal requirements of policy 50 of the Local Plan. As a result, the internal layout has been amended as part of the application. The proposed units have been amended from 2 x 2 bed 3 person flats and 2 x 1 bed 2 person flats to 2 x 1 bed 2 person and 2 x 1 bed 1 person flats. The internal floor space for the revised flats is shown in the below table:

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	1	2	1	50	55.5	+2
2	1	1	1	39	46	+7
3	1	1	1	39	46	+7
4	1	2	1	50	55.5	+5.5

- 8.18 The front garden spaces are the only private areas of external space proposed for the units. These spaces are each approx. 11.5sqm. This proposed external space is small for the larger

units and not a very private space. However, the proposal is retrofitting an existing building and it would not be possible to provide the units with more meaningful gardens. In my view, these spaces could be quite attractive pockets subject to some landscaping and I recommend a condition requiring details of landscape prior to occupation. The users of the flats would have access to two areas of Protected Open Space which are directly adjacent to the site. Whilst the external arrangement is not ideal, given the fact the proposal is retrofitting an existing building and that the occupants would have easy access to large areas of open space, I consider the small external space provision to on balance be acceptable.

- 8.19 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) policies 50, and 53.

Refuse Arrangements

- 8.20 Bin storage would be within an existing bin store which serves the existing flats. The Waste Officer has confirmed that the proposed refuse arrangements would be acceptable. I share this view.

- 8.21 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policies 53 and 57.

Highway Safety

- 8.22 The Highway Authority has confirmed that they do not foresee the proposal having any significant adverse impact on highway safety. I share this view.

- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 53 and 81.

Car and Cycle Parking

- 8.24 No allocated off-street car parking is proposed for the new flats. There is an existing car park which served the clinic and which will remain available for future residents. A cycle store will be provided for the new units within a vacant space in the wider

site. Sheffield stands will be provided as well as a lockable gate and lighting. Details of the cycle store are requested to be dealt with by condition.

- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 53 and 82.

9.0 CONCLUSION

- 9.1 The facility is considered surplus to requirements and as a result the loss of the D1 use is considered acceptable. The proposed works are considered to be acceptable in design terms. Details of landscape are recommended to be dealt with by condition to ensure the external space would be a pleasant space. Final details of the bike store are also recommended to be dealt with by condition. In my view, subject to these conditions, the flats would provide a quality living environment for future occupiers. The proposal would bring a disused ground floor frontage back into use and will provide four affordable dwelling units.

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 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

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

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

4. No development shall commence until a scheme for flood resilient /resistant construction has been submitted to and approved in writing by the Local Planning Authority, in accordance with FRA, PJA/18/0272, 31/01/2019. Development thereafter shall take place in accordance with the approved details.

Reason: To reduce the risk of flooding to the proposed development and future occupants (Cambridge Local Plan 2018 policy 32)

5. Prior to the occupation of the flats, details of facilities for the covered, secure cycle parking of 4 number bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure satisfactory provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policy 82)

6. No development above ground level, other than demolition, shall commence 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.
7. 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)

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PLANNING COMMITTEE

3rd April 2019

Application Number	18/0217/FUL	Agenda Item	
Date Received	9th February 2018	Officer	Lorraine Casey
Target Date	6th April 2018		
Ward	Market		
Site	82 Regent Street		
Proposal	Change of use from Class A2 to Nail Treatment/Beauty Treatment Salon, sui generis.		
Applicant	Mrs Mai Phan 82, Regent Street		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - Subject to the installation of further vent units, the use would not have any significant adverse impact on the amenity of surrounding occupiers. - The use complies in principle with Policy 11 of the Local Plan
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a commercial unit on the lower ground and ground floor of a four storey semi-detached building situated on the western side of Regent Street. The upper two floors are in residential use. The surrounding area consists mainly of commercial shop units on the ground floors with residential units above.
- 1.2 The site falls within the Central Conservation Area and the pair of buildings to the south, 78 and 80 Regent Street, are Grade II listed. There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the change of use from Class A2 to a nail and beauty treatment salon, sui generis.
- 2.2 This is a retrospective application; the change of use was completed in April 2017, prior to this the premises were used as an estate agency.
- 2.3 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Plans
 3. Filtration unit details

3.0 SITE HISTORY

Reference	Description	Outcome
11/0184/FUL	Use as nail treatment/beauty treatment salon (sui generis) or Class A2 use in the alternative.	Approved
17/2104/FUL	Change of use from Class A2 to nail Treatment/Beauty Treatment Salon, sui generis and new extractor fan.	Withdrawn

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	11 35 36 55 56 58 61 64

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Material Considerations	Cambridge Historic Core Conservation Area Appraisal 2017

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

6.1 No comments.

Environmental Health

First comments (received 5/3/18)

6.2 The team is investigating an ongoing complaint regarding odour and fumes to the flats above the premises. The information provided regarding odour control is insufficient. Details of a bench vent indoor purifier have been submitted but the applicant needs to demonstrate how this will be implemented into the current design of the premises to enable pollutants to be discharged at a height that will enable dispersal without

harming neighbour amenity. It also needs to be demonstrated that the scheme can work effectively without resulting in noise disturbance to adjacent residents.

2nd comments (received 29/3/18) following clarification from agent regarding specification and noise output of bench units

- 6.3 Previous concerns have not been fully addressed. The local nail bench ventilation units may be insufficient as there will always be residual odours and fumes. Nail product chemicals are heavier than air, and further discharge and abatement may be required. An assessment of the noise impact from the bench units needs to be made against potential noise levels in the residents' flats.

3rd comments (received 19/7/18) following proposed addition of external duct enclosed with brick effect duct cover

- 6.4 Further information required in respect of the proposed extract ducting. No details provided regarding proximity to neighbouring properties, whether discharge is above potential receiver points, and what filtration is proposed.

4th comments (received 4/9/18) following submission of Noise Impact Assessment

- 6.5 The conclusions are satisfactory subject to the recommended sound insulation mitigation measures being implemented.

5th comments (received 18/2/19) following site meeting held on 29/1/19

- 6.6 At the site visit it was apparent that only one localised bench vent extractor was present to serve several nail stations. This was insufficient to adequately filter the solvent emissions from nail painting at the premises before the ambient air was extracted through the ceiling vents to be discharged to atmosphere through the existing chimney at height. The agent has confirmed that two further PURE200 bench units are to be provided to allow a maximum capacity of three nail artists working at any one time, each with an individual PURE200 in operation within close proximity to the nail painting. This is acceptable and, in accordance with the manufacturer guidance, it is important the units are regularly cleaned/replaced.

Approved is recommended subject to conditions requiring the installation of the bench vent filtration and the hours of use to be in accordance with those specified in the application form.

Urban Design and Conservation Team

- 6.7 There are concerns regarding the flue that is needed to ventilate the nail salon. This would be enclosed by a brick effect duct cover, going up the three floors of the exterior and terminating above the eaves line. Following the submission of a sample of the proposed cladding, it was concluded that the flue would be harmful to the character of the building and, hence, to the character and appearance of the Conservation Area.
- 6.8 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:
34 Cambridge Road, Wimpole, SG8 5QE (support)
82A Regent Street (objection)
- 7.2 The representations can be summarised as follows:

Support (property freeholder):

- ☐ The applicant has put forward appropriate hours of operation and has now submitted further details of equipment to be used. Provided the equipment is used it would seem the application can be granted. There would be no noise nuisance from the equipment proposed but if the applicant plays music then this should not be audible outside the premises.
- ☐ As to the air filtration there should be at least two, one for the ground floor front and one for the raised ground floor rear as there are habitable rooms immediately above. It might be appropriate to consider an additional unit for the basement floor depending upon what services are provided there. As to the extractors there should be one per work station. A condition ensuring these are put in place and maintained in accordance with manufacturer's recommendations should be added.

- ☐ The applicant states there is no waste effluent. Consideration needs to be given and perhaps conditions imposed for the storage and removal of waste eg nail varnish remover if appropriate.
- ☐ Any flue should be sited as far to the north side of the property as possible, and the machinery within the duct work located between the first and second floor windows.
- ☐ The work stations should be individually served by the ventilation system, which needs to be lagged and the noise from the fans suppressed at both ends.

7.3 *Objection (upstairs neighbour):*

- ☐ We are very glad that the Nail Bar downstairs is trying to remedy the exhaust of fumes situation. The nail bar has been operating without any ventilation at all, and hence has been ventilating dangerous organic solvents into the flat above.
- ☐ There is not an insignificant quantity of solvent fumes in the air produced by the nail bar. This has rendered one of the downstairs rooms in the flat unusable at times.
- ☐ The filtration units will achieve 2 things - removal of dust particles and some removal of solvent fumes. The removal of solvent fumes cannot be achieved by a simple sieve filter, and the proposed units therefore use an activated carbon filter, which adsorbs solvents as fumes pass through it. Activated carbon is relatively good at adsorbing solvents. However, its capacity is not very high and could therefore become fully saturated very quickly due to the high solvent use at the nail bar. In addition, activated carbon, whilst quite effective for many solvents, does not remove all solvents.
- ☐ Concerned that stand-alone filtration units will not be sufficient to mitigate the health risk. The air quality should therefore be tested to ensure the filtration units are sufficient. Operation should not be allowed to continue if air quality is found to be unsatisfactory.
- ☐ Object to the change of use until it is demonstrated that the proposal will adequately mitigate solvent fumes.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Design and residential amenity issues

Principle of Development

8.2 Policy 11 of the 2018 Local Plan lists a number of uses that are considered suitable within the primary shopping area (which includes sui generis uses such as beauty parlours) providing:

- ☐ The proposal complements the retail function and makes a positive contribution to the vitality, viability and diversity of the City Centre;
- ☐ There would be an active frontage; and
- ☐ It would not harm the character or amenity of the area through smell, litter, noise or traffic.

8.3 The nail bar/beauty parlour falls within the list of acceptable uses within the City Centre. Regent Street has a wide variety of uses, and I consider the use contributes to the vitality, viability and diversity of the area. The shop front has been retained and the building therefore has an active frontage to Regent Street.

8.4 In my opinion the principle of the proposal is acceptable and compliant with the first two criteria of Policy 11. The impact upon the character of the area and amenities of neighbours is considered in further detail below.

Design and Residential Amenity Issues

8.5 This is a retrospective application and, at the time the application was originally submitted in April 2018, complaints had been received from an occupier of one of the upper floor flats regarding odour and solvent fumes from the use. The application originally proposed an internal odour and fume ventilation system but, in response to concerns raised by the Environmental Health Officer, amended the proposal to include a flue to the exterior of the building, enclosed with a brick effect

cover. The Conservation Team raised strong concerns regarding the impact such a flue would have on the character of the Conservation Area and, indeed, to the potential impact of any flue given that it would have to discharge above the eaves level of the building.

- 8.6 Given the issues associated with an external flue, it was considered that further exploration would need to be given to the possibility of controlling the fumes and odours internally. A site meeting was held earlier this year with the Environmental Health and Conservation Officers. At this meeting, it was established that there was only one bench vent unit in-situ and that this was insufficient to adequately filter the emissions before the ambient air was extracted through the ceiling vents and discharged through the existing chimney. At the meeting, the agent agreed to provide two further bench vent units, and the Environmental Health Officer has advised that this would be sufficient to resolve the team's concerns and that the external flue would not be necessary. This therefore also satisfactorily resolves the Conservation Officer's concerns.
- 8.7 As this is a retrospective application, I have recommended that the required units be installed within 28 days of the date of the decision. I have been made aware that the original objector has moved out from the upper floor flat and that the Environmental Health team has not received any recent objections but, nevertheless, it is essential in the interest of the amenities of any current and future occupiers of the upper floor flats that the works be implemented as soon as possible.
- 8.8 In my opinion, subject to the installation of the additional vents required by the Environmental Health Officer, the impact of the use upon the amenities of adjacent residents would be acceptable and compliant with Cambridge Local Plan (2018) policies 11, 35 and 36.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Within 28 days of the date of this decision, three Benchvent PURE200 units shall be installed to filter solvent fumes from the painting of nails at the site. The units shall be operational during the painting of nails, with a minimum of one unit operational per nail artist. The units shall thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of nearby properties.
(Cambridge Local Plan 2018 policy 36)

2. The use, hereby permitted, shall not operate other than between the hours of 0930 and 1830 Monday to Saturday.

Reason: To protect the amenity of nearby properties.
(Cambridge Local Plan 2018 policy 35)

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PLANNING COMMITTEE

3rd April 2019

Application Number	18/1974/S73	Agenda Item	
Date Received	14th December 2018	Officer	Patricia Coyle
Target Date	8th February 2019		
Ward	Kings Hedges		
Site	The Jenny Wren 80 Campkin Road		
Proposal	Section 73 application to vary condition 2 of permission 17/0927/FUL (New building comprising of a Public House at ground floor with nine residential units on the upper floors (two 1xbed units & seven studio units) along with car and cycle parking and associated landscaping following the demolition of the existing buildings) as follows:- 1) omission of the basement; relocation of bin and bike store to external structure and relocation of cellar from basement to former bin/bike store and 2) increase in building height by 300mm.		
Applicant	Mr Frost c/o PiP Architecture		

SUMMARY	<p>SUMMARY The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The principle of an amendment to the approved replacement public house and flats above is acceptable and accords with policy. - The proposed development would respect the amenities of neighbouring occupiers. - The proposed increase in height would not have an adverse visual impact on the character of the area. - The revised bin and cycle storage arrangements are acceptable. - The proposal would provide an acceptable
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	living environment for future occupants.
RECOMMENDATION	APPROVAL subject to conditions

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site comprises the former Jenny Wren public house situated on the corner of Campkin Road and St Kilda Avenue. The site is the subject of a planning permission in 2017 and, at the time of my site visit was surrounded by temporary fencing. The now vacant existing two-storey building is rendered with a flat roof and the upper-floor was last used as managers' accommodation in association with the pub. The front of the site is predominantly hard paved and was previously used as outdoor seating for the pub.
- 1.2 The on-site rear car parking area has an access from St Kilda Avenue and there is a further (private) car parking space to the eastern side which is accessed from Campkin Road.
- 1.3 The site falls within the Campkin Local Centre.

2.0 THE PROPOSAL

- 2.1 The proposal is to vary condition 2 (accordance with plans) of the recent planning approval (planning ref. 17/0927/FUL) which was for a new building to replace the existing public house with a public house at ground and basement levels with 9 flats on two floors above. The proposal is for the omission of the basement and its replacement in the approved cycle/bin store, the erection of a new bin/cycle store and the increase in the overall height of the building by 300mm.
- 2.2 The applicant has indicated that an on-site investigation of the existing basement has found that it is not suitable for reuse. Also, the applicant indicates that the increase in height is to accommodate increased acoustic separation between the public house and the residential units above.
- 2.3 The proposal has been amended during the course of consideration to address concerns raised by the Waste Officer. The proposal otherwise remains the same as for the approved scheme.

3.0 SITE HISTORY

Reference	Description	Outcome
C17/0927/FUL	New building comprising of a public house at ground floor with nine residential units on the upper floors (two 1xbeds and seven studio units) along with car and cycle parking and associated landscaping following the demolition of the existing buildings	Approved 4.10.17

4.0 PUBLICITY

4.1	Advertisement:	No
	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	1 3
		28 29
		31 32 34 35 36
		50 51 52 55 56 57 59
		64
		72 76
		81 82

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

Central Government Guidance	<p>National Planning Policy Framework February 2019</p> <p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</p> <p>Circular 11/95 (Annex A)</p>
Supplementary Planning Documents	<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>Cycle parking guide for new residential SPD (Feb 2010)</p> <p>Planning Obligation Strategy (March 2010)</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No comment on behalf of the Highway Authority in relation to the proposed changes.

Conservation

- 6.2 It is considered that there are no material Conservation issues arising from the proposed changes.

Environmental Health

- 6.3 No objections in principle. However, given that this is a new application, it is recommended that the relevant Environmental Health conditions imposed on approved application

17/0927/FUL are repeated for this application in order that Environmental Health requirements remain like for like.

Drainage

- 6.4 There are no flood risk or drainage issues associated with changes proposed as part of this S73 and surface water drainage details are dealt with under condition 27 of the approved scheme 17/0927/FUL.

Landscape

- 6.5 It is considered that there are no material Landscape issues with this proposal.

Waste

- 6.6 Looking at the drawing PL-2-01 of the ground floor and bin store, there is concern regarding the route out of the bin store for collection. If the crews are expected to collect the bins from the bin store, there needs to be no keys or codes on the doors (apart from FB2), and the shortest path to the pavement, double doors opening with hook locks, and metal strips on the doors if they are wooden, to prevent damage. The plan looks like the bin store door opens at the opposite end to where the vehicle will collect from. The doors need to be the same side as the commercial bin store doors, so vehicles can reverse in to get the bins out of the bin store, or the bins can be presented for collection by a managing agent. 9 units could have a max of 18 occupants, x 50 litres per person per fortnight is 900 litres for refuse and 900 litres for recycling. The proposed bin size is 1100 litres, so space for 2 of those needs to be allocated, and double doors to take bins out. Alternatively 2 x 660 litre bins could be used and 2 x 360 litre bins, which are narrower.

7.0 REPRESENTATIONS

- 7.1 No representations have been made.

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 relating to the proposed changes are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity for existing and proposed occupiers (including internal space)
4. Inclusive access
5. Drainage/Flood Risk
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Light pollution, noise, vibration, odour and dust

Principle of Development

- 8.2 The proposal is for changes to the approved replacement public house with 9 flats above and involves the basement being replaced at ground level in the approved cycle/bin store and a new bin/cycle store being provided, together with an increase in the height of the building (by 30cm) to accommodate additional acoustic soundproofing between the proposed public house and the flats above. The scheme otherwise remains the same as approved under planning approval 17/0927/FUL.
- 8.3 The principle of the development for a replacement public house with flats has already been established and while the 2018 Local Plan has been adopted in the intervening period (with protection of public houses now under Policy 76), the proposed minor changes do not have any bearing on the acceptability of the scheme in principle.
- 8.4 The proposal is acceptable in principle in accordance with Policy 76 of the Cambridge Local Plan 2018.

Context of site, design and external spaces

Response to context

- 8.5 The proposal would add an additional out building externally to accommodate the relocated basement storage into the approved cycle/bin store which prompts the need for a new cycle/bin store. The replacement bin/cycle store would be located to the rear of the building such that it is accessible to

the residents of the flats above the public house. Given its small scale and location some distance from either public highway, I do not consider there to be any harmful impact on visual amenities in the streetscene and as such, that it would be acceptable.

- 8.6 The proposed increase in the three-storey block would, at 30cm, be a relatively minor increase from (8.2m to 8.5m maximum height above ground level) and would be almost imperceptible to anyone viewing the building. Since it would provide additional soundproofing between the public house and the first floor flats, I consider that this would be beneficial to future occupiers and would not result in any significant additional harm to issues of acknowledged planning interest over and above that of the approved scheme.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 50 (external amenity space only), 55 and 58.

Residential amenity for existing and proposed occupiers

Existing Occupiers' amenities

- 8.8 The proposal is for a reconfiguration of the existing approved scheme to accommodate the public house store at ground level and provide a new cycle/bin store and increase the height of the proposed building by 30cm. No other changes are proposed to the size of the public house or the number of residential units to be provided.
- 8.9 The proposed changes would not result in any additional deliveries and collections in relation to the proposed public house and no increase in activity relating to bin/cycle storage and collection over that of the approved scheme.
- 8.10 I do not consider that there would be any significant impact from the proposed relatively small increase in height (to a maximum of 8.5m above ground level) or the proposed additional above ground storage which is set well away from shared boundaries with neighbouring properties.

Future Occupiers' amenities

- 8.11 There is no change proposed to the dwellings, except that additional insulation would be provided between the public house and the first floor flats which results in a 30cm increase in the overall height of the proposed building. As such, and given that this does not result in any change to the approved dwellings themselves (which is a material consideration), I consider that the proposal would provide accommodation which is acceptable.
- 8.12 All of the first floor flats comply with the space standards within Policy 50. The four second floor flats range in size from 30sqm to 34sqm and, as such, none of these units comply with the minimum space standard for a studio with shower of 37sqm. However, given that the sizes of these units have not altered from the approved scheme and that the Council can only consider the changes proposed within this application, it would not be justifiable to refuse the application on this basis.
- 8.13 Policy 50 requires that external space is of a reasonable size to provide for day-to-day living and for children's play space. There is a communal garden provided for the occupiers of the proposed flats which is considered to generally provide for the occupiers' likely use. Policy 50 also requires private external amenity space to be provided for all new residential development. Only three of the proposed flats have private external space (balconies to flats 6, 7 and 8 on the 2nd floor). However, as noted in the preceding paragraph, given that this aspect of the proposal has not altered in any way, the Council cannot reasonably withhold permission on this basis.
- 8.14 The scheme would provide dwellings with acceptable levels of amenities for future occupiers such that the proposal is therefore acceptable.

Inclusive access

- 8.15 The public house was previously considered to be acceptable by the Access Officer, but was subject to the imposition of a planning condition requiring details of the internal layout. There is similarly no change proposed for the approved dwellings. It is a material consideration that the scheme has been approved and that this is an application for a few minor amendments to

overcome issues which have arisen with the basement and to provide a higher level of amenity (insulation) between the ground floor public house and the first floor flats. The proposal is for the removal of basement storage, provision of ground level storage and a new bicycle/bin store which would be accessible to wheelchair users. It is therefore considered that the proposed changes would be acceptable in terms of access, and that the Council cannot require the scheme to comply with the requirements of Policy 51.

Drainage

- 8.16 The proposal is acceptable subject to a suitable condition being attached, as previously.

Refuse Arrangements

- 8.17 The originally proposed plan has been revised so that the necessary bin storage and access are acceptable to the Waste Team. I have recommended a waste storage condition so that details of the type of enclosure is provided for our consideration. Subject to the submission of details, the proposal is compliant with Cambridge Local Plan (2018).

Highway Safety

- 8.18 County Highways do not raise any issues with regard to the proposed minor amendment.

Car and Cycle Parking

- 8.19 The proposal does not change the number of flats or the public house use and there is no change to the number and size of cycle or car parking spaces, such that the amended scheme remains acceptable in terms of parking provision. A condition would be attached to require this to be implemented and retained thereafter.

Light pollution, noise, vibration, odour and dust

- 8.20 The proposed minor changes will not result in any additional increase the number of residential units or public house scale/size.

- 8.21 Suitable conditions will be attached to control the public house use and some noise and disturbance etc. caused during the construction process.

9.0 CONCLUSION

- 9.1 The proposal is for minor changes to the approved scheme nonetheless the retention of the public house and the proposal for 9 flats is acceptable in principle and the provision of additional insulation would result in acceptable level of residential amenities for the proposed occupiers of the flats. The development would not harmfully impact on the amenities of neighbouring occupiers. In addition the proposal would revitalise the site and make a positive contribution to the character and appearance. As such, I recommend the application be approved.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission reference 17/0927/FUL..

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

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

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

3. No 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)

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. 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 2018 policy 35)

8. 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 2018 policy 36)

9. 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 2018 policies 35, 55 and 56)

10. The public house hereby permitted shall not be open to customers outside the hours of 08:00 and 23.00hrs Sunday-Thursdays (including Bank and Public Holidays) and 08:00 and 01:00hrs on Fridays and Saturdays.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

11. All external windows and doors to the ground floor public house shall be kept closed between 2100hrs to 0900hrs or at any time during entertainment or the playing of music except for general ingress and egress via the main entrance door lobby or in the case of an emergency.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

12. External areas serving the public house shall be vacated by 23:00hrs daily. Amplified music shall be not be played in or "piped" to external areas of the public house.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

13. Collections from and deliveries to the public house shall not be made outside the hours 0700-2100 Monday-Saturday and 0900-1700 on Sundays and Bank/Public Holidays.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

14. No bottles or other commercial refuse / waste or recycling material shall be emptied into external receptacles, taken out or moved around the external area of the site, between 2100-0700hrs.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

15. Before the development hereby permitted is commenced, a noise insulation scheme for the public house giving consideration to the potential uses of the pub and the impacts of airborne, structural and flanking sound, in order to minimise the level of noise emanating from the this use within residential units immediately above and neighbouring residential premises, (having regard to internal noise generation and acoustic performance of building fabric, glazing, openings and ventilation system requirements) shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

The noise insulation scheme shall ensure that any noise originating from the operation of the public house shall not exceed a Noise Rating (NR) curve level of 15 (NR 15) when measured or calculated within any noise-sensitive residential premises above the public house, with windows open for ventilation purposes and shall be in accordance with the noise insulation / mitigation scheme principles and recommendations detailed in the MLM "Technical report" (document reference 101798-MLM-ZZ-XX-RP-Y-0001), dated 17/08/2017.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

16. Prior to the occupation of the residential units hereby approved, a post completion noise and vibration assessment shall be carried out from within the approved residential units to confirm compliance with the Public House noise insulation scheme approved under condition (insert condition number for the Public House Noise Insulation Scheme detailed above) above. The post completion noise and vibration assessment shall be submitted in writing for approval by the LPA and if any additional noise insulation scheme measures are required to mitigate noise these shall be submitted for approval by the LPA and shall be implemented prior to occupation of the residential units and thereafter be permanently retained.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

17. Prior to the commencement of development, full details and specifications for the balustrade serving the proposed 2nd floor balcony shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved details and shall thereafter be maintained in perpetuity.

Reason: To protect future occupiers of the flat from excessive noise and disturbance (Cambridge Local Plan 2018; Policies 35 and 72)

18. The use of the public house shall not commence until an Operational External Noise Management Plan for the beer garden or any external area has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail the management systems that will be implemented to control and reduce noise from the uses of external areas of the public house.

The management plan shall be reviewed by the operators of the public house:

- o Prior to launching / introducing any new entertainment
- o When alterations to the building are proposed
- o Following a complaint
- o When monitoring procedures identify that controls are inadequate

The approved management plan (and/or any subsequent revisions) shall be fully implemented and maintained thereafter.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policies 35 and 72)

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

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

Reason: In the interests of neighbour amenity (Cambridge Local Plan 2018 policies 34 and 72)

20. 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 2018 policies 55 and 57).

21. Prior to the commencement of the development, full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing are to be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details.

Reason: To ensure that the materials selected are of a high quality and appropriate to the context of the building (Cambridge Local Plan 2018 policy 57).

22. Full details of all windows (including dormer windows) and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

(Reason: To accord with Policies 55 and 57 of the 2018 Cambridge Local Plan.)

23. No development should take place until details of the signage of the public house to be used on the building 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 signage is acceptable. (Cambridge Local Plan 2018 policies 55, 57 and 64).

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

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2018 policies 55, 57 and 59)

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 (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

26. The flat identified at first-floor as 'S4', as shown on drawing number PL-2-01 Rev C, shall be used and retained solely for use by the on-site manager of the public house hereby permitted. The flat shall not be occupied or let to any person other than the on-site manager of the public house.

Reason: To ensure the public house can function viably (Cambridge Local Plan 2018 policy 76)

27. 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. The development shall be carried out in accordance with the approved details.

Reason: To minimise flood risk (Cambridge Local Plan 2018 policies 31 and 32)

28. The cycle parking for the development hereby permitted shall be provided as shown on drawing numbers PL-2-01 Rev G and PL-1-01 Rev C prior to occupation and retained thereafter.

Reason: To provide acceptable cycle parking arrangements (Cambridge Local Plan 2018 policies 57 and 82).

29. Prior to occupation of development, full details of the on-site storage facilities for waste including waste for recycling and composting 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 the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use thereafter.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (Cambridge Local Plan 2018 policies 35 and 57)

30. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. 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 policies 35 and 57)

31. Prior to the demolition of the public house, a scheme of works for the substantial completion of the proposed public house, including a phasing plan for its provision, shall be submitted to and approved in writing by the Local Planning Authority. The public house shall thereafter be constructed in accordance with the approved scheme of works and phasing plan, unless an alternative phasing plan is otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the public house is physically replaced on the site to meet the day-to-day needs of the community. (Policy 76 of the Cambridge Local Plan 2018 and Interim Planning Policy Guidance on the Protection of Public Houses in the City of Cambridge (October 2012).

32. Conditions 3-31 of planning permission 17/0927/FUL shall continue to apply to this permission. Where such conditions pertaining to 17/0927/FUL have been discharged, the development of 18/1974/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.

REPORT TO:	Joint Development Control Committee - Cambridge Fringes Planning Committee (Cambridge City) Planning Committee (South Cambridgeshire DC)	20 March 2019 3 April 2019 10 April 2019
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LEAD OFFICER: Joint Director of Planning and Economic Development

Information for Planning Committee: New Odour Assessment of Cambridge Water Recycling Centre

Purpose

1. Cambridge City Council and South Cambridgeshire District Council commissioned consultants Odournet to undertake an odour impact assessment, in order to assess the level and risk of odour impact posed by Cambridge Water Recycling Centre (CWRC) to both inform the North East Cambridge Area Action Plan and aid consideration of development proposals. That assessment has been completed.
2. To accompany the study, a technical note has been prepared jointly with Environmental Health to set out how officers intend to interpret the results of the Odournet Assessment.
3. Members of the three committees are asked to note both reports.

Recommendations

4. It is recommended that Committee note the findings of the 'Odour Impact Assessment for Cambridge Water Recycling Centre (2018) (appendix A), and the Technical Note on interpretation of 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018) (Appendix B), for the purposes of considering planning applications in the vicinity.

Background

5. Planning policy in the National Planning Policy Framework (NPPF) (2019) and the Cambridge and South Cambridgeshire Local Plans are clear that new development should only be permitted where

there will not be any significant adverse effects from existing poor air quality, including odour, in order to protect the health and amenity of future occupiers.

Considerations

6. In order to assess the level and risk of odour impact posed by CWRC, the Councils commissioned consultants Odournet to undertake an odour impact assessment (see Appendix A for the final report entitled 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018)). The assessment involved an on-site odour measurement survey and atmospheric odour dispersion modelling to produce predicted odour exposure contours, setting out levels of odour experienced in the area around the CWRC.
7. Environmental health officers at the Councils have advised that are fully supportive of the approach taken in the Odournet report, which in their view was conducted in accordance with all relevant published UK technical guidance issued by the Institute of Air Quality Management (IAQM), the Environment Agency and DEFRA. It is considered to be a reasonable representation of likely odour emissions from the CWRC site and provides robust predicted odour exposure levels in the area.
8. The Odournet study discusses at length the various odour criteria used in the UK which identify when an odour annoyance is likely to occur. The risk of annoyance is highly dependent upon how sensitive the use is. Residential is considered as a high sensitivity receptor, compared to non-residential such as office or commercial development which are medium sensitivity. The report states that there is no definitive precedent as to which odour exposure level criterion is acceptable and suitable for either residential or non-residential premises, although the majority of the guidance and legal/planning cases relating to odour, focus on the risk of impact at residential premises. The report goes on to say that 'ultimately the decision on which odour criteria to apply is for the Council based on their risk appetite'.

Technical Note

9. The technical note (Appendix B) sets out how officers intend to

interpret the results of the Odour Assessment, when considering planning applications for development in the vicinity of CWRC and more specifically which are located within the Odour Exposure Contours in Figure 1.

10. The key parts of the note are Figure 1 and Table 1. Figure 1 shows the odour exposure contours around CWRC (this is the worst case modelled year, as advised in the Odournet Study). The higher the contour value, the higher the level of odour exposure. Figure 1 also shows the Waste Water Treatment Works (WWTW) Safeguarding Area (how the Water Recycling Centre was previously named) from the Cambridgeshire and Peterborough Minerals and Waste Plan (2012), which is discussed further below.
11. Table 1 sets out the likely acceptability of different types of development within the different odour exposure contours. The note applies to planning applications for all development (including change of use) which will be regularly occupied or used, but does not apply to householder applications. For each of the odour exposure contours (3 to <5, 5 to <10, and 10 & above) Table 1 sets out:
 - types of developments that are unlikely to be suitable even with mitigation;
 - types of development that may be suitable and provides examples of suitable mitigation measures;
 - types of uses that are likely to be suitable.
12. Having regard to policies in the Local Plans, if a planning application falls within the odour exposure contours in Figure 1 of this technical note it is recommended that it is accompanied with a statement setting out how the application has regard to this note and the following:
 - the Councils' Odournet Report 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018);
 - relevant Government, national and industry standards, codes of practice and best practice technical guidance; and
 - The Institute of Air Quality Management (IAQM) 'Guidance on the assessment of odour for planning' (Version 1.1 - July 2018).
13. The note also highlights that if an application falls within the WWTW Safeguarding Area (shown on Figure 1), the application should be accompanied by the information required by Policy CS31

of the Minerals and Waste Core Strategy (2011). This requires that all planning applications for proposed new development involving buildings which would normally be occupied must be accompanied by an odour assessment report. The Waste Planning Authority (Cambridgeshire County Council) must be consulted on any planning proposal within a Safeguarding Area, except householder applications or advertisements.

14. The note highlights that applicants are encouraged to enter into pre-application discussions with the Local Planning Authority, to determine the individual submission requirements of planning applications which fall within the areas identified in Figure 1.
15. The note also refers to permitted development issues at paragraph 1.7 of the Technical Appendix. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows certain changes of use to high sensitive end uses (such as residential or educational uses) without requiring planning permission. This would be of concern if permission was granted for an office development, which could then change to residential without the need for planning permission. The Local Planning Authority can remove permitted development rights by means of a condition on a planning permission. The restrictions imposed will vary on a case by case basis.

Options

16. Members are being asked to note the Odournet Assessment and Technical Note only, as material considerations in decision making. It will be for planning committee to make a decision on a case by case basis on individual planning applications weighing up all material planning considerations at the time of the decision.

Implications

17. 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: -
18. There are no significant implications.

Consultation responses

19. 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:

Cambridge Local Plan 2018

<https://www.cambridge.gov.uk/local-plan-2018>

South Cambridgeshire Local Plan 2018

<https://www.scambs.gov.uk/planning/local-plan-and-neighbourhood-planning/the-adopted-development-plan/south-cambridgeshire-local-plan-2018/>

National Planning Policy Framework (2018)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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Appendices:

Appendix A – Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018).

Appendix B – Technical note on interpretation of 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018)

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Report

Odour impact assessment for
Cambridge Water Recycling Centre

Client: Cambridge City Council
Mandela House
Cambridge

Report number: CACC17A_08_final
Project code: CACC17A

Date: 23 October 2018 (October 2018)





title: Odour impact assessment for Cambridge Water Recycling Centre

report number: CACC17A_08_final

project code: CACC17A

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Executive Summary

Cambridge City Council (CCC) commissioned Odournet UK Ltd to undertake an odour impact assessment for Anglian Water's Water Recycling Centre (WRC) in Cambridge. The overall objective of the study was to assess the level of odour impact risk posed by the WRC in the surrounding area to inform the Council's ongoing and future planning decisions and policy.

The scope of the study was as follows:

1. To clarify the current WRC configuration and operations.
2. To undertake an odour survey and define odour emission estimates for each of the key elements of the treatment process at the WRC.
3. To undertake odour dispersion modelling of the WRC under the current operational conditions and assess the extent of potential odour impact risk in the surrounding area.

The study was conducted in accordance with the relevant aspects of published UK guidance issued by the Institute of Air Quality Management (IAQM) the Environment Agency and DEFRA. The study involved an odour measurement survey which was conducted at the WRC in summer 2017 with the cooperation of Anglian Water. The results of the survey were used alongside operational information for the WRC and odour measurement data collected at other UK sewage treatment works to define odour emission estimates for each aspect of the works operations. Odour dispersion modelling was then undertaken in order to assess the long-term odour exposure levels which are likely to occur around the site under the current operational conditions.

The key findings of the study are summarised as follows:

1. The odour survey identified a range of odour sources at the WRC under the current operational conditions. These sources include the raw sewage reception and screenings/grit removal plant, the stormwater storage tanks, the primary settlement tanks, the anoxic and aerobic secondary treatment plant, and the sludge handling and storage operations.
2. The estimated time weighted summer odour emissions from the WRC are approximately 73,000 ou_E/s . Of these emissions approximately 20% are generated by the preliminary treatment stage, 1% from storm water handling, 15% by the primary treatment stage, 22% by the secondary treatment stage and 42% from the sludge handling and treatment operations.
3. The largest individual contributors to the total site emissions are the emissions from the raw sludge belt thickening plant, the secondary sludge digestion tanks, the D stream anoxic plant and the primary settlement tanks.
4. The results of dispersion modelling which was undertaken to assess the level of odour impact risk under the foreseeable long term operational conditions at the works (current operations plus both secondary digestion tanks assumed to be in use and gas collection issues addressed) indicate that odour exposure levels in the area immediately surrounding the works exceed the $C_{98, 1\text{-hour}} = 3, 5 \text{ and } 6 \text{ ou}_E/\text{m}^3$ odour impact criteria discussed in section 2.3 of this report. On this basis any residential developments in these areas are likely to be at risk of odour impact. For any commercial or industrial developments in these areas, the degree to which odour impact is likely to occur is less clear for the reasons discussed within this report.
5. The likely increase in exposure to odours that would be experienced periodically in the vicinity of the storm overflow lagoon should be considered if the suitability of this land for development is to be reviewed.



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1 Introduction and scope

1.1 Introduction

Cambridge City Council (CCC) commissioned Odournet UK Ltd to undertake an odour impact assessment for Anglian Water's Water Recycling Centre (WRC) in Cambridge. The overall objective of the study was to assess the level of odour impact risk posed by the WRC in the surrounding area to inform the Council's ongoing and future planning decisions and policy.

The scope of the study was as follows:

1. To clarify the current WRC configuration and operations.
2. To undertake an odour survey and define odour emission estimates for each of the key elements of the treatment process at the WRC.
3. To undertake odour dispersion modelling of the WRC under the current operational conditions and assess the extent of potential odour impact risk in the surrounding area.

The study was conducted in accordance with the relevant aspects of published UK guidance issued by the Institute of Air Quality Management (IAQM) the Environment Agency and DEFRA. The study was conducted by specialist consultants drawn from Odournet's UK consultancy team who have extensive experience assessing the odour impact of sewage treatment operations.

1.2 Structure of report

The report is structured as follows:

1. Section 2 describes the methodology undertaken to conduct the assessment.
2. Section 3 provides an overview of the current site operations.
3. Section 4 identifies the odour sources associated with the operation of the WRC.
4. Section 5 presents the results of the odour survey conducted at the works.
5. Section 6 presents an estimation of odour emissions from the WRC.
6. Section 7 assesses the predicted odour exposure levels in the area surrounding the WRC under the current operational conditions.
7. Section 8 summarises the findings of the study.

Supporting information is provided in the Annex.

1.3 Quality Control and Assurance

Odournet's odour measurement, assessment and consultancy services are conducted to the highest possible quality criteria by highly trained and experienced specialist staff. All activities are conducted in accordance with quality management procedures that are certified to ISO9001 (Certificate No. A13725).

All sensory odour analysis and odour sampling services are undertaken using UKAS accredited procedures (UKAS Testing Laboratory No. 2430) which comply fully with the requirements of the international quality standard ISO 17025: 2005 and the European standard for olfactometry EN13725: 2003. Where required, Odournet are accredited to conduct odour sampling from stacks and ducts in accordance to ISO 17025: 2005 and EN13725: 2003 under the MCERTS scheme. Odournet is the only company in the UK to have secured UKAS accreditation for all elements of the odour measurement and analysis procedure.



The Odournet laboratory is recognised as one of the foremost laboratories in Europe, consistently outperforming the requirements of the British Standard for Olfactometry in terms of accuracy and repeatability of analysis results.



2 Description of approach

2.1 Identification of odour sources and estimation of odour emissions

The odour sources associated with the WRC operations under the current conditions were defined on the basis of a review of the site operations (site audit) which was undertaken on 18th January 2017 by Mr Paul Ottley (senior consultant at Odournet) in the company of an experienced Anglian Water Treatment Manager (Mr Ceri Williams) and Senior Growth Planning Engineer (Mr Richard Lyon).

Emission estimates (expressed in terms of European odour units) for each source were defined primarily on the basis of data collected at the works during an odour survey which was conducted by Odournet in August 2017. The odour survey was undertaken in summer conditions after a period of dry weather. In defining appropriate emission rates library data collected by Odournet from other operational sewage treatment facilities in the UK and contained in Odournet's odour emission database were reviewed where necessary.

All of the Odournet measurement data utilised was collected using sampling and analysis techniques compliant with the British Standard for Olfactometry BS EN 13725: 2003¹. Further details regarding the sampling and analysis techniques applied during the studies are presented in Annex A.

Consideration was given to the influence of the following factors to derive representative and comparable emission values:

- Turbulence of aspects of the process handling odorous liquid and solid material.
- The effect of seasonal changes in the influent quality and rate of biological generation of odours within the process.
- The frequency and duration of release of intermittent activities.

2.2 Odour dispersion modelling

On the basis that odour annoyance or 'nuisance' is a symptom that develops through intermittent exposure to odours over extended time periods (see Section 2.3 below), the study focused on assessing the long-term odour exposure levels which may occur around the site under the current operational conditions².

The assessment was performed using mathematical atmospheric dispersion modelling techniques which provided statistical analyses of the odour exposure levels that are likely to occur in the area around the site for each individual meteorological year of a 5 No. year dataset.

Data describing the topography of the local area was obtained from Ordnance Survey. The locations of the odour sources at the facility were defined using detailed aerial imagery of the site along with observations made during the site audit.

The dispersion modelling was conducted using the US EPA AERMOD dispersion model (version 7.12.1). The model was run in accordance with guidance issued by the US EPA and guidance relevant to odour assessment published by the Environment Agency. Details of the assumptions applied within the model are presented within the main body of this report.

¹BS EN 13725:2003, *Air quality - Determination of odour concentration by dynamic olfactometry*

² For the current operations model it was assumed that the recent issue of odorous biogas leakage has been resolved (Anglian Water have indicated that the flare stack is now fully operational, and that by the end of October 2017 a replacement gasholder bag will be operational).



2.3 Criteria for assessment of impact risk

In general terms, odour annoyance is recognised as a symptom that develops as a result of intermittent but regular exposure to odours that are recognisable and have an offensive character. The key factors that contribute to the development of odour annoyance can be usefully summarised by the acronym FIDOL:

- Frequency of exposure.
- Intensity or strength of exposure.
- Duration of exposure.
- Offensiveness.
- Location sensitivity.

In acknowledgement of these factors, a number of odour impact criteria have been developed that enable the odour impact risk of facilities to be predicted using dispersion modelling techniques. These criteria are generally defined in terms of a minimum concentration of odour (reflecting the intensity/strength element of FIDOL) that occurs for a defined minimum period of time (reflecting duration and frequency element of FIDOL) over a typical meteorological year. The concentration element of these criteria can be increased or lowered to reflect variations in the offensiveness of the odours released from a specific type of facility, and the sensitivity of nearby sensitive locations.

There are currently a range of odour criteria applied in the UK to attempt to gain an insight into the probability of odour annoyance developing at a given location. However, there is no firm consensus on which odour impact criteria should be applied for sewage treatment works and the issue is currently a matter of debate.

In the UK, odour impact criteria are generally expressed in terms of a European odour unit concentration that occurs for more than 2% of the hours of a typical meteorological year, and have been designed for application to permanent residential properties which are considered to be the most sensitive from an impact risk perspective.

The most commonly applied criterion from this perspective is the 'Newbiggin criterion'. This criterion was originally introduced into a public inquiry for a new sewage works at Newbiggin-by-the-sea in 1993, and equates to an odour exposure level of 5 European odour units per cubic meter ($C_{98, 1\text{-hour}} > 5 \text{ ouE/m}^3$). This 5 European odour units criterion has been successfully applied during numerous planning and odour nuisance assessment studies since 1993 for sewage, waste, food and a range of other industrial and agricultural activities.

Since 2002, a range of indicative odour annoyance criteria have also been applied to assess odour impact risk from residential properties, which have supplemented the use of the Newbiggin criterion. These criteria were introduced in the Horizontal Guidance Note for Odour Management H4 issued by the Environment Agency³ and define three different levels of exposure at which odour impact or annoyance could potentially be expected to occur, for odours with high, moderate and low offensiveness. The indicative criteria are presented in the table below:

³ IPPC H4 Technical Guidance Note "H4 Odour Management", published by the Environment Agency, March 2011.



Table 1: Odour impact criteria

Relative offensiveness	Indicative criterion	Typical processes
Most offensive	1.5 ouE/m ³ 98 th percentile (hourly average)	Processes involving decaying animals or fish remains; septic effluent or sludge; biological landfill odours
Moderately offensive	3 ouE/m ³ 98 th percentile (hourly average)	Intensive livestock rearing; sugar beet processing; fat frying (food processing); well aerated green waste composting
Less offensive	6 ouE/m ³ 98 th percentile (hourly average)	Brewery; coffee roasting; confectionary; bakery

Odour guidance published by DEFRA in March 2010⁴ also refers to these criteria but in less specific terms. The guidance does not state which criterion should be applied for assessing impact but does suggest that typical criteria fall within the range of $C_{98, 1\text{-hour}} = 1.5 \text{ ouE/m}^3$ to $C_{98, 1\text{-hour}} = 5 \text{ ouE/m}^3$.

Similarly, guidance published by the Institute of Air Quality Management (IAQM)⁵ in May 2014 also refers to these criteria. This guidance does however state that odour impact may occur between $C_{98, 1\text{-hour}} = 1 \text{ ouE/m}^3$ and $C_{98, 1\text{-hour}} = 10 \text{ ouE/m}^3$ and that professional judgement should be applied to determine criteria on a case by case basis by considering the underlying science, sensitivity of local receptors and developing case law.

There is currently some debate as to which odour criteria currently are the most appropriate for assessing the risk of impact of odorous industries such as sewage treatment, and to what extent the criteria are able to predict occurrence of odour annoyance for different odour types. Whilst there appears to be a substantial body of evidence to support the Newbiggin-by-the-Sea impact criterion for assessing the development of odour annoyance from the sewage treatment sector, the availability of such evidence for the EA criteria is currently somewhat lacking. There is therefore a developing view within the UK odour community that the most stringent EA criteria (i.e. $C_{98, 1\text{-hour}} = 1.5 \text{ ouE/m}^3$) may represent an overly precautionary standard in many cases even for highly offensive odours.

Odournet's general experience based on assessment of odours which could generally be classified as moderate to highly offensive (e.g. odours from waste water and sludge handling operations) generally supports this view, and indicates that for high sensitivity receptors such as residential premises odour annoyance is a symptom that is most likely⁶ to develop at exposure levels between $C_{98, 1\text{-hour}} = 3 \text{ ouE/m}^3$ and $C_{98, 1\text{-hour}} = 5 \text{ ouE/m}^3$. However the occurrence of adverse impact and complaints from areas of predicted odour exposure levels below $C_{98, 1\text{-hour}} = 3 \text{ ouE/m}^3$ cannot be completely ruled out.

This observation is supported to some extent by the findings of recent legal cases relating to odours from sewage treatment works (and a policy statement issued by the Chartered Institute of Water and Environmental Management) as indicated below.

- **Appeal by Sherborne School, CRUK, CLIC Sargent, Mencap and British Heart Foundation against North Dorset District Council (January 2016).** The District Council originally refused outline planning permission for the erection of homes on land in proximity to Gillingham sewage treatment works on the basis that the proposed development would have an adverse impact on the general amenity of the future occupants due to odours from the sewage treatment works.

⁴ Odour Guidance for Local Authorities, published by DEFRA, March 2010.

⁵ Guidance on the assessment of odour for planning, published by IAQM: April 2014.

⁶ On the basis of odour exposure levels predicted by the AERMOD dispersion model using emission rates defined on the basis of site specific measurement data and taking into account local factors that will influence emissions (such as sewage turbulence in open channels/tanks, seasonal variation in emissions etc).



Odour dispersion modelling was undertaken on behalf of the appellant, and the inspector concluded that “the appropriate parameter to apply in this case is the $3 \text{ ou}_E/\text{m}^3$ contour line”.

- **Appeal by Abbey Homes against St Edmundsbury Borough Council (March 2012).** The Borough Council originally refused planning permission for the erection of 101 dwellings on land between Upthorne Road and Hepworth Road, Stanton, Suffolk, for reasons including the proximity of the site to an existing small rural sewage treatment works and the potential effects on the living conditions of future residents of the dwellings. On the basis of odour dispersion modelling submitted by experts acting for both parties, the inspector considered an appropriate threshold to be more than $C_{98, 1\text{-hour}} = 1.5 \text{ ou}_E/\text{m}^3$, and that $C_{98, 1\text{-hour}} = 3 - 5 \text{ ou}_E/\text{m}^3$ was a more appropriate threshold (the inspector could see no reason to expect a significant loss of amenity to the occupiers of the proposed dwellings where Anglian Water’s modelling predicted exposure levels below $C_{98, 1\text{-hour}} = 3 \text{ ou}_E/\text{m}^3$).
- **Appeal against Corby Borough Council (2012).** This appeal concerned land at Ashley Road, Middleton, Leicestershire. The inspector concluded in this case “I believe that it is reasonable to take account of the $1.5 \text{ ou}_E/\text{m}^3$ contour map in determining odour impact. In my view areas subject to such concentrations are unlikely to provide a reasonable permanent living environment.”
- **Appeal by Lakeland Leisure Ltd. against Allerdale Borough Council, 2012.** This appeal concerned the development of dwellings in Cockermouth, Cumbria in the vicinity of a sewage treatment works. The inspector concluded that development within the area predicted to experience odour exposure levels of $C_{98, 1\text{-hour}} = 3 \text{ ou}_E/\text{m}^3$ or less would be appropriate due to the anticipated medium offensive nature of the odours from the sewage works.
- **Thames Water vrs Dobson 2011.** This nuisance action was brought against Thames Water Mogden Sewage Treatment Works by a group of residents claiming odour nuisance caused by this large municipal sewage works in London. The inspector concluded that he would be reluctant to find nuisance if the modelled odour concentration was only $C_{98, 1\text{-hour}} > 1.5 \text{ ou}_E/\text{m}^3$ but as the odour concentration rises to $C_{98, 1\text{-hour}} = 5 \text{ ou}_E/\text{m}^3$ he considered that this was the area where nuisance from the works would start and that by the time that $C_{98, 1\text{-hour}} > 5 \text{ ou}_E/\text{m}^3$ or above is reached nuisance would certainly be established.
- **Appeal by JS Bloor (Northampton) Ltd 2010.** This appeal concerned a proposed residential development on land near an existing sewage treatment works in Leighton Linlade. The inspector noted that the water company used a standard of $C_{98, 1\text{-hour}} > 5 \text{ ou}_E/\text{m}^3$ which they indicated would be a “concentration level above which odour might be a potential nuisance”, and stated that the approach seemed reasonable and had been accepted at a previous appeal.
- **Extract from CIWEM policy statement.** CIWEM issued a position statement on odour in 2012 stating that the following framework is the most reliable that can be defined on the basis of the limited research undertaken in the UK at the time of writing:
 - $C_{98, 1\text{-hour}} > 10 \text{ ou}_E/\text{m}^3$ - complaints are highly likely and odour exposure at these levels represents an actionable nuisance;
 - $C_{98, 1\text{-hour}} > 5 \text{ ou}_E/\text{m}^3$, - complaints may occur and depending on the sensitivity of the locality and nature of the odour this level may constitute a nuisance;
 - $C_{98, 1\text{-hour}} < 3 \text{ ou}_E/\text{m}^3$, - complaints are unlikely to occur and exposure below this level is unlikely to constitute significant pollution or significant detriment to amenity unless the locality is highly sensitive or the odour highly unpleasant in nature.



It should be noted that the majority of the guidance and legal/planning cases relating to odour focus on the risk of impact at residential premises which are considered as high sensitivity receptors. There is much less available data regarding odour impact at potentially less sensitive non-residential receptors, and there is no clear precedent for what constitutes a suitable criterion.

As a general concept, the application of less stringent odour impact criterion may be suitable for users of less sensitive receptors (such as commercial or industrial premises). However complaints of odour are often documented from non-residential premises such as places of work so the issue is far from clear.

As there is no definitive precedent as to which criterion is suitable for either residential or non-residential premises, the criteria selected for planning purposes is open to challenge. Ultimately the decision on which criteria to apply is for the Council based on their risk appetite.

For this study, the assessment of risk of impact associated with the operations conducted at the WRC has been conducted by consideration of the $C_{98, 1\text{-hour}} = 3 \text{ ou}_E/\text{m}^3$ and $5 \text{ ou}_E/\text{m}^3$ criteria. The $C_{98, 1\text{-hour}} = 6$ and $10 \text{ ou}_E/\text{m}^3$ isopleths are also presented for reference.



3 Overview of sewage treatment operations

3.1 Location of works

The Water Recycling Centre is a medium to large sized sewage treatment works located on the north eastern edge of the city of Cambridge. The works serves a population equivalent of approximately 165,000, with an influent dry weather flow of 650 l/s.

In close proximity to the northern, south eastern and western boundaries of the WRC are located commercial premises. To the east and north east is located undeveloped land (agricultural land and Milton Country Park). Residential areas are located further afield to the north and south west.

The location of the site is indicated in Figure 1 below.

Figure 1: Map of the location of the WRC



In broad terms, the works has been operating in its current configuration since 2015. In 2015 Anglian Water completed a £20 million upgrade of the WRC to meet the Greater Cambridgeshire growth needs up to 2031. The key elements of the upgrade focussed on the secondary treatment operations, and involved decommissioning two percolating filter beds (known as Stream A and Stream B filters) and associated



humus tanks. To replace these plant new biological treatment plant with a smaller footprint (Stream D activated sludge plant) and final settlement tanks were commissioned.

3.2 Overview of sewage treatment operations

The sewage received at the WRC is made up of primarily domestic influent (there are no notably odorous trade discharges). The majority of the influent received at the works is delivered via gravity sewer, although a small proportion of the influent is delivered via pumped rising mains. Septicity dosing is undertaken at the pumping stations of the rising mains to reduce the risk of the development of septic conditions within the sewage.

Sewage arrives at the WRC into a large open below ground chamber from where it is pumped to the head of a raised inlet works. Tankered cess and other liquid wastes delivered to the works by road are also discharged into the below ground chamber.

At the head of the raised inlet works a number of bellmouths discharge the influent into a turbulent chamber prior to it flowing through open channels to 3 No. enclosed fine screens (operated in duty-assist-standby configuration). The screens remove rag from the influent which is then washed and compacted prior to deposit in 2 No. open skips which are replaced approximately once per week.

Following screening the flows pass through an open channel into an open circular detritor where grit is removed prior to being washed and deposited into an open skip which is replaced approximately once per week.

The screened and degritted flows are then conveyed along an open channel and turbulent mixing section. Works returns primarily consisting of liquors from the sludge treatment centre (liquors from the raw sludge gravity belt thickeners and centrate from the digested sludge centrifuges) and any road drainage are returned into an open chamber downstream of the detritor prior to combining with the influent in the open channel. Ferric sulphate is dosed into this channel.

Storm flows received at the works (those above 3x dry weather flow) are removed via storm weirs located downstream of the screens and diverted into 2 No. open circular storm tanks via enclosed pipework. Once the incoming flow rate into the works subsides the storm water within the tanks is returned to the works for treatment. The storm tanks are fitted with scrapers which are designed to prevent the accumulation of potentially odorous sediment on the base of the tanks after emptying. In extreme rainfall events the storm tanks fill and overspill (via enclosed pipework) into a large (approximately 100m x 140m) storm lagoon which is designed to store storm effluent which then soaks into the ground. Once the effluent has soaked away a residual sediment layer is left on the base of the lagoon which (according to site operators) typically results in a notable odour in the immediate area for between 10 and 14 days. Site operators believe that the lagoon is typically filled once per year on average.

Flows from the inlet works are conveyed via 2 No. open turbulent distribution chambers into 5 No. circular primary settlement tanks (PSTs) for solids settlement and removal. Each tank is fitted with automatic sludge scrapers and scum removal plant. Site operators state that between four and five of the tanks are routinely in use, dependent on the magnitude of flows received at the works.

Following primary treatment, the settled sewage is conveyed via an open distribution chamber into one of 2 No. secondary treatment streams. Stream D is an activated sludge process which includes a highly turbulent distribution/mixing chamber at the head of the works where settled sewage and return activated sludge (RAS) are mixed. The mixed liquors are conveyed to one of 4 No. lanes each comprising an anoxic and an aerobic section. A turbulent outlet channel collects the treated sewage from all 4 No. lanes and conveys it to 4 No. circular final treatment tanks (FSTs) for final clarification.



Stream C receives settled sewage from the PSTs which is mixed with RAS in a turbulent open chamber and then diverted into 4 No. lanes, each comprising anoxic and aerobic stages. Final clarification is provided by 3 No. open circular final settlement tanks.

Final tertiary treatment of all flows is provided by sand filters.

3.3 Overview of sludge treatment operations

Indigenous raw sludge from the primary settlement tanks is pumped via enclosed pipework into a circular covered sludge buffer tank, the air from which is extracted for treatment in an odour control unit.

Imported raw sludge is delivered to the site by road tanker and passed through a strainpress (to remove rag and other materials which are deposited into an open skip) into an enclosed imported sludge holding tank. This tank is served by an odour control unit. Imported sludge from this tank is conveyed into the sludge buffer tank where it is mixed with the indigenous raw sludge.

Mixed raw sludge from the sludge buffer tank is thickened in 2 No. gravity belt thickeners located on the ground floor of a sludge thickening building. The belts are locally enclosed and the captured odours are vented to atmosphere via 2 No. dispersion stacks. The liquors from the belts are discharged into an open sump prior to return the head of the works as described above.

Surplus activated sludge (SAS) from the Stream D activated sludge plant is stored in an open above ground SAS holding tank prior to thickening within 1 of 2 No. aquabelts (only one belt can run at any time and each is locally enclosed and vented to atmosphere via short dispersion stack) located in a SAS thickening building. Liquors from the belts are diverted into the distribution chamber at the head of the D stream secondary treatment plant.

Imported SAS and indigenous SAS from the Stream C secondary treatment plant is stored in a circular covered SAS buffer tank which is served by an odour control unit. The SAS is thickened in a SAS drum thickener prior to delivery into a circular covered above ground sludge blend tank where it is mixed with the thickened SAS from the D stream secondary treatment plant and the thickened raw sludge. The air from the sludge blend tank is extracted for treatment in the same odour control unit as the SAS buffer tank.

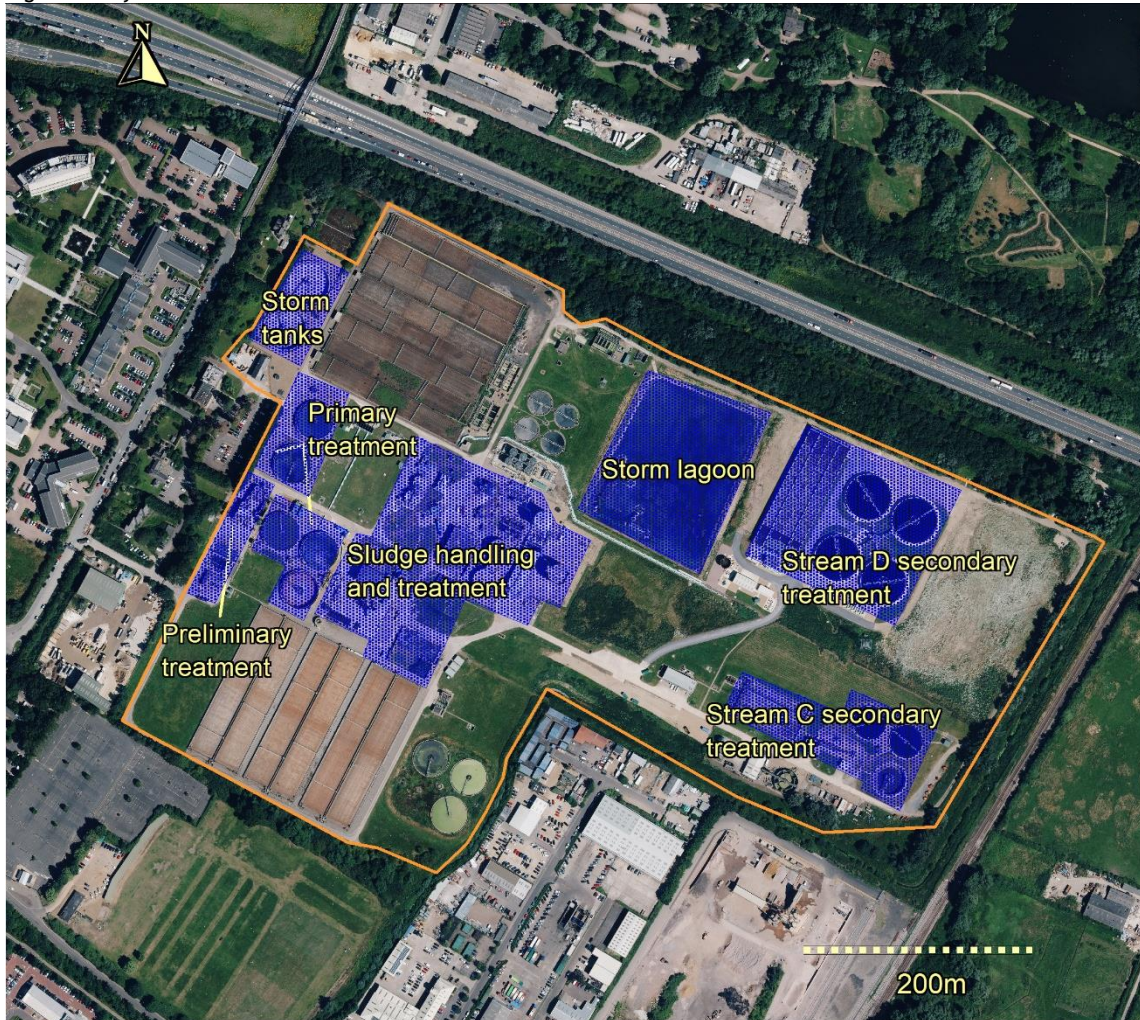
Mixed thickened sludge from the sludge blend tank is processed in the enclosed Monsal plant and then digested in enclosed primary anaerobic digesters with associated gas capture and combustion plant. At the time of the site audit there were a number of operational issues with the normal gas collection system and gas flare and some degree of gas leakage was occurring from the primary digester Whessoe valves. Anglian Water have indicated that these issues are being resolved and the routine release of unburnt biogas will not be anticipated from the site over the long term. Following digestion the sludge is transferred to one of 2 No. open secondary digestion tanks, sections of which are aerated in specific locations to avoid the accumulation of grit and silt, resulting in turbulence in these areas. The second tank is not in use, but contains a quantity of digested sludge. Anglian Water have indicated that the second tank will be cleaned in September 2017 and brought back into operation at some future stage.

Sludge from the secondary digestion tank is transferred via enclosed pipework to a number of centrifuges located in the upper level of the sludge thickening building. Centrate is discharged into the same sump as the GBT liquors. The trailers are typically removed after several days of storage, and in summer four or five trailers are typically stored onsite, and in winter this can increase up to nine. In addition, an emergency bund typically contains a quantity of cake that hasn't been deposited in a trailer.

The layout of the treatment assets at the WRC is shown in Figure 2.



Figure 2: Layout of treatment assets at the WRC



3.4 Overview of complaints

Complaints data provided by Cambridge City Council indicates that between 2005 and 2014 18 No. complaints of odour relating the WRC were received by the Council, from both residential and commercial premises. From completion of the upgrade in 2015 to the present (September 2017), 5 No. complaints of odour have been received. Detailed information regarding the nature of each complaint is not available. For three of the complaints the postcode is provided and these appear to have been received from residential locations. These locations have been plotted on the map below.



Figure 3: Location of odour complaints (2015-present)



4 Identification of odour sources

4.1 Overview of the mechanisms for odour generation from sewage treatment operations.

The generation of odour from the processing of sewage is primarily associated with the release of odorous Volatile Organic Compounds (VOCs) that are generated as a result of the anaerobic breakdown of organic matter by micro-organisms. Anaerobic breakdown starts within the human bowel and may continue within the sewerage network and treatment works if conditions (i.e. a lack of oxygen) allow.

The key objectives of the sewage treatment process are to remove solid organic matter which is responsible for the generation of the majority of sewage odours and to provide treatment to remove any residual contaminants from the wastewater so that it can be returned back into the environment.

Since the main source of odour and VOCs is the solid organic matter, the most intense and offensive odours tend to be generated from the operations involving the handling of sludge i.e. the processes applied to dewater and store raw sludge. These processes are generally considered to present the greatest risk of odour impact offsite, unless adequate controls are put in place. Depending upon the quality of the sewage presented to the works, the aspects of the treatment process involved in the handling of raw sewage (e.g. preliminary and primary treatment stages) may also generate substantial levels of offensive odours.

Odours generated from the sewage treatment processes downstream of the primary sludge removal stage (e.g. the activated sludge processes and final settlement) present a significantly reduced risk of odour impact. This is due to the fact that the majority of odorous biogenic material has been removed from the flow at this point, and the treatment processes applied to remove any remaining contaminants in the sewage are aerobic which inhibits the formation of the majority of the reduced sulphur compounds which are responsible for offensive sewage odours.

The rate of odour release from sewage and sludge sources is influenced by the temperature of the material and the surface area exposed to the atmosphere. As a result, odorous emissions from sewage treatment operations tend to be highest during the summer months. Furthermore, activities that lead to increase in the surface area of odorous material exposed to the atmosphere (e.g. due to turbulence generated by sewage handling processes and agitation of sludge) will inevitably lead to an increase in the magnitude of odour released.

4.2 Identification of sources of odour emission

A range of odour sources were identified at the WRC. These sources are summarised below.

Table 2: Identification of odour sources for the WRC

Stage of treatment	Source	Nature of odorous material/level of enclosure	Frequency and duration of release
Preliminary Treatment	Inlet works chambers, detritor and channels	Raw sewage / open	Continuous
	Screenings plant and skips	Screenings / enclosed and open	Continuous
	Grit skips and dewatering plant	Grit storage / open	Continuous
	Works return channel	Works returns (dewatering liquors, site drainage)	Continuous
Storm water	Storm weirs and tanks	Raw sewage (storm water) / open	Intermittent (1 day per month in summer, 2 days per month winter)



	Storm lagoon	Raw sewage (storm water) and sediment / open	Intermittent (very infrequent, typically 1 to 2 weeks per year)
Primary Treatment	Distribution chambers	Raw sewage / open	Continuous
	Primary settlement tanks	Raw sewage / open	Continuous
	Settled sewage distribution chambers	Raw sewage / open	Continuous
Secondary Treatment	Distribution/mixing chambers	Settled sewage and return activated sludge / open	Continuous
	Activated sludge plant - anoxic and aerobic sections	Mixed liquors / open	Continuous
Sludge treatment and handling	Sludge buffer tank OCU	Treated odours - stack emissions	Continuous
	Imported sludge strain press skip	Sludge screenings / open skip	Continuous
	Imported sludge tank OCU	Treated odours - stack emissions	Continuous
	Raw sludge gravity belt thickeners	Enclosed thickeners with vented emissions	Continuous
	Raw sludge thickening building	Fugitive emissions from building	Continuous
	Sludge liquors sump	Raw & digested sludge liquors / open chamber	Continuous
	SAS thickening building	Enclosed belts with vented emissions	Intermittent (10 hours per day)
	SAS holding tank	SAS / open tank	Continuous
	SAS buffer & sludge blend tank OCU	Treated odours - stack emissions	Continuous
	Secondary digestion tanks	Digested sludge / open tanks	Continuous
	Sludge cake	Digested sludge cake / open bay and trailers	Continuous



5 Odour survey results

5.1 Olfactometry and hydrogen sulphide measurement results

The results of Odournet's 2017 odour survey are summarised in the tables below and presented in full in Annex B, along with a record of the operational conditions at the works at the time of sampling.

Table 3: Olfactometry and H₂S measurements from open sources

Source	Date of Sampling	Geomean emission rate [ouE/m ² /s]	H ₂ S emission rate [ug/m ² /s]
Detritor (morning)	22.08.2017	22.2	5.664
Detritor (afternoon)	24.08.2017	23.4	1.680
Works return chamber	22.08.2017	26.8	1.338
PST #1	22.08.2017	3.9	0.654
PST #5	23.08.2017	1.1	0.134
Settled sewage chamber	23.08.2017	8.0	0.539
Stream D Anoxic zone	23.08.2017	22.4	0.414
Stream D Aerobic zone	23.08.2017	0.2*	<LLOD
Stream C Anoxic zone	23.08.2017	0.5	<LLOD
Stream C Aerobic zone	23.08.2017	0.2*	<LLOD
Secondary digestion tank (in use)	24.08.2017	5.7	3.342
Secondary digester (disused)	24.08.2017	0.6	5.739
Fresh sludge cake	24.08.2017	5.7	4.475
Digested sludge centrate sump	24.08.2017	2.4	0.677

*Estimated result as some sample results fell below the lower limit of detection of the analysis technique

Table 4: Olfactometry and H₂S measurements from volume sources

Source	Date of sampling	Geomean odour concentration [ouE/m ³]	H ₂ S conc. [ppm]	Flow rate (m ² /s)	Odour emission rate (ouE/s)
SAS buffer & sludge blend tank OCU	22.08.2017	31	<LLOD	0.03	1
Raw sludge thickening building	22.08.2017	231	<LLOD	n/a	n/a
Imported raw sludge holding tank OCU outlet	24.08.2017	2831	<LLOD	0.02	50
Raw sludge gravity belt outlet stack	22.08.2017	47557	10.7	0.36	19023

The raw sludge buffer tank OCU was not operating at the time of the 2017 odour survey. Anglian Water have indicated that the performance of this unit is likely to be broadly comparable to the performance of the OCU which serves the sludge blend and SAS buffer tanks.

5.2 Hedonic tone analysis results

Table 5: Hedonic tone analysis results

Source	Date of sampling	Concentration at which odours were perceived as 'mildly offensive' [ouE/m ³]
Detritor	22.08.2017	2.1
Stream D anoxic zone*	23.08.2017	1.8



Imported raw sludge holding tank OCU outlet	24.08.2017	2.0
Secondary digestion tank	24.08.2017	2.1

*due to the low concentration of the sample collected from the stream D aerobic zone, hedonic tone analysis could not be undertaken.

5.3 Discussion

Review of the odour measurement results presented above prompts the following observations:

- The odour emission rates measured from the influent in the detritor at the WRC are indicative of a moderately odorous influent. The comparability of the measured emission rates from the morning of the first day of sampling and the afternoon of the third day indicate a relatively consistent influent emission rate. The hydrogen sulphide emission rates do not indicate a substantial problem of septicity within the sewage received at the works at the time of sampling.
- The measurements of the odour emission rate from the works return chamber confirm that the material which is returned to the works for treatment is also moderately odorous.
- In comparison the emission rates of odour and hydrogen sulphide from the primary settlement tanks (PSTs) are low and are indicative of well operated tanks. The maintenance of the sludge blankets in the tanks at minimal levels is likely to result in the minimisation of odour generation within the tanks.
- The odour emission rates measured from the secondary treatment plant (filter beds, humus tanks and activated sludge plant) were all low and indicative of a well treated sewage, with the exception of the D stream anoxic zone. The measured emission rate at this location is higher than would typically be expected, and the reason for this is unknown.
- Review of the emission rates from the secondary digestion tanks indicates that the retained digested sludge within the disused tank is not a particularly odorous material. The sludge within the tank that is in use is more odorous, and measurements of the ammonia concentration of the collected samples indicates that this is likely to be a key component of the odours released. The same is the case for the sludge cake.
- At the time of sampling the sludge liquors sump was unlikely to have contained liquors due to the temporary suspension of the use of the thickening plant. On this basis the emission rate measured from this location is unlikely to be representative of the long term emissions.
- The odour concentration of the treated air from the SAS buffer & sludge blend tank OCU is very low, and indicates that the unit is likely to be providing a high level of treatment.
- The odour concentration of the treated air from the imported raw sludge holding tank OCU is substantially higher and indicates that the unit is unlikely to be performing as well. However due to the low flow rate of air through this OCU the resulting odour emission is small. The untreated air extracted from the raw sludge gravity belt thickeners is extremely odorous.
- Review of the results of the hedonic tone analysis indicates that the odour panel found the offensiveness of the odours from the various areas of the works to be broadly comparable.



6 Estimation of odour emissions

6.1 Assumptions applied to estimate odour emissions

The assumptions applied to estimate odour emissions from the works for the current operational conditions are presented below. This reflects the current operational conditions at the works, but assuming that the biogas leakage has been resolved and both of the secondary sludge digestion tanks are brought into use (indicated by Anglian Water to be the long term plan).

- The odour emission rates for open odour sources for summer conditions were calculated by multiplying the plan area of the treatment process by the area odour emission rates defined in the table below.

Table 6: Estimated summer odour emission rates applied for current operational conditions

Stage of treatment	Source	Estimated odour emission rate (ouE/m ² /s)	Turbulence factor	Note
Preliminary Treatment	Inlet works chamber, screens detritor and channels	23	1 - 6	Measured
	Screenings skips	35	1	Estimated (reference data)
	Grit skips and dewatering plant	25	1	Estimated (reference data)
	Works return channel	27	1	Measured
Storm water	Storm weirs and tanks	8	1-6	Measured influent emission rate divided by 3 (3xDWF)
Primary Treatment	Distribution chambers	23	1-3	Measured (influent)
	Primary settlement tanks	2.1	1-3 (weirs)	Measured
	Settled sewage distribution chamber	8	1-6	Measured
Secondary Treatment	Distribution/mixing chambers	5	1-20	Estimated based on SS distribution measurement and estimate of RAS
	Stream D anoxic zone	22	1	Measured
	Stream D aerobic zone	0.2	1	Measured
	Stream C anoxic zone	0.5	1	Measured
	Stream C aerobic zone	0.2	1	Measured
	Outlet channels	0.2	1-20	Estimated based on aerobic zone measurements
Sludge treatment and handling	Imported sludge strain press skip	50	1	Estimated (reference data)
	Sludge liquors sump	350	3	Estimated (reference data)
	SAS holding tank	4	1	Estimated (reference data)
	Secondary digestion tank	6	1-6	Measured
	Sludge cake	6	1	Measured

- The emission rate of odour from all aspects of the works involved in handling raw liquid sewage (e.g. the preliminary and primary treatment) were reduced by a factor of 5 during autumn/winter to reflect the reduction in emissions due to lower sewage/ambient temperature and dilution effects of rainwater. Emissions from aspects of the operations including the secondary treatment stage, sludge handling, screenings handling and storage were assumed to remain relatively constant during summer and winter conditions.



- For turbulent sources, a multiplier was applied to the emission rate to reflect the elevation in emissions that occurs due to the increase in surface area exposed to the atmosphere. The following turbulence factors were used which are based on Odournet's broader experience in the wastewater sector and the findings of research:

Table 7: Turbulence factors

Level of turbulence	Turbulence multiplier
Low	3
Medium	6
High	12
Extreme	20

- The emission rates applied for volume and point sources were also based on the results of Odournet's 2017 measurement survey, and where relevant, reference data obtained by Odournet from comparable sources at UK sewage treatment works using accredited odour sampling and analysis techniques. For the raw sludge buffer tank OCU, the flow rates and odour emission rate were estimated based on the results of the testing of the SAS buffer and sludge blend tank OCU.

Table 8: Estimated emission rates for point and volume sources

Stage of treatment	Source	Estimated flow rate (m ³ /s)	Estimated odour emission rate (OU _E /s)	Note
Sludge treatment and handling	Raw sludge buffer tank OCU	0.03	1	Assumed to be the same as SAS buffer & sludge blend tank OCU
	Imported sludge OCU	0.02	50	Measured
	SAS buffer & sludge blend tank OCU	0.03	1	Measured
	SAS thickening belt vent	0.4	250	Estimated (reference data)
	Raw sludge thickening building	0.625	144	Estimate based on measured odour concentration and estimated 3 building air changes per hour
	Raw sludge gravity belt thickener vents	0.4	19023	Measured

- It is assumed that at any given time three of the bellmouths at the head of the elevated inlet works are discharging.
- It is assumed that 2 No. screenings skips, 1 No. grit skip and 1 No. sludge strainpress skip are in use.
- It is assumed that the 2 No. circular storm tanks are in use for 2 No. days per month in winter and 1 No. day per month in summer. The emission rate from the storm water has been estimated as a third of the influent emission rate, to account for the fact the storm flows are directed to the tanks at 3x dry weather flow. It is assumed that the cleaning systems within the tanks are effective and that no odorous sediment is retained in the tanks after emptying.
- It is assumed that 4 No. PSTs are in use during summer, and 5 No. PSTs are in use in winter.
- It is assumed that one of the raw sludge gravity belt thickeners is in operation 24 hours per day.
- It is assumed that one of the SAS belts is in operation for 10 No. hours per day.



- It is assumed that both of the secondary digestion tanks are in use, and that each is fitted with an aeration system which constantly aerates approximately 10% of the surface.
- It is assumed that 5 No. sludge cake trailers were in place in summer, and 9 No. trailers were present in winter.
- Emissions from the filling of the storm lagoon (which typically only happens once per year) were not included in the model.

6.2 Breakdown of estimated emissions

A breakdown of the summer odour emissions generated from each aspect of the sewage treatment process is presented in Table 9 below. The emission rates presented in the table have been adjusted to reflect the frequency of occurrence of each odour source and are 'time-weighted'.

Table 9: Summer time weighted emissions from each aspect of the treatment process

Stage of treatment	Source	Odour emission rate [ou _E /s]	% of total emissions
Preliminary treatment	Inlet works screens, detritor & channels	13283	18.2%
	Screenings skips	315	0.4%
	Grit skips and dewatering plant	190	0.3%
	Works return channel	398	0.5%
Storm water	Storm weirs and tanks	557	0.8%
Primary treatment	Distribution chambers	2235	3.1%
	Primary settlement tanks	7271	10.0%
	Settled sewage	1744	2.4%
Secondary treatment	Distribution/mixing chambers	1435	2.0%
	Activated sludge plant - anoxic zones	13705	18.8%
	Activated sludge plant - aerobic zones	1264	1.7%
Sludge treatment and handling	Sludge buffer tank OCU	1	0.0%
	Imported sludge strain press skip	225	0.3%
	Imported sludge tank OCU	50	0.1%
	Raw sludge gravity belt thickener vent	19023	26.1%
	Raw sludge thickening building	144	0.2%
	Sludge liquors sump	350	0.5%
	SAS thickening vent	104	0.1%
	SAS holding tank	278	0.4%
	SAS buffer & sludge blend tank OCU	1	0.0%
	Secondary digestion tanks	9855	13.5%
	Sludge cake	416	0.6%
TOTAL		72843	100

Based on a review of the above table, the total time weighted summer odour emission from the works is approximately 73,000 ou_E/s. Of these emissions approximately 20% are generated by the preliminary treatment stage, 1% from storm water handling, 15% by the primary treatment stage, 22% by the secondary treatment stage and 42% from the sludge handling and treatment operations.

Within the preliminary treatment area, the handling and treatment of odorous raw sewage results in this area contributing approximately one fifth of the total emissions from the WRC.



Storm water handling emissions account for a very small percentage of site emissions due to fact that the storm tanks are used relatively infrequently, and also due to the cleaning systems which prevent the retention of sediment in the base of the tanks after emptying.

For the primary treatment stage, the majority of emissions (10%) are released from the surface of the primary settlement tanks which have a relatively large surface area.

For the secondary treatment stage, the elevated odour emission rate measured from the anoxic zones of the D stream activated sludge plant means that they account for almost 19% of the total emissions from the WRC as a whole. Despite the large surface area of the aerobic stages of the secondary treatment plant, the low odour emission rate from the partially treated sewage means that emissions from this area only account for approximately 1% of overall emissions.

The high contribution of the sludge treatment and handling operations is due primarily to two key odour sources; the vent which emits odours from the raw sludge gravity belt thickener and the open secondary digestion tanks. The large contribution of the raw sludge belt thickener (26% of total emissions) is due to the very high odour concentration of the air extracted and vented to atmosphere untreated. For the secondary digestion tanks the 14% contribution to total emissions results primarily from the large surface area of the tanks and the areas of turbulence caused by the aeration mixing.



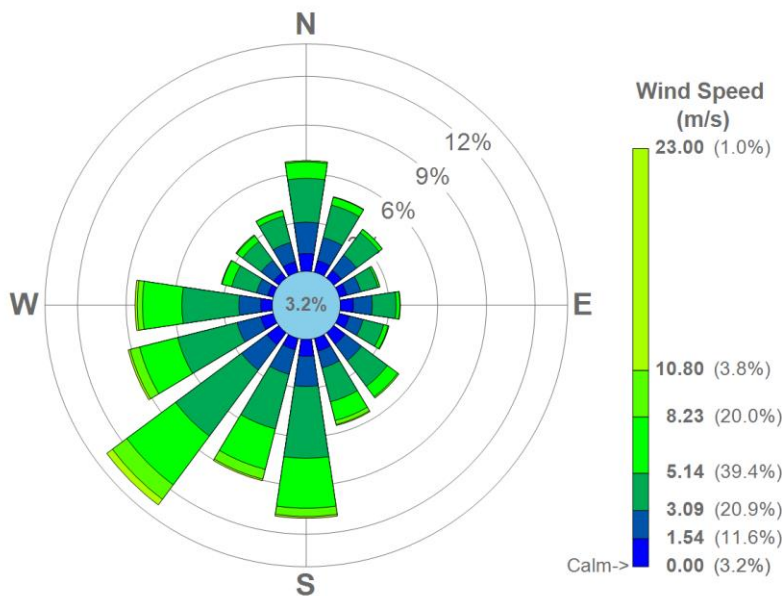
7 Odour impact assessment

7.1 Dispersion modelling assumptions

The assumptions applied for the dispersion model were as follows:

- The meteorological data used by the model to simulate the dispersion and dilution effects generated by the atmosphere has been selected with reference to the AERMOD Implementation Guide⁷, which advises that the most representative meteorological dataset should be utilised (this will be influenced by both proximity to the study site and the representativeness of the surface characteristics of the meteorological station in comparison to the study site).
- Sequential hourly average meteorological data was obtained from the recording station located at Cambridge Airport for the years 2012 to 2016, with missing data imported from RAF Mildenhall. Cambridge Airport is located approximately 3km to the south of the WRC and is located in an area of broadly comparable landuse (semi rural/urban area located on the eastern edge of the city of Cambridge). The meteorological data was adjusted to reflect the surface characteristics of the study site in accordance with the guidelines in the AERMOD Implementation Guide. The windrose for the meteorological data utilised in the study is presented below.

Figure 4: Windrose for Cambridge Airport (with missing data imported from RAF Mildenhall) for 2012 to 2016



- Data describing the topography of the area surrounding the works was obtained from Ordnance Survey in Landform Panorama™ format.
- The model was run assuming rural dispersion characteristics, as defined in the AERMOD implementation guide
- Buildings and structures in the vicinity of the odour control units were included in the model.
- A 2.7km by 3.2 km uniform Cartesian receptor grid was defined for the study area. The model was run using a receptor point spacing of 100 m for all years. The model for the 'worst case'

⁷ AERMOD Implementation Guide, Published by the US EPA, Revised August 2015



year was also rerun using a spacing of 40 m, and this is presented in Annex C. Receptor heights of 1.5m were assumed.

- The model only considers normal operational occurrences. Short term events such as plant breakdown, maintenance and repair could potentially impact considerably on the odorous emissions from time to time. Such short term variations have not been considered within the model.
- The model reflects the current operational conditions, with the exception that the both secondary digestion tanks are assumed to be in use and the issues with gas collection are assumed to have been addressed. From discussions with Anglian Water it is understood that there are currently no other planned changes to the works operations that are likely to substantially change odour emissions and that this reflects the likely foreseeable long term operation of the WRC.

7.2 Dispersion modelling results

Current practice for odour assessment for planning is for the model to be run using five individual meteorological years, and for the assessment conclusions to be based on the results of the worst case year. In this case the worst case year is likely to be 2013, although this is dependent on which specific offsite location is being assessed. The model output for 2013 (100 m receptor grid spacing) is presented in Figure 5 below. The model outputs for all years modelled (including the 2013 model output with a 40 m receptor grid spacing) are presented in Annex C so that the variation in predicted odour exposure levels can be understood. The figures present isopleths defining the area where predicted odour exposure levels will exceed $C_{98, 1\text{-hour}} = 3, 5, 6$ and $10 \text{ ou}_E/\text{m}^3$.

Figure 5: Current operational conditions model output - 2013 (100m receptor grid spacing)



7.3 Discussion of model output:

Review of the model output presented above indicates that under the likely foreseeable long term operations at the WRC, predicted odour exposure levels in the area immediately surrounding the works exceed the $C_{98, 1\text{-hour}} = 3, 5 \text{ and } 6 \text{ ou}_E/\text{m}^3$ criteria discussed in section 2.3. On this basis any residential developments in these areas are likely to be at risk of odour impact. For any commercial or industrial developments in these areas, the degree to which odour impact is likely to occur is less clear for the reasons discussed in section 2.3.

Clearly if the operations at the works vary substantially going forwards in comparison to those assumed for the model then the risk of odour impact will vary.

Review of the model output indicates that the predicted exposure levels at the 3 No. residential locations from which odour complaints were received range fall below the $C_{98, 1\text{-hour}} = 3 \text{ ou}_E/\text{m}^3$ exposure level. However the absence of detailed complaint information means that it is unclear whether these complaints resulted from 'normal' odour emissions from the works or abnormal emissions, such as those associated with the gas collection system problems. Overall the value of the complaint data in assessing the foreseeable level of odour impact risk is limited.

It should be noted when reviewing the model output that the odour emissions associated with the use of the storm overflow lagoon are not included within the model. As described in section 3.2 the lagoon is typically only used approximately once per year with the resulting sediment causing a notable odour in the immediate area for between 10 and 14 days. On this basis it is considered likely that any receptors located in close proximity to the lagoon would experience elevated odours and increased risk of annoyance during these times. This could be confirmed by undertaking sniff testing in the area at a time when the lagoon contains odorous material.



8 Summary of findings

The key findings of the study are summarised as follows:

1. The odour survey identified a range of odour sources at the WRC under the current operational conditions. These sources include the raw sewage reception and screenings/grit removal plant, the stormwater storage tanks, the primary settlement tanks, the anoxic and aerobic secondary treatment plant, and the sludge handling and storage operations.
2. The estimated time weighted summer odour emissions from the WRC are approximately 73,000 ou_E/s. Of these emissions approximately 20% are generated by the preliminary treatment stage, 1% from storm water handling, 15% by the primary treatment stage, 22% by the secondary treatment stage and 42% from the sludge handling and treatment operations.
3. The largest individual contributors to the total site emissions are the emissions from the raw sludge belt thickening plant, the secondary sludge digestion tanks, the D stream anoxic plant and the primary settlement tanks.
4. The results of dispersion modelling which was undertaken to assess the level of odour impact risk under the foreseeable long term operational conditions at the works (current operations plus both secondary digestion tanks assumed to be in use and gas collection issues addressed) indicate that odour exposure levels in the area immediately surrounding the works exceed the $C_{98, 1\text{-hour}} = 3, 5 \text{ and } 6 \text{ ou}_E/\text{m}^3$ odour impact criteria discussed in section 2.3 of this report. On this basis any residential developments in these areas are likely to be at risk of odour impact. For any commercial or industrial developments in these areas, the degree to which odour impact is likely to occur is less clear for the reasons discussed within this report.
5. The likely increase in exposure to odours that would be experienced periodically in the vicinity of the storm overflow lagoon should be considered if the suitability of this land for development is to be reviewed.



Annex A Odour sampling and analysis techniques

A.1 Collection of odour samples from sources with no measurable flow

Collection of samples from area sources where there is no measurable flow such as open liquid tanks or channels and piles of sludge cake was conducted using a ventilated canopy known as a 'Lindvall hood'. The canopy was placed on the odorous material and ventilated at a known rate with clean odourless air. A sample of odour was collected from the outlet port of the hood using the 'Lung' principle as described above.

The rate of air blown into the hood was monitored for each sample and used to calculate a specific odour emission rate per unit area per second (E_{sp}) as follows:

$$E_{sp} \text{ (ouE/m}^2\text{/s)} = C_{hood} \times L \times V$$

Where:

C_{hood} is the concentration result from the laboratory analysis.

V is the flow presented to the hood.

L is the flow path cross section of the hood (m^2)

Covered area (m^2)

A.2 Collection of odour samples from odour control plant and buildings

Collection of samples from vents and odour control plant stacks vents were conducted using the 'Lung' principle. A 60 l Nalophan sample bag was placed in a rigid container and connected to the sample location using a PTFE sample line. Air was withdrawn from this container using a pump which caused a sample of the odorous air to be drawn through the line into the bag.

If necessary, samples were pre-diluted with nitrogen at the point of collection to prevent condensation from forming in the sampling lines and odour bag, which may influence the odour concentration prior to analysis.

For samples undertaken from vents or odour control plant stacks, the temperature and velocity of the airflow at each point was also determined using suitable monitoring techniques.

The emission rate of odour was then calculated by multiplying the measured odour concentration by the volume flow rate (m^3/s) as measured in the duct.

For samples collected from within buildings, the lung principle was applied to collect the sample, and the volume escape rate of building air estimated to enable an estimation of the emission rate of odour from the building to be made.

A.3 Measurement of odour concentration using olfactometry

Odour measurement is aimed at characterising environmental odours, relevant to human beings. As no methods exist at present that simulates and predict the responses of our sense of smell satisfactorily, the human nose is the most suitable 'sensor'. Objective methods have been developed to establish odour concentration, using human assessors. A British standard applies to odour concentration measurement:

- BSEN 13725:2003, *Air quality - Determination of odour concentration by dynamic olfactometry*.

The odour concentration of a gaseous sample of odorants is determined by presenting a panel of selected and screened human subjects with that sample, in varying dilutions with neutral gas, in order to determine the dilution factor at the 50% detection threshold (D_{50}). The odour concentration of the



examined sample is then expressed as multiples of one European Odour Unit per cubic meter [ou_E/m^3] at standard conditions.



Annex B Odour and H₂S measurement results

B.1 Odour and H₂S measurement results from 2017 survey

Table 10 Odour emission measurements for open sources

Source	Date of Sampling	Area odour emission rate [ou _E /m ² /s]			
		Geomean	Sample 1	Sample 2	Sample 3
Detritor (morning)	22.08.2017	22.2	36.4	13.4	22.3
Detritor (afternoon)	24.08.2017	23.4	23.2	23.5	23.4
Works return chamber	22.08.2017	26.8	20.0	36.7	26.2
PST #1	22.08.2017	3.9	3.3	4.0	4.6
PST #5	23.08.2017	1.1	1.2	1.2	0.9
Stream D Anoxic zone	23.08.2017	22.4	22.2	20.4	24.9
Stream D Aerobic zone	23.08.2017	0.2*	0.2*	0.2*	0.2*
Stream C Anoxic zone	23.08.2017	0.5	0.5	0.6	0.4
Stream C Aerobic zone	23.08.2017	0.2*	0.3	0.2*	0.2*
Settled sewage chamber	23.08.2017	8.0	6.6	6.5	11.8
Secondary digestion tank (in use)	24.08.2017	5.7	12.1	4.9	3.1
Secondary digester (disused)	24.08.2017	0.6	0.9	0.6	0.4
Fresh sludge cake	24.08.2017	5.7	5.1	5.9	6.0
Digested sludge centrate sump	24.08.2017	2.4	1.6	3.6	2.2

*Result is estimated as actual result fell below the Lower limit of detection of the analysis technique

Table 11 Odour concentration measurements for volume sources

Source	Date of sampling	Odour concentration [ou _E /m ³]			
		Geomean	Sample 1	Sample 2	Sample 3
SAS buffer & sludge blend tank OCU	22.08.2017	31	32	30	32
Raw sludge thickening building	22.08.2017	231	277	216	206
Imported raw sludge holding tank OCU outlet	24.08.2017	2831	4012	2779	2036
Gravity belts outlet stack	22.08.2017	47557	48699	45353	48699

B.2 Operational conditions at the time of the odour survey

Date	Incoming flow rate to works (m ³ /day)	PST dip levels	GBTs in operation1	Centrifuges in operation	Rainfall in 3 days prior to survey (mm)
22.08.2017	53049	#1: 3.0m water (<1m sludge)	1 of 2	1	0
23.08.2017	51016	#5: 3.2m water (<0.8m sludge)	1 of 2	1	0
24.08.2017	49943	NA	0 of 2	1	0



Figure 7: Current operational conditions model output - 2013 Met data (40m receptor grid spacing)



Figure 8: Current operational conditions model output - 2014 Met data (100m receptor grid spacing)

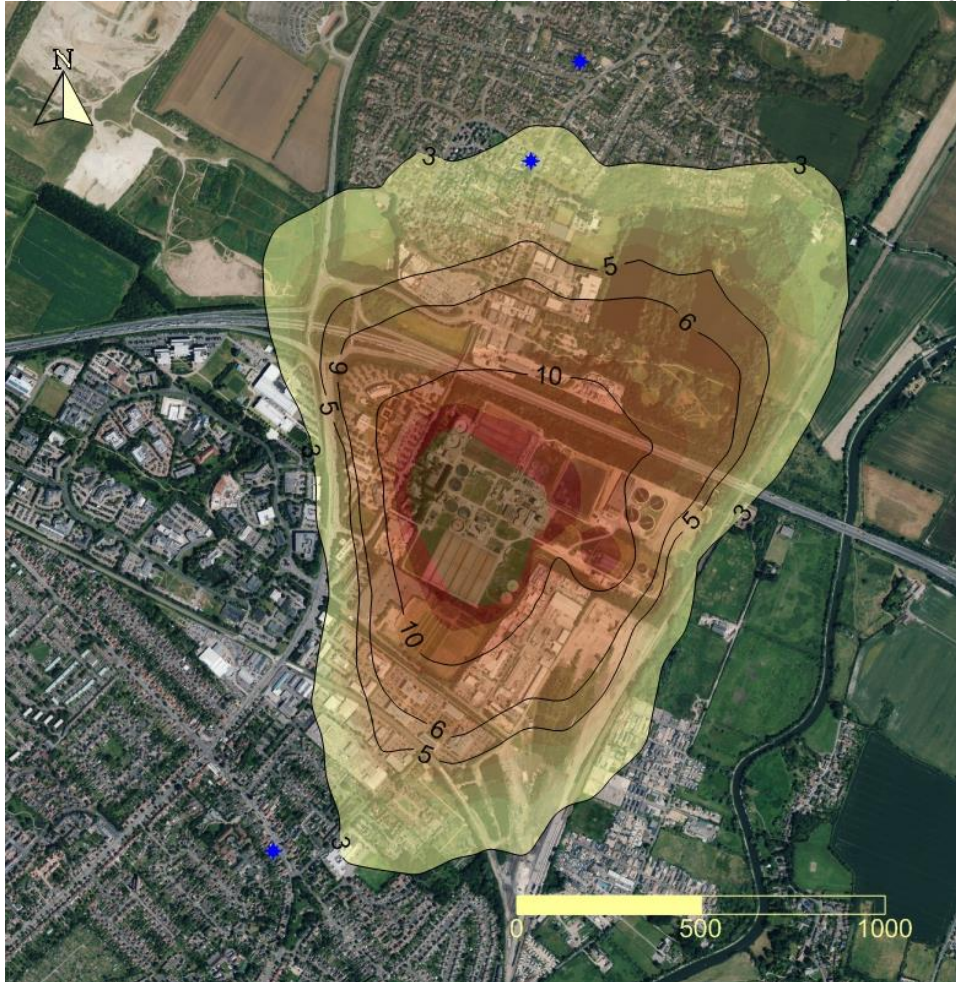
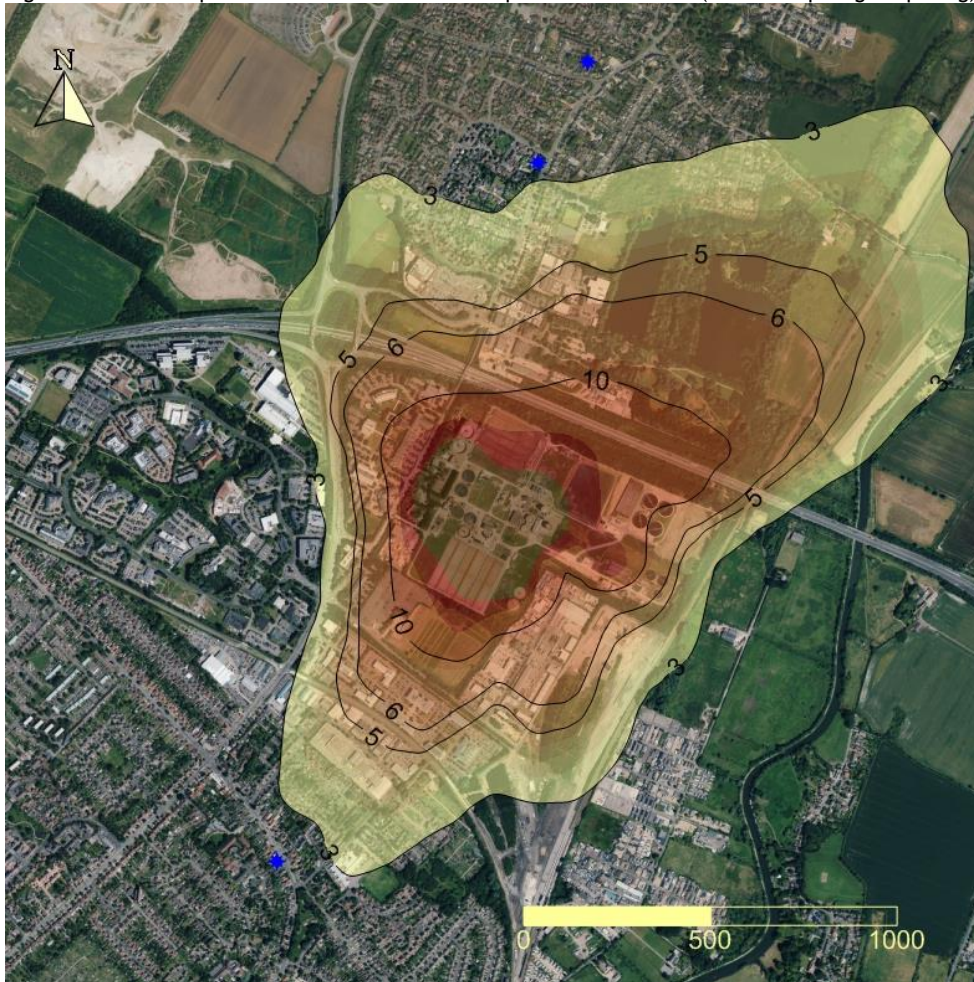


Figure 9: Current operational conditions model output - 2015 Met data (100m receptor grid spacing)



Figure 10: Current operational conditions model output - 2016 Met data (100m receptor grid spacing)



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Technical note on interpretation of ‘Odour Impact Assessment for Cambridge Water Recycling Centre’ (October 2018) as a material consideration in determining Planning Applications in the vicinity of Cambridge Water Recycling Centre

Purpose of this technical note

- 1 This technical note sets out how officers intend to interpret the results of the ‘Odour Impact Assessment for Cambridge Water Recycling Centre’ (October 2018), undertaken for the Councils by Odournet, in consideration of planning applications for development in the vicinity of Cambridge Water Recycling Centre (CWRC). Figure 1 shows the area which is covered by this note (later sections of this technical note explain how this area has been determined).
- 2 The Odournet study will be a material consideration in determining planning applications, alongside all other material planning considerations, for all development (including change of use) which will be regularly occupied or used, but does not apply to householder applications.

Background

- 3 At all water recycling centres (WRCs), sewage can give off odour when it is treated, or moved around during the treatment process. Although it is mainly water, sewage contains polluting materials that produce gases with odorous characteristics that can be detected when released into the air.
- 4 The amount of odour from a WRC and its dispersion depends on a range of factors including what is in the sewage, how long it takes to arrive at the sewage works, how it is treated during various stages, local topography, the direction and strength of the wind and how warm the weather is (sewage can smell more on hot days). Although the CWRC endeavors to use best practical means to minimise odour generation, inherently it is not possible to have absolute control over many of these issues to completely eliminate odours.
- 5 The Councils commissioned consultants Odournet to undertake an odour impact assessment, in order to assess the level and risk of odour impact posed by CWRC in the surrounding area. The results of this assessment will be used as a material consideration by the Councils to help inform future planning decisions in line with the planning policies in the Cambridge Local Plan (2018) and South Cambridgeshire Local Plan (2018).

Planning Policy

- 6 The National Planning Policy Framework (2019) aims to reduce air pollution and provide healthy and acceptable living conditions. Paragraph 127 which is concerned with achieving well-designed places, states that *‘Planning policies and decisions should ensure that developments:... f) create places that are safe, inclusive and accessible and*

which promote health and well-being, with a high standard of amenity for existing and future users’.

- 7 Paragraph 180, states that *‘planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment’.*
- 8 Paragraph 182 is key and states that *‘Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed’.*
- 9 The CWRC falls at the boundary of Cambridge City Council and South Cambridgeshire District Council and so policies in both authorities’ Local Plans are of relevance.
- 10 Policy 36: Air quality, odour and dust of the Cambridge Local Plan (2018) relates to air pollution from all potential sources, including odour. Part b) of the policy states that where the proposed development is a sensitive end-use it will be permitted where it can be demonstrated that there will not be any significant adverse effects from existing poor air quality, sources of odour or other emissions to air. The policy goes on to state that any such impacts on the proposed use should be appropriately monitored and mitigated by the developer. The supporting text says that applicants shall, where reasonable and proportionate, prepare and submit with their application a relevant assessment, taking into account guidance current at the time of the application.
- 11 Policy SC/14 of the South Cambridgeshire District Local Plan deals with odour and other fugitive emissions to air. However, it mainly relates to new development which may generate malodours or emissions to air. The supporting text to the policy recognises that odour from sewage treatment works is an issue that is addressed by the Cambridgeshire and Peterborough Minerals and Waste LDF. Policy HQ/1: Design Principles, seeks to secure high quality design in all new development. Criterion (n) states that proposals must *‘protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust’.*
- 12 Policy 15 of the Cambridge Local Plan and Policy SS/4 of the South Cambridgeshire District Local Plan are identical policies dealing with development in Cambridge Northern Fringe East and Cambridge North railway station. In line with this policy, the Councils are currently preparing a joint Area Action Plan for the site. As part of the development of the AAP, the relocation of CWRC is being considered, however if it is to

remain on the current site the policy states that all proposals should *‘demonstrate that environmental and health impacts (including odour) from Cambridge Water Recycling Centre can be acceptably mitigated for occupants’*.

- 13 The Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy (2011) has a policy (CS31) on Waste Water Treatment Works (WWTW) Safeguarding Areas. These Safeguarding Areas assist in safeguarding waste management sites from incompatible development which may prejudice their use, and they extend 400 metres around existing treatment works, with a capacity exceeding 2000 population. This applies to the CWRC (Policy SSP W7I – Cambridge WWTW in the Site Specific Proposals Development Plan Document (2012)) and the Safeguarding Area is defined on the Local Plan Policies Maps for Cambridge and South Cambridgeshire. This Safeguarding Area is also shown in Figure 1 of this technical note. Within the Safeguarding Area Policy CS31 states that there is a presumption against allowing development which would be occupied by people, including new buildings or changes of use of buildings to residential, industrial, commercial, sport and recreation uses. Where new development is proposed within the Safeguarding Areas involving buildings which would normally be occupied, the application must be accompanied by an odour assessment report. The assessment must consider existing odour emissions from the waste water treatment works at different times of the year and in a range of different weather conditions. The policy goes on to say that planning permission will only be granted when it has been demonstrated that the proposed development would not be adversely affected by the continued operation of the existing waste water treatment works. The Waste Planning Authority must be consulted on any planning proposal within a Safeguarding Area, except householder applications or advertisements.

Odournet Report

- 14 The report ‘Odour Impact Assessment for Cambridge Water Recycling Centre’ (October 2018) was commissioned by Environmental Health Officers at both Councils and produced by Odournet. Environmental Health Officers at the Councils are fully supportive of the approach taken in the Odournet report, which in their view was conducted in accordance with all relevant published UK technical guidance issued by the Institute of Air Quality Management (IAQM), the Environment Agency and DEFRA. It is considered to be a reasonable representation of likely odour emissions from the CWRC site and provides robust predicted odour exposure levels in the area.
- 15 The study involved an odour measurement survey which was conducted at CWRC in summer 2017, targeting each individual odour source. The results of the survey were used alongside operational information for CWRC and odour measurement data collected at other UK sewage treatment works to define site and source specific odour emission estimates for each odour source of the works operations. Atmospheric odour dispersion modelling was then undertaken using the AERMOD computer modelling system in order to assess representative odour exposure levels (impacts) which are likely to occur around the site under the current and likely future long-term operational conditions.

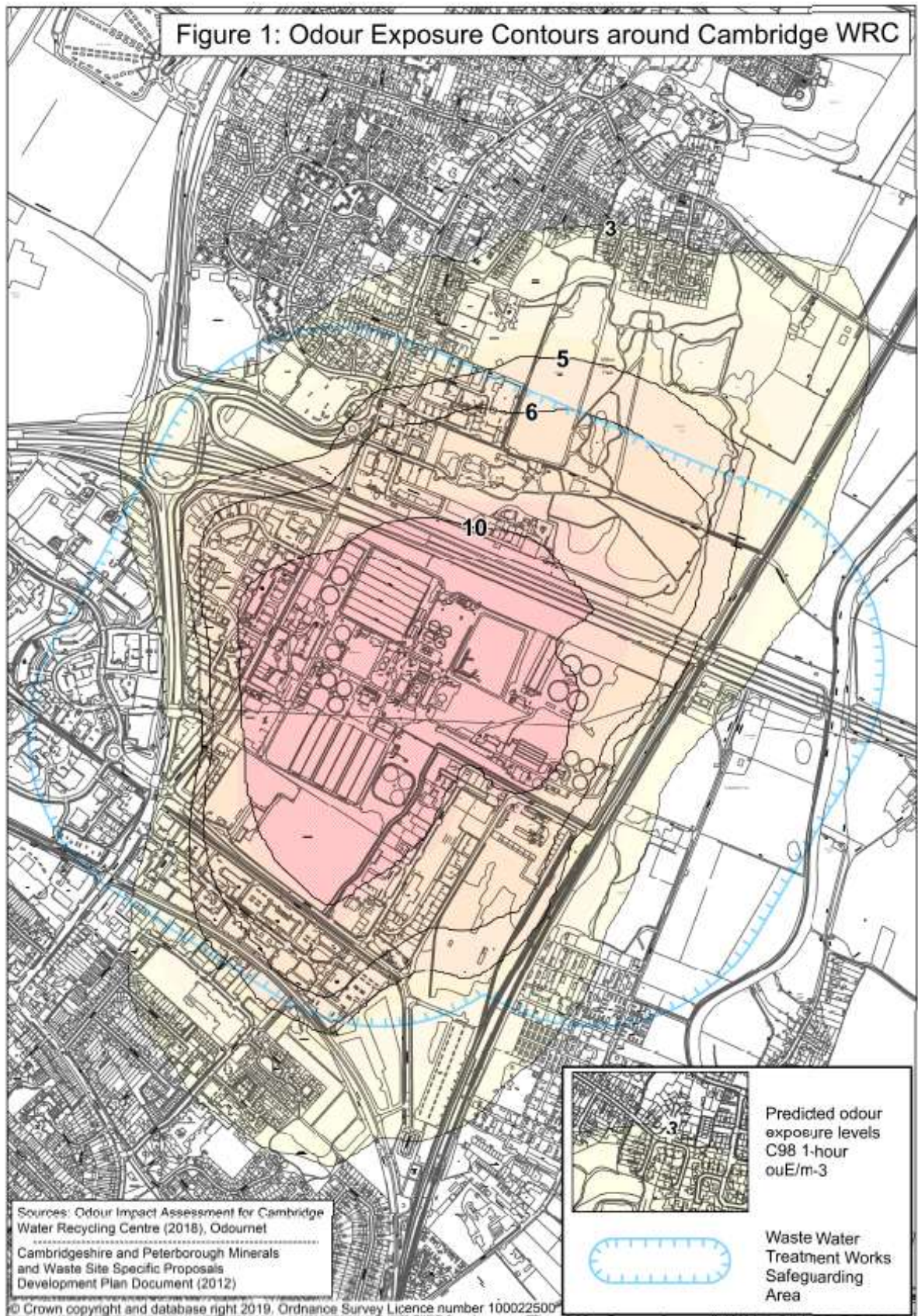
- 16 The results of the odour assessment study are predicted odour exposure contours (of equal odour concentration units - ouE/m³) in the vicinity of CWRC for each individual meteorological year of a 5 year dataset (2012 – 2016). The contours are based on the predicted 98th percentile (C98) value of hourly average odour concentration units (as advised in current UK guidance) and measured in European odour units per cubic metre of air (C98, 1-hour concentrations - ouE/m³). Current practice for odour assessment for planning is to use the worst case year, which was 2013. These odour exposure contours are shown in Figure 5 of the study and repeated in this technical note at Figure 1.

Odour Impact and Annoyance

- 17 Odour annoyance occurs when a person exposed to an odour perceives it as unwanted or objectionable. The perception of the impact of odour and perceived odour annoyance involves not just the strength of the odour but also its **F**requency, **I**ntensity, **D**uration and **O**ffensiveness (the unpleasantness at a particular intensity) and the **L**ocation of the receptors (both indoor and outdoor). These attributes are known collectively as the FIDOL factors and are explained further in the Technical Appendix - Table 2: Description of the FIDOL factors.
- 18 The risk of annoyance from odour is also highly dependent upon how sensitive the use is. The IAQM Odour Planning Guidance 2018 sets out a table of receptor sensitivity to odours based upon the level of expected amenity and the length of time users would be exposed to odour (see Table 4: Receptor Sensitivity to Odours in the Technical Appendix 1 of this technical note). Uses such as residential, hospitals, schools are classified as high sensitivity because users would expect enjoyment of a high level of amenity and would be present for extended periods of time. Places of work and retail premises are classified as medium sensitivity and industrial and farm use, roads / footpaths are low sensitivity.
- 19 Section 2.3 of the Odournet study discusses at length the various odour criteria used in the UK which identify when an odour annoyance is likely to occur. It refers to the different acceptability criteria used in the UK by industry, regulators, relevant case law, Planning Inspectorate appeal decisions and consultant experience to determine the potential significance of odour effects.
- 20 The report states that there is no definitive precedent as to which criterion is suitable for either residential or non-residential premises. The majority of the guidance and legal/planning cases relating to odour focus on the risk of impact at residential premises which are considered as high sensitivity receptors. The report goes on to say that 'ultimately the decision on which criteria to apply is for the Council based on their risk appetite'.
- 21 Further discussion about the significance of odour impact / effect and annoyance and how this technical note has been developed is set out in Technical Appendix 1.

Odour Exposure Level Acceptability Criterion for Planning Applications

- 22 After careful consideration by Environmental Health and Planning Officers at both Councils, taking into account the Odournet study and relevant guidance and case law reported in the study, the Councils' position is set out below.
- 23 Figure 1 shows the modelled worst case year (2013) from the Odournet Study and the odour exposure contours for 3, 5, 6 and 10 odour units (C98 1-hour ouE/m³). It also shows the WWTW Safeguarding Area from the Minerals and Waste Site Specific Proposals Development Plan Document (2012).
- 24 If an application falls within any of the odour exposure contours, consideration should be given to Table 1 of this technical note, taking into account which contour the site falls within.
- 25 If an application falls within the WWTW Safeguarding Area, consideration must be given to Policy CS31, of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Core Strategy (2011).
- 26 There will be some circumstances where an application falls in either the odour exposure contours or the WWTW Safeguarding Area, however there will also be cases where an application may fall within both. Later sections of this technical note set out what should be submitted alongside planning applications falling within the different areas and the need for pre-application discussions.



- 28 Table 1 below sets out the types of use which would be suitable in principle in each odour exposure contour. Where the table refers to 'new' uses this includes both new build and change of use.
- 29 Policy 36 of the Cambridge Local Plan states that where there may be significant impacts to proposed development from existing sources of odour, these should be appropriately mitigated. Suitable mitigation would also be required by Policy HQ/1 of the South Cambridgeshire Local Plan to protect the health and amenity of occupiers of new development. Table 1 sets out where mitigation may be possible and the types of mitigation that would be acceptable. However, even with mitigation some development may still be unsuitable, for example if it would result in poor living conditions for occupiers.

Table 1: Acceptability of development within different odour exposure contours in the vicinity of CWRC

Odour Exposure Contour (C98,ouE/m3)	Types of development that are <u>unlikely</u> to be suitable even with mitigation	Types of development that <u>may</u> be suitable	Types of uses that are <u>likely</u> to be suitable
3 to <5	<p>High Sensitivity Receptors</p> <p>NEW high sensitivity receptors including residential, hospitals, school/educational uses and tourist/cultural uses (includes all uses in Use Classes C & D apart from outdoor playing/recreation fields).</p>	<p>High Sensitivity Receptors</p> <p>Extension / expansion of ESTABLISHED EXISTING residential, hospitals, school/educational uses and tourist/cultural uses (C & D planning use classes). This does not cover householder applications. Consideration may need to be given to possible mitigation.</p>	<p>Medium Sensitivity Receptors</p> <p>NEW and extension / expansion of ESTABLISHED EXISTING B1 (a) offices and (b) research and development, commercial / retail premises (A classes) and playing / recreation fields</p> <p>Low Sensitivity Receptors</p> <p>NEW and extension / expansion of ESTABLISHED EXISTING Low sensitivity receptors including industrial uses (B1(c), B2), storage and distribution (B8), farms,</p>

Odour Exposure Contour (C98,ouE/m3)	Types of development that are <u>unlikely</u> to be suitable even with mitigation	Types of development that <u>may</u> be suitable	Types of uses that are <u>likely</u> to be suitable
			footpaths and roads
5 to <10	<p>High Sensitivity Receptors</p> <p>NEW high sensitivity receptors including residential, hospitals, school/educational and tourist/cultural (C & D uses).</p>	<p>High Sensitivity Receptors</p> <p>Extension / expansion of ESTABLISHED EXISTING high sensitivity receptors including residential, hospitals, school/educational and tourist/cultural (C & D uses).</p> <p>Medium Sensitivity Receptors</p> <p>NEW and extension / expansion of ESTABLISHED EXISTING B1 (a) offices and (b) research and development, commercial / retail (A classes) premises and playing / recreation fields with acceptable odour mitigation at receptor e.g. no external seating areas, sealed external facades with building mechanical ventilation with odour abatement technology</p>	<p>Low Sensitivity Receptors</p> <p>NEW and extension / expansion of ESTABLISHED EXISTING Low sensitivity receptors including industrial uses (B1(c), B2), storage and distribution (B8), farms, footpaths and roads</p>
10 and above	<p>High Sensitivity Receptors</p> <p>NEW and extension/expansion of ESTABLISHED EXISTING high sensitivity receptors including residential,</p>	<p>Medium Sensitivity Receptors</p> <p>Extension / expansion of ESTABLISHED EXISTING B1(a) offices and (b) research and development,</p>	-

Odour Exposure Contour (C98,ouE/m3)	Types of development that are <u>unlikely</u> to be suitable even with mitigation	Types of development that <u>may</u> be suitable	Types of uses that are <u>likely</u> to be suitable
	<p>hospitals, school/educational and tourist/cultural (C & D uses).</p> <p>Medium Sensitivity Receptors</p> <p>NEW medium sensitivity receptors including B1(a) offices and (b) research and development, commercial / retail (A classes) premises and playing / recreation fields.</p>	<p>commercial / retail premises (A classes) with proven and acceptable odour mitigation at receptor e.g. no external seating areas, sealed external facades with building mechanical ventilation with odour abatement technology</p> <p>This could include the replacement of existing buildings with the same use.</p> <p>Low Sensitivity Receptors</p> <p>NEW and extension / expansion of ESTABLISHED EXISTING low sensitivity receptors including industrial uses (B1(c), B2), storage and distribution (B8), farms, footpaths and roads. Consideration may need to be given to possible mitigation.</p>	

Odour Statement to be included with planning application

30 Having regard to policies in the Local Plans, if a planning application falls within the odour exposure contours in Figure 1 of this technical note it is recommended that it is accompanied with a statement setting out how the application has regard to this note and the following:

- the Councils' Odournet Report 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018);

- relevant Government, national and industry standards, codes of practice and best practice technical guidance; and
- The Institute of Air Quality Management (IAQM) 'Guidance on the assessment of odour for planning' (Version 1.1 - July 2018).

Minerals and Waste Plan requirements

- 31 If an application falls within the WWTW Safeguarding Area (shown on Figure 1), the application should be accompanied by the information required by Policy CS31 of the Minerals and Waste Core Strategy (2011). This requires that all planning applications for proposed new development involving buildings which would normally be occupied, must be accompanied by an odour assessment report. The assessment must consider existing odour emissions from the waste water treatment works at different times of the year and in a range of different weather conditions. The policy goes on to say that planning permission will only be granted when it has been demonstrated that the proposed development would not be adversely affected by the continued operation of the existing waste water treatment works. The Waste Planning Authority must be consulted on any planning proposal within a Safeguarding Area, except householder applications or advertisements.

Pre-application Discussions

- 32 Applicants are encouraged to enter into pre-application discussions with the Greater Cambridge Shared Planning Service, to determine the individual submission requirements of planning applications which fall within the areas identified in Figure 1.

APPENDIX 1 - Odour Annoyance and Impact

Odour Annoyance – A Brief Overview and Definitions

- 1.1 Exposure to odours that are perceived to be unpleasant can affect well-being at levels of exposure well below those that would lead to physiological or pathological effects, e.g. sleep disorders, headaches, respiratory problems.
- 1.2 Odour annoyance occurs when a person exposed to an odour perceives it as unwanted or objectionable. The perception of the impact of odour involves not just the strength of the odour (magnitude - measured as concentration) but also its **F**requency, **I**ntensity, **D**uration and **O**ffensiveness (the unpleasantness at a particular intensity) and the **L**ocation of the receptors. These attributes are known collectively as the FIDOL factors and are described in Table 2 below.

Table 2: Description of the FIDOL factors
(Institute of Air Quality Management (IAQM) 'Guidance on the assessment of odour for planning' - Version 1.1 - July 2018)

Frequency	How often an individual is exposed to odour
Intensity	The individual's perception of the strength of the odour
Duration	The overall duration that individuals are exposed to an odour over time
Offensiveness	Odour unpleasantness describes the character of an odour as it relates to the 'hedonic tone' (which may be pleasant, neutral or unpleasant) at a given odour concentration/ intensity. This can be measured in the laboratory as the hedonic tone, and when measured by the standard method and expressed on a standard nine-point scale it is termed the hedonic score.
Location	The type of land use and nature of human activities in the vicinity of an odour source. Tolerance and expectation of the receptor. The 'Location' factor can be considered to encompass the receptor characteristics, receptor sensitivity, and socio-economic factors.

- 1.3 The magnitude of the odour effect and annoyance potential experienced is determined by the scale of odour exposure (FIDO) and the sensitivity of the receptor (L, denoting the Location, which is often taken to be a surrogate for the sensitivity and incorporates the social and psychological factors that can be expected for a given community.)
- 1.4 Odour exposure is typically quantified in terms of a frequency of occurrence of hourly average concentrations above a certain limit odour concentration; e.g. European odour units per cubic metre of air (ouE/m³) as a 98-percentile of hourly averages of odour concentration for a year with average meteorology (C98, ouE/m³, 1-hour concentrations). Typical benchmark odour concentration exposure criteria - C98, ouE/m³ indicative of the offensiveness / unpleasantness (annoyance /

unpleasantness spectrum) of various odour emission sources are given in Table 3 below.

Table 3: Benchmark Odour Concentration Exposure Level Criteria – Indicative of Offensiveness

(Derived from EA technical guidance note H4 Odour Management 2011)

Criterion, C98 ouE/m3	Offensiveness (unpleasantness)	Odour Emission Sources
1.5	Most Offensive	Processes involving decaying animal or fish remains Wastewater treatment works - Processes involving septic effluent or sludge Biological landfill odours
3.0	Moderately Offensive	Intensive livestock rearing Sewage treatment works plant operating normally i.e. non-septic conditions Fat frying (food processing) Sugar beet processing Well aerated green waste composting
6.0	Less Offensive	Brewery Confectionery Coffee

1.5 In accordance with the Institute of Air Quality Management (IAQM) 'Guidance on the assessment of odour for planning' (IAQM Odour Planning Guidance, 2018 - Version 1.1 - July 2018), the Councils agree and have decided that for odours that are less unpleasant, the level of odour exposure required to elicit the same effect may be somewhat higher, requiring professional judgement to be applied. For example, as in this case it has been decided that odours from sewage treatment works plant operating normally, i.e. non-septic conditions, would not be expected to be at the 'most offensive' end of the spectrum (Table 3 above) and can be considered on par with 'moderately offensive' odours such as intensive livestock rearing.

1.6 The risk of annoyance from odour is also highly dependent upon how sensitive the use is. The IAQM Odour Planning Guidance 2018 sets out a table of receptor sensitivity to odours, including the types of uses that would fall within each category (high, medium or low) which is recreated as Table 3 below.

Permitted Development Issues

1.7 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows certain changes of use to high sensitive end uses (such as residential or educational uses) without requiring planning permission.

- 1.8 Permitted development rights can be removed by the Local Planning Authority, for example, by means of a condition on a planning permission. The restrictions imposed will vary on a case by case basis.

Table 4: Receptor Sensitivity to Odours

(Institute of Air Quality Management (IAQM) 'Guidance on the assessment of odour for planning' - Version 1.1 - July 2018)

For the sensitivity of people to odour, the IAQM recommends that the Air Quality Practitioner uses professional judgement to identify where on the spectrum between high and low sensitivity a receptor lies, taking into account the following general principles:	
High sensitivity receptor	<p>Surrounding land where:</p> <ul style="list-style-type: none"> • users can reasonably expect enjoyment of a high level of amenity; and • people would reasonably be expected to be present here continuously, or at least regularly for extended periods, as part of the normal pattern of use of the land. <p>Examples may include residential dwellings, hospitals, schools/education and tourist/cultural.</p>
Medium sensitivity receptor	<p>Surrounding land where:</p> <ul style="list-style-type: none"> • users would expect to enjoy a reasonable level of amenity, but wouldn't reasonably expect to enjoy the same level of amenity as in their home; or • people wouldn't reasonably be expected to be present here continuously or regularly for extended periods as part of the normal pattern of use of the land. <p>Examples may include places of work, commercial/retail premises and playing/</p>
Low sensitivity receptor	<p>Surrounding land where:</p> <ul style="list-style-type: none"> • the enjoyment of amenity would not reasonably be expected; or • there is transient exposure, where the people would reasonably be expected to be present only for limited periods of time as part of the normal pattern of use of the land. <p>Examples may include industrial use, farms, footpaths and roads.</p>

Significance of Odour Effects

- 1.9 The significance of an odour effect (risk of annoyance from odour) for planning purposes requires the careful consideration of the nature / level of odour exposure (Table 3 above - the impact) and the sensitivity of the proposed end use (Table 4 above).
- 1.10 The overall significance of the adverse odour effect in this guidance note has been determined considering a combination of the Odour Exposure Level (C98, ouE/m3) against Receptor Sensitivity, as shown in Table 5, below, which shows the impact descriptors proposed for a 'moderately offensive' odour.

Table 5: Proposed Significance of Adverse Odour Effect Descriptors for impacts predicted by modelling 'Moderately Offensive' odours
(recreated from Institute of Air Quality Management (IAQM) 'Guidance on the assessment of odour for planning' - Version 1.1 - July 2018)

Odour Exposure Level C ₉₈ , ou _E /m ⁻³	Receptor Sensitivity		
	Low	Medium	High
≥10	Moderate	Substantial	Substantial
5-<10	Slight	Moderate	Moderate
3-<5	Negligible	Slight	Moderate
1.5-<3	Negligible	Negligible	Slight
0.5-<1.5	Negligible	Negligible	Negligible
<0.5	Negligible	Negligible	Negligible

Odour Exposure Level Acceptability Criteria for Planning Applications

1.11 The assessment of odour risk and effects from the operations conducted at the CWRC on potential future receptors of varying sensitivity was decided by consideration of the results of the Odournet survey, relevant case law and Inspectors decisions on past planning appeals. This has resulted in the following general odour contour concentration exposure threshold values / acceptability criteria that should be used for consideration of planning applications:

- C_{98 1-hour} = 3 ou_E/m⁻³ (at 3 and above at which high sensitivity development such as residential premises is likely to be deemed unacceptable)
- C_{98 1-hour} = 5 ou_E/m⁻³ (at 5 and above at which moderate / medium sensitivity development such as offices and commercial / retail is likely to be deemed unacceptable)
- C_{98 1-hour} = 10 ou_E/m⁻³ (at 10 and above all development is likely to be deemed unacceptable)

1.12 These criteria have been used to develop Table 1 in this technical note.

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