



## Cambridge City Council Planning

**Date:** Wednesday, 3 July 2019

**Time:** 10.00 am

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

**Contact:** [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk), tel:01223 457000

### Agenda

#### 1 Order of Agenda

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

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

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

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

#### 2 Apologies

- 3       Declarations of Interest  
4       Minutes  
      To follow

## Part 1: Major Planning Applications (10am)

- |   |   |                 |
|---|---|-----------------|
| 5 | 19/0261/FUL - 74-82 Akeman Street                       | (Pages 19 - 46) |
| 6 | 18/1859/FUL - 39 Akeman Street                          | (Pages 47 - 58) |
| 7 | 19/0263/FUL - Future Business Centre, Kings Hedges Road | (Pages 59 - 80) |

## Part 2: Minor/Other Planning Applications (12.30pm)

- |    |                                  |                   |
|----|----------------------------------|-------------------|
| 8  | 18/1520/FUL - 11 Napier Street   | (Pages 81 - 100)  |
| 9  | 18/1887/FUL - 57 Peverel Road    | (Pages 101 - 116) |
| 10 | 18/1952/FUL - 6 Wilberforce Road | (Pages 117 - 128) |
| 11 | 19/0015/FUL - 11 Hinton Avenue   | (Pages 129 - 142) |

**Planning Members:** Smart (Chair), Sargeant (Vice-Chair), Baigent, Green, Lord, McQueen, Page-Croft and Tunnacliffe

**Alternates:** Herbert, Porrer and Thornburrow

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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

3<sup>rd</sup> July 2019

<b>Application Number</b>	19/0261/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	5th April 2019	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	5th July 2019		
<b>Ward</b>	Arbury		
<b>Site</b>	74-82 Akeman Street Cambridge CB4 3HG		
<b>Proposal</b>	Erection of 3 no. retail units (2 x use class A1 and 1 x use class A5), 1no. Community Centre (use class D1) and provision of 14 no. dwellings (8 flats and 6 maisonettes) following demolition of existing commercial units and flats).		
<b>Applicant</b>	Cambridge Investment Partnership LLP CIP Offices Mill Road Depot Mill Road Cambridge CB1 2AZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The development would significantly increase the amount of affordable housing to help meet an identified demand within the city;</li> <li>- The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers;</li> <li>- The design and scale of the proposed development responds appropriately to the surrounding built form;</li> <li>- The proposal would provide a new community facility and 3x commercial premises.</li> </ul>
RECOMMENDATION	APPROVAL

## **0.0 BACKGROUND**

- 0.1 This application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to deliver 500 net new council rented homes across the City using mainly council owned sites/assets. The City Council has received £70 million support from central government as part of the Devolution Deal to help achieve this target. The development proposed at Akeman Street provides 14 new council rented homes towards the 500 home target. As well as providing new housing, a new community centre and three commercial units would be provided.

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is a broadly trapezoid shaped plot of land, located on the southern aspect of Akeman Street. The site hosts a 2-storey, pitched roofed, gable-ended terrace with commercial uses at ground floor and residential above.
- 1.2 The properties within this terrace benefit from long rear gardens. The site is located in a predominantly residential area.
- 1.3 The site is not located within a designated conservation area and none of the properties are listed. The site is designated as a 'Neighbourhood Centre' as shown in the 2018 Local Plan policies map. There are two large category A trees to the front of the with other smaller, lower category trees in and around the site.

## **2.0 THE PROPOSAL**

- 2.1 This application proposes the demolition of the existing buildings on site and the provision of two linear blocks, running east to west, providing 3x commercial units (2x A1 use – retail, and 1x A5 use – hot food takeaway), a new purpose built community centre, and 14 dwellings (8x 1-bedroom and 6x 2-bedroom) – all of which would be for Council rent.
- 2.2 The block fronting Akeman Street, broadly in a similar location to the existing building, would be 2.5 storeys tall, and would

house the commercial uses and the community facility at the ground floor while maisonettes would be provided above.

- 2.3 The second building would sit parallel with the frontage block, set 11.60m apart. This building would be 2-storeys in height and would house eight flats (four per floor).
- 2.4 Surface level parking is proposed to the front and western side of the site, with a community centre garden and communal open space between the two blocks.
- 2.5 All of the fourteen dwellings proposed are proposed to be affordable for council rent.
- 2.6 It is worthy of note that the scheme has been through an extensive pre-application process with officers, as well as ongoing discussions during the life of the application.
- 2.7 The application is accompanied by the following supporting information:
- Arboricultural Impact Assessment
  - Bat Emergence Survey
  - Design and Access Statement
  - Energy Statement
  - Flood Risk Assessment and Surface Water Drainage Strategy
  - Noise Impact Assessment
  - Phase 1 Land Contamination Assessments
  - Planning Statement
  - Preliminary Ecological Appraisal
  - Sustainability Statement
  - Transport Statement

### **3.0 SITE HISTORY**

- 3.1 There is no relevant planning history on this site. Of relevance, is the following application at 39 Akeman Street which has been granted temporary planning permission so as to allow the continuation of the existing community function which operates from this site whilst this development of the new community facility proposed by this application is constructed.

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
18/1859/FUL	Temporary change of use of 39 Akeman Street as a Community Centre Office for a period of 55 weeks involving the widening of a rear door and the installation of an access ramp.	Pending consideration

#### **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, 33, 34 35, 36, 45, 50, 51, 52, 55, 56, 57, 59, 64, 70, 71, 72, 73, 80, 81, 82, 85

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)  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)

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 No objection raised subject to the imposition of a condition requiring the submission of a Traffic Management Plan to ensure that the development does not impact adversely on highways safety. Additional conditions to ensure that the construction of the driveway ensures that no water or other debris discharges onto the highway.

#### **Urban Design Officer**

- 6.2 No objection raised subject to the imposition of conditions relating to the provision of material samples and details, and details of the shopfront design and signage zones.

#### **Landscape Officer**

- 6.3 The Officer has been liaising with the Developer in the formation of this proposal and has confirmed that the application is acceptable subject to the imposition of conditions relating to detailed landscaping details, a landscape management plan, boundary treatment details, tree pit details, and cycle storage details.

#### **Sustainability Officer**

- 6.4 The Council's Sustainability Officer has confirmed that the scheme is acceptable from a sustainability point of view subject to the imposition of conditions securing the implementation of the energy strategy, and BREEAM compliance.

### **Drainage Officer**

- 6.5 The Council's Drainage Officer has raised no objections to the proposal subject to conditions securing a surface water drainage scheme details, as well as a maintenance plan for the aforementioned drainage system.

### **Environmental Health Officer**

- 6.6 The Council's Environmental Health Officer has been consulted on the proposal. Initial concerns were raised with regard to the level of information provided regarding potential noise conflict between the community facility use and the residential, as well as with regard to odour, and noise. Additional information has been provided which has overcome these concerns. The application is now considered acceptable to the Environmental Health Officer subject to the imposition of conditions which are to be agreed with the Environmental Health Officer. At the time of writing this report, these conditions had not been agreed. They will be reported as an addendum in due course.

### **Local Lead Flood Authority**

- 6.7 An objection was initially raised due to the lack of sustainable drainage information being provided up front. Following conversations with the Developer, the LLFA Officer has confirmed that their objection no longer stands subject to the imposition of conditions regarding a surface water drainage scheme, maintenance for the aforementioned scheme, and the carrying put of infiltration tests to ensure flood risk to third parties is minimised. The first two conditions are the same as recommended by the Council's Drainage Officer.

### **Developer Contributions Monitoring Officer**

- 6.8 No contribution sought due to the scale of the development proposed.

### **Anglian Water**

- 6.9 No objection raised subject to works being carried out in accordance with an approved surface water strategy.
- 6.10 No other consultation responses have been received.



- 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**

- 7.1 101 letters have been sent to local residents notifying them of the proposed development. In addition, a site notice has been erected and a press notice published. 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. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Drainage
8. Trees and ecology
9. Energy and Sustainability
10. Affordable housing
11. S106 contributions

### **Principle of Development**

- 8.2 Policy 3 of the Cambridge Local Plan (2018) seeks to ensure 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 Policy 72 states that within district, local and neighbourhood centres, A1 uses will be supported if they are in proportion to the scale and function of the centre. The policy also states that other centre uses will be permitted where they complement the retail function.

- 8.4 The residential element of the proposal is considered acceptable in this location as the site falls within a predominantly residential area. It is also worthy of note that the site currently has residential uses on the upper floor.
- 8.5 The proposed retail units are also acceptable in principle as I consider them to be of an appropriate scale to the site. The A5 unit proposed would complement the A1 uses and is a common feature within local centres of this nature.
- 8.6 The provision of a community facility would help to meet the needs of the residents of the new development, as well as the wider community, and would provide facilities to contribute to the additional needs within the area created by the development. The facility would be an upgrade on an existing facility, and would better serve the needs of the community it serves.
- 8.7 With the above in mind the principle of development is considered acceptable subject to the material considerations discussed below being satisfactorily met, and complies with the Cambridge Local Plan (2018) policies 3 and 72.

### **Context of site, design and external spaces**

- 8.8 The site sits within a predominantly residential area with building heights predominantly two storeys in height – some properties having roof level accommodation facilitated by dormer and rooflight extensions.
- 8.9 The proposed frontage building would be 2.5 storeys in height with gable ends and front to back pitched roofs, reflecting the design of the building that is currently on site. The eaves would be punctuated with dormers and rooflights to facilitate the upper level accommodation. This building, albeit slightly taller than the existing, sits well within the streetscene, making an appropriate relationship with the semi-detached pairs of properties either side. There is a precedent for taller buildings in the area with Harvey Goodwin Gardens to the south of the site being 3-4 storeys tall.
- 8.10 The building to the rear would be of a mews style, 2-storeys in height and would appear subservient to the frontage block,

which should be visually dominant given its siting as the primary building.

- 8.11 The community facility and commercial uses would be located at ground floor level of the frontage block and this is considered to be an appropriate location, having a strong active frontage in the streetscene.
- 8.12 The Council's Urban Design Officer has been consulted on the proposal, and has been involved in significant pre-application discussions with the applicants prior to submission. The Urban Design Officer has confirmed that the scheme is considered to be of a high quality, relates well to the context of the wider surroundings, and is acceptable in urban design terms.
- 8.13 I share the view of this officer and consider it appropriate to attach a condition requiring samples and a schedule of materials to be used in external elevations prior to the commencement of works. These materials will need to be agreed by the Local Planning Authority.
- 8.14 An additional condition has been requested by the Urban Design Officer with respect to details of the shopfronts, including signage zones, to be provided.
- 8.15 The proposal includes a number of open spaces within the site, including a community centre garden and communal open space between the two buildings.
- 8.16 The Council's Landscape Officer has been consulted on the proposal and is supportive of the proposal. The Landscape Officer has confirmed that the scheme is satisfactory subject to the imposition of a number of conditions as detailed in section 6 of this report.
- 8.17 It is my opinion that 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. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 and 59.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.18 There are existing residential properties to the east (86 Akeman Street) and west (72 Akeman Street) of the site which are, due to their proximity to the site, the most likely to be impacted by the proposal.
- 8.19 As part of the application, a design and access statement has been submitted which includes an assessment of shadowing caused by the proposed development. The report shows that there would be minimal impact to any of the neighbouring properties. I have no reason to disagree with the findings of this study.
- 8.20 With regard to sunlight and daylight receipt, the low level nature of the development proposed, along with the siting of the blocks and their proximity to existing properties, would ensure that the proposal would have an acceptable impact on sunlight and daylight receipt to the existing properties.
- 8.21 The proposal would introduce dwellings along the rear gardens of existing properties at 72 and 86 Akeman Street. The rear block would be sited in excess of 10m away from the boundary with number 72 and so overlooking would not be an issue. The distance to the boundary with number 86 is far smaller, at approximately 1.00m at the rearmost point. The distance to the rear windows of this property is in excess of 20m from the nearest habitable room window, and so there would be no unacceptable loss of privacy.
- 8.22 The rear building has been designed so that the nearest window to 86 Akeman Street at first floor level would be a bathroom, and the front door next on the elevation – thus reducing any possibility of overlooking to the garden of this property. The siting of the blocks also ensures that the proposal would not appear unduly overbearing from neighbouring properties, although it is accepted that views will be altered.
- 8.23 I am satisfied that the proposal, due to its siting, 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.

Amenity for future occupiers of the site

- 8.24 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All units proposed comply with, and most exceed, these standards. In this regard, I consider that all the new homes proposed would provide a high quality internal living environment for the future occupants. A breakdown of the dwelling sizes are provided in the table below.

Unit Number	Dwelling type	Policy Standard (sqm)	Proposed sqm
1	1bed 2pers	50	58
2	1bed 2pers	50	56
3	1bed 2pers	50	56
4	1bed 2pers	50	56
5	1bed 2pers	50	50
6	1bed 2pers	50	50
7	1bed 2pers	50	50
8	1bed 2pers	50	50
9	2bed 3pers	70	78
10	2bed 3pers	70	78
11	2bed 3pers	70	78
12	2bed 3pers	70	78
13	2bed 3pers	70	78
14	2bed 3pers	70	78

- 8.25 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.
- 8.26 All of the proposed dwellings benefit from a private amenity area. These take the forms of gardens and balconies.
- 8.27 As well as the private amenity spaces, the development incorporates a communal green courtyard between the two buildings.
- 8.28 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity

for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2018) policy 50.

- 8.29 The development has been assessed for compliance with Policy 51 and all new dwellings, except four at first floor level within the southern block, comply with the requirements of Part M4 (2) of the Building Regulations. In addition, one unit has been designed to M4 (3) – above the required provision for a development of this size - indicating that they are suitable for wheelchair users. In order to ensure the units are provided to these standards, I have recommended a condition to secure these requirements.
- 8.30 Whilst four of the units do not comply with M4(2) standards, they are accessible by way of a platform lift, rather than a conventional lift. This would ensure that these properties are still accessible by wheelchair users, although not technically complying with M4(2) standards. It is noted that the scheme would provide one M4(3) unit which is above and beyond what is required from a development of this size.
- 8.31 Although four properties are not M4(2) compliant, they would be accessible to wheelchair users, and this level of accessibility, along with the provision of a M4(3) unit, leads me to conclude that, on balance, the proposal complies with Cambridge Local Plan (2018) policies 50 and 51.

### **Refuse Arrangements**

- 8.32 The proposed refuse storage arrangements are shown to be of a logical layout, with a communal bin store for the residential properties located between the two buildings towards the access route between the application site and 72 Akeman Street. The commercial units and community centre would each have a dedicated refuse store. Collection of refuse and recycling would be directly from the communal store, and from the rear of the commercial units – all accessed from the access road between the application site and 72 Akeman Street. The community centre store can be accessed between the site and the property at 86 Akeman Street.
- 8.33 The Council's Refuse and Recycling Officer has been consulted on the application and no response has been received.

8.34 Drag distances would be within ten metres and this would comply with the RECAP Waste Design Guide (2012).

8.35 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

### **Highway Safety**

8.36 The proposal does not introduce any new accesses to the site although the access between the application site and 72 Akeman Street would have greater width for its whole extent than the existing situation. This access road would be upgraded to adoptable standard. The parking to the front of the site remains unaltered.

8.37 The Highway Authority was consulted as part of the application and they have raised no objection to the scheme subject to the imposition of conditions as set out in section 6 of this report.

8.38 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

8.39 The Cambridge Local Plan (2018) seeks to support developments that incorporate sustainable forms of transport, including walking, cycling and public transport.

#### Car Parking

8.40 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L of the same document.

8.41 The site is not located within a Controlled Parking Zone (CPZ) and, with this in mind, the maximum car parking provision on site is for:

- No more than a mean of 1.5 spaces per dwelling (up to 2 bedrooms)
- 1 space per 50sqm of retail floorspace
- 1 space per 20sqm of hot food takeaway floorspace
- 1 space per 20sqm of community facility floorspace

8.42 A total of 17 car parking spaces are proposed for the development (including 3 disability spaces)

8.43 No change is proposed to the existing provision for the commercial uses, while 8 spaces (including 1 disability space) spaces are provided for the dwellings. Given the location of the site in a neighbourhood centre, residents will have easy access to local services and shops, whilst a number of bus stops are in close proximity of the site with routes into town. I am therefore satisfied that there is sufficient parking provided, and the proposal complies with Cambridge Local Plan policy 82.

### Cycle Parking

8.44 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L of the same document.

8.45 The standards set out that one cycle space should be provided for dwellings of up to 3 bedrooms, whilst commercial and community use spaces are determined by numbers of staff. Given that the end users of the commercial units are unknown, it is difficult to ascertain the correct level of provision.

8.46 The proposal provides a total of 40 cycle racks. Given that the residential units would require 14 spaces, there is a healthy surplus of 26 spaces to be used between the various non-residential functions. The stores are all well located for ease of use and are considered well located. If permission is granted, a condition should be attached to secure full details of the cycle stores to ensure they are adequate and capable of sufficient capacity.

8.47 In my opinion the provision of car and cycle parking is acceptable and I consider the proposal to be compliant with Cambridge Local Plan (2018) policy 82.

### **Drainage**

8.48 The Council's Drainage Team has advised that the proposal is acceptable, although the design details, and maintenance strategy, would need to be secured by way of condition to ensure that the intended delivery is realised. These conditions are therefore recommended. In my opinion, the proposal is



compliant with the paragraph 163 of the National Planning Policy Framework (2019) and policy 31 of the Cambridge Local Plan (2018).

## **Trees & Ecology**

### Trees

- 8.49 The application was accompanied by an arboricultural impact assessment and tree survey.
- 8.50 The Arboricultural Impact Assessment confirms that all Category A trees are to be retained, and this is considered desirable.
- 8.51 The Council's Tree Officer has been consulted on the proposal and no comments have been received.
- 8.52 I have reviewed the documents and am satisfied that the development can be carried out without harm to the existing trees if undertaken in accordance with these documents. In my opinion, subject to conditions requiring further information to be submitted, the proposal is compliant with Cambridge Local Plan (2018) policy 71.

### Ecology

- 8.53 The Ecology officer has been consulted as part of the application, although no response has been received.
- 8.54 It is clear to me that this proposal provides an opportunity for significant opportunity to improve ecology on site. I consider it appropriate to attach a condition requiring a scheme of ecological improvement to be submitted for the Local Planning Authority's approval.
- 8.55 The proposal would therefore be in accordance with Policy 70 of the Cambridge Local Plan (2018).

## **Energy and Sustainability**

- 8.56 The Council's Sustainability Officer has been consulted on the proposal and has raised no objections subject to the imposition of conditions relating to the implementation of a submitted

energy statement (which the development would then adhere to, once approved), and demonstrating compliance with the required BREEAM standards.

- 8.57 I have no reason to consider the information submitted differently to the Sustainability Officer and have recommended the suggested conditions accordingly.

### **Affordable Housing**

- 8.58 Policy 45 of the Cambridge Local Plan (2018) seeks to secure 25% affordable housing on schemes of 11-14 dwellings.
- 8.59 The proposed development is for a scheme of 14 dwellings, a net gain of 10 dwellings, with all of these being affordable for social rent. This equates to 100% of the total number of dwellings.
- 8.60 Whilst Policy 45 requires a mix of intermediate and affordable rented housing, the scheme would deliver council rented housing only. In this case a very significant and un-met need has been found to exist for Council rented housing. The Council has identified that the significant levels of affordable rented need might otherwise go unmet without its own direct intervention. In my opinion the proposed tenure of affordable housing is justified in this case.

### **S106 Contributions**

- 8.61 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- 8.62 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and

relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

8.63 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations.

8.64 Due to the size of the scheme, namely a net gain of ten dwellings, the proposal is only required to provide the affordable housing as detailed above. The applicant has indicated their willingness to enter into a S106 planning obligation in this regard.

<b>Heads of Terms</b>	<b>Summary</b>
<b>City Council Infrastructure</b>	
Informal open space	Not applicable
Provision for children and teenagers	Not applicable
Indoor sports	Not applicable
Outdoor sports	Not applicable
Community facilities	Not applicable
Affordable housing	100% provision on site.
<b>County Council – Education / Refuse</b>	
Early years	Not applicable
Primary School	Not applicable
Secondary School	No contribution sought
Life Long Learning (Libraries)	Not applicable
Strategic waste	Not applicable
Monitoring	Not applicable

County Council – Transport	
Chisholm Trail	Not applicable
NHS	Not applicable

8.65 Subject to the completion of a S106 planning obligation to secure the affordable housing provision, I am satisfied that the proposal accords with Cambridge Local Plan (2018) policy 45 and the Planning Obligation Strategy 2010.

## 9.0 CONCLUSION

9.1 The proposed is for the redevelopment of the terrace at 74-82 Akeman Street, providing 14x affordable homes for Council rent, 3x commercial units, a purpose-built community facility and associated works.

9.2 The proposed development has had extensive pre-application consultation with a variety of consultees prior to its submission.

9.3 The proposal has been guided by Cambridge Local Plan (2018) and the NPPF (2019) which are material considerations.

9.4 The application has been considered against the relevant policies, and upon assessment, I consider that the application complies with national and local policies, and should, therefore, be granted planning permission subject to appropriate planning conditions and a S106 legal agreement.

## 10.0 RECOMMENDATION

**APPROVE PLANNING PERMISSION** subject to (1) the prior completion of a S106 agreement to secure the planning obligations specified in paragraph 8.64 of this report, and (2) the following conditions:

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

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

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

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

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

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

4. Prior to the commencement of above ground works, samples (including on site panels of a minimum size of 1x1m) and a schedule of materials to be used in all external elevations, including all glasswork, of the buildings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development (Cambridge Local Plan 2018, Policies 52, 55 and 57).

5. Prior to the installation of the shopfronts for the commercial units, full details of the shopfronts, including signage zones, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out, and retained, in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2018 policies 55, 57 and 64).

6. Notwithstanding the plans hereby approved, all dwellings, with the exception of those on the upper floor of the southern block, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the building Regulations 2010 (as amended 2016). The four flats on the upper floor of the southern block shall be served by a platform lift.

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018, Policies 50 and 51).

7. No part of the development shall be occupied until further details of facilities for the secure parking of bicycles have been submitted to, and approved in writing by, the Local Planning Authority. The approved facility shall be provided in accordance with the approved details prior to the occupation of each dwelling.

Reason: To ensure appropriate provision for the secure storage of bicycles and in the interest of residential amenity (Cambridge Local Plan 2018, Policies 35, 55, 56 and 82).

8. The approved energy strategy as set out in the Akeman Street Energy Statement (Create Consulting Engineers Limited, February 2019) shall be fully implemented prior to the first occupation of the development in line with relevant drawings that shall be submitted to and approved in writing by the local planning authority prior to first occupation. Any associated renewable and/or low carbon technologies shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.

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

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2018, Policy 28).

9. Within 6 months of the commencement of above ground works to the community facility, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'very good' as a minimum will be met, with 3 credits for Wat 01 (water consumption). Where the interim certificate shows a shortfall in credits for BREEAM 'very good', a statement shall be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28).

10. Within 6 months of occupation of the community facility, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28).

11. Prior to commencement of development, 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. 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 (Cambridge Local Plan 2018 Policy 71).

12. The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained in situ until all equipment, and surplus materials have been removed from the affected part of 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 (Cambridge Local Plan 2018 Policy 71).



13. 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 arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 (Cambridge Local Plan 2018 Policy 71).

14. No development shall commence above ground level 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.

The scheme shall 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, details of the swales, bio-retention areas, permeable paving and green roofs;
- 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) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development (Cambridge Local Plan 2018 Policy 28).

15. Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework (Cambridge Local Plan 2018 Policy 28).

16. No development above ground, with the exception of demolition, shall commence until infiltration tests results have been provided in accordance with BRE365/CIRIA156 and a final surface water strategy based on the results of this testing has been agreed by the Local Planning Authority, in conjunction with the Local Lead Flood Authority.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding to third parties, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework (Cambridge Local Plan 2018 Policy 28).

17. Hard and soft landscaping: 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 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).

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

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

19. Boundary treatment: 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, including provision for hedgehog movement. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter. Development shall be carried out in accordance with the approved details.

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

20. Tree Pits: No development above ground level, other than demolition, shall take place until full details of all tree pits, including those in planters, hard paving and soft landscaped areas have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

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

21. The proposed driveway and off-street car parking as shown on drawing number 0001 in Appendix D of the Transport Statement be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Reason: for the safe and effective operation of the highway (Cambridge Local Plan 2018 policy 81).

22. No construction works, other than demolition, shall commence on site until a traffic management plan (TMP) has been agreed in writing with the Planning Authority. The Highway Authority seeks that the requested TMP be a separate condition from any relating to the Construction Environment Management Plan, the two elements while linked deal with two very different environments and as such they should be addressed independently of each other. The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway)
- ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on-street car parking.
- iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

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

23. The proposed driveway and off-street car parking as shown on drawing number 0001 in Appendix D of the Transport Statement shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

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

24. Prior to the first occupation of any of the development a scheme for ecological enhancement including native planting, measures to allow dispersal of hedgehogs and in-built features for nesting birds and roosting bats shall be submitted to and agreed in writing by the Local Planning Authority. The measures shall be implemented in accordance with the agreed scheme.

Reason: To improve the bio-diversity contribution of the site (Cambridge Local Plan 2018 policy 69).

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

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

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

## PLANNING COMMITTEE

3<sup>rd</sup> July 2019

<b>Application Number</b>	18/1859/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd December 2018	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	28th January 2019		
<b>Ward</b>	Arbury		
<b>Site</b>	39 Akeman Street Cambridge CB4 3HE		
<b>Proposal</b>	Temporary change of use of 39 Akeman Street as a Community Centre Office for a period of 55 weeks involving the widening of a rear door and the installation of an access ramp.		
<b>Applicant</b>	Mrs Allison Conder Cambridge City Council PO Box 700 Cambridge Cambridge CB1 0JH UK		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The development would help to facilitate a much needed increase in the amount of affordable housing within the City</li> <li>- The proposed development would be for a temporary period only and would not have any significant adverse impact on the residential amenity of the neighbouring occupiers;</li> <li>- The proposal would ensure an existing community facility is re-provided in the short term while the existing site is redeveloped. The new site would include a new, purpose built community facility.</li> <li>- The proposed development is unlikely to give rise to any significant adverse impact upon on-street car parking capacity on the surrounding streets.</li> </ul>
RECOMMENDATION	APPROVAL

## **0.0 BACKGROUND**

- 0.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to deliver 500 net new council rented homes across the City using mainly council owned sites/assets. The City Council has received £70 million support from central government as part of the Devolution Deal to help achieve this target.

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site hosts a 2-storey semi-detached property on the northern aspect of Akeman Street.
- 1.2 The property is currently vacant, although is a residential (use class C3) property.
- 1.3 The property is not located within a designated conservation and the property is not a listed building.
- 1.4 The property is not situated within a controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 This application proposes a temporary change of use of the property for use as a community centre (Use Class D1) and associated office for a period of 55 weeks.
- 2.2 The proposal would involve some minor external alterations to the rear of the site, with a doorway being widened and the installation of an access ramp.
- 2.3 A separate planning application has been submitted for the redevelopment of 74-82 Akeman Street for the erection of 3 no. retail units (2 x use class A1 and 1 x use class A5), 1no. Community Centre (use class D1) and provision of 14 no. dwellings (8 flats and 6 maisonettes) following demolition of existing units and flats).
- 2.4 The temporary change of use at 39 Akeman Street would ensure that the existing community use at 82 Akeman Street is not lost during the proposed wider redevelopment.



2.5 An amended plan has been submitted to show the extent of the proposed access ramp to the rear of the site.

2.6 The application is accompanied by the following supporting information:

- Existing and proposed floor plans
- Site location plan
- Design and Access Statement
- Sound Insulation Prediction sheet by Create Consulting Engineers Ltd dated 25/04/2019

### **3.0 SITE HISTORY**

3.1 There is no relevant planning history on this site.

### **4.0 PUBLICITY**

4.1 Advertisement:	No
Adjoining Owners/Occupiers:	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, 55, 56, 59, 73, 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
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	Circular 11/95 (Annex A)
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Public Art SPD 2010.</p>

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 The Highways Officer has commented and states that the proposal would be unlikely to cause a significant impact on the public highway.

### **Environmental Health Officer**

- 6.2 No objection has been raised subject to noise mitigation measures being secured by way of condition.

## 7.0 REPRESENTATIONS

- 7.1 Two letters of representation have been received - both from occupiers at 41 Akeman Street.

- 7.2 The concerns raised can be summarised as follows:

- A house is not fit for purpose for use as a community centre
- The property would not be accessible to wheelchair and disabled users
- Garden needs landscaping to be suitable for wheelchair users
- How would large furniture required get in to the property
- Costings have not been provided

- Can the property be insured outside of its built purpose?
- Loss of a dwelling not appropriate when there is a shortage of housing
- Noise disturbance
- Hours of operation
- Increased parking stress

7.3 The table below highlights the relevant sections of the report where these issues are addressed, or comments made where not covered in the report.

Concern Raised	Officer Response
A dwelling not fit for purpose as a community centre	See para 8.3
Not accessible to wheelchair users	See paras 8.8 – 8.10
Garden needs landscaping to be suitable for wheelchair users	The garden could be looked after to make this accessible, although not all community activities require garden space. It would also fall out of the control of the Local Planning Authority to ensure such a space is regularly maintained
How would large furniture be delivered to the property?	This is not a material planning consideration
No costings for works provided	This is not a material planning consideration
Can the property be insured as a community centre when it is a house?	This is not a material planning consideration
Loss of a dwelling inappropriate when there is a housing shortage	See para 8.4
Increased noise disturbance	See paras 8.14-8.17
Excessive hours of operation	See para 8.17
Increased parking stress	

Officer response: The proposal includes the widening of a door to the rear and the installation of an access ramp to allow for wheelchair users. Whilst it is accepted that the stairs within the

dwelling could limit use by some users, the operator would need to consider what activities are held in which space.

- 7.4 The garden could be looked after to make this accessible, although not all community activities require garden space. It would also fall out of the control of the Local Planning Authority to ensure such a space is regularly maintained.
- 7.5 The concerns regarding furniture delivery, costings and insurances are not material planning considerations.
- 7.6 The proposal is for a temporary use only, and is not intended to be a permanent solution. The proposal would allow for existing activities to continue, to the benefit of the local community.

## **8.0 ASSESSMENT**

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

- 1. Principle of development
- 2. Context of site, design and external spaces
- 3. Residential amenity
- 4. Highway safety
- 5. Car and cycle parking

### **Principle of Development**

- 8.2 Policy 73 of the Cambridge Local Plan (2018) seeks to ensure that community facilities are only lost where it is demonstrated that there is no requirement for the use, or where it can be replaced elsewhere.
- 8.3 Although this proposal does not involve the loss of a community facility, it seeks to ensure that an existing, and active, community use is able to continue operating on a temporary basis whilst a more permanent upgrade to the existing facility is secured.
- 8.4 Policy 3 of the Cambridge Local Plan (2018) resists the loss of residential uses, except in exceptional circumstances. This proposal would result in the loss of a residential use although it would be for a temporary period of time, and would be to

facilitate the provision of an overall increase in housing, and affordable housing, in the City Council's boundaries.

- 8.5 With the above in mind, the proposal is considered to comply with policies 3 and 73, and the principle of development is considered acceptable subject to the material considerations discussed below being satisfactorily met.

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

- 8.6 The site is located within a predominantly residential area with some commercial uses present. The site is not located within a conservation area, and the building is not listed.
- 8.7 The proposed development would result in no external alterations to the front of the building. The proposal would not, therefore, have an impact on the streetscene.
- 8.8 To the rear of the site, two alterations are proposed. One is for the widening of a door, and the other is to install a ramped access. These alterations are both to allow for greater accessibility to the premises.
- 8.9 The applicant has provided an amended floor plan showing the extent of the ramp to the rear whilst the new width of the door is shown. These would both appear to be acceptable although it is considered appropriate to attach a condition requiring specifications of the ramp, as well as a proposed rear elevation drawing showing the door and ramp.
- 8.10 It is my opinion that the changes proposed are of a minor nature and, subject to the imposition of a condition, would be appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, and 59.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.11 It is noted that concerns have been raised with regard to noise generation and the hours of operation.

- 8.12 With regard to the external alterations, these are considered to be of a minor enough scale so as to ensure that there would not be an adverse impact on the amenity of neighbouring properties with regard to sunlight/daylight receipt, overlooking, overshadowing, loss of privacy and outlook.
- 8.13 The change of use does, however, create the possibility for the property to have a different impact on neighbouring properties with regard to noise creation than the existing situation.
- 8.14 The application has been supported by a Sound Insulation Prediction data sheet
- 8.15 The conclusions of the document are that the proposed use could have an impact at ground floor level to the adjoining property, and that sound insulation should be added to this wall.
- 8.16 The Council's Environmental Health Team have been consulted on the proposal, and have raised no objection subject to the imposition of a condition restricting the hours of operation of the premises, number of users per room, insulation being provided to the shared party wall at ground floor level, and controls on music/amplified noise.
- 8.17 I consider it important to mitigate against potential noise, and restricting hours of use (09:00 to 18:00 Monday to Friday) and the provision of insulation at the ground floor party wall are supported. It is noted that the hours proposed by condition are shorter than those which the objector raises concerns over, and have been agreed by the Council's Communities Team. These restricted hours would also ensure that any gathering of people outside of the property would be unrelated to its use as a community centre, and would therefore be unlikely to be related to this proposal. Requests to condition the number of users per room are not supported however, as this would not be enforceable and would, therefore, fail the tests which all conditions must meet as set out in Circular 11/95. The request to prohibit music and amplified voice would also be unenforceable, and given the heavily restricted hours of operation this is not considered to be necessary.
- 8.18 I have assessed the potential impact on the residential amenity of the surrounding occupiers in terms of sunlight, daylight, overlooking, overbearing sense of enclosure and

overshadowing. I am satisfied that the proposal, due to its siting, 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.

### **Highway Safety**

- 8.19 The property does not propose any alterations to site access and egress.
- 8.20 The Highways Authority has been consulted on the proposal and they do not consider that the proposal would have an adverse impact on highways safety.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car Parking**

- 8.22 I consider that the proposed hours of operation mean that the likely demand for parking would be during hours when parking demand would likely be at its lowest. In addition, the site is not in a Controlled Parking Zone and so parking is available on-street. I also consider that likely users of a facility such as this would be people in close proximity of the site and so car reliance would likely be minimal.
- 8.23 In my professional opinion the proposal provides an acceptable level of car parking. I consider the proposal to be compliant with Cambridge Local Plan (2018) policy 82.

## **9.0 CONCLUSION**

- 9.1 The proposed is for a temporary change of use to provide a community facility, including the widening of a rear door and the installation of an access ramp to the rear.
- 9.2 The proposal would allow for the continued provision of a community use while a redevelopment of an existing site would provide an upgraded community facility, new retail premises and new housing.

- 9.3 The application has been considered against the relevant policies, and upon assessment, I consider that the application complies with national and local policies, and should, therefore, be granted planning permission subject to appropriate planning conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. The community use hereby permitted shall expire after 55 weeks from first use of the premises in this use. The applicant shall inform the Local Planning Authority, in writing, of the intended date of first occupation (which shall not be more than three years from the date of this decision notice) prior to the use commencing. The premises shall then revert back to residential use after the expiry of 55 weeks from this date.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004, and to protect the amenity of the adjoining properties (Cambridge Local Plan 2018, Policy 35).

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

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

3. The D1 use hereby permitted shall be operational between 09:00 and 18:00 Monday to Friday only.

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

4. Prior to first use, sound insulation shall be provided to the shared party wall of the ground floor in accordance with the specifications within the Create Consulting Engineers Ltd - Sound Insulation Prediction data sheet dated 25/4/1.



Reason: In the interests of residential safety (Cambridge Local Plan 2018, Policy 35).

5. Notwithstanding the plans hereby approved, details of the access ramp and door shall be submitted to, and approved in writing by, the Local Planning Authority prior to installation.

Reason: In the interests of the visual amenity (Cambridge Local Plan 2018, Policies 55, 56 and 59).

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## PLANNING COMMITTEE

3<sup>rd</sup> July 2019

<b>Application Number</b>	19/0263/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th February 2019	<b>Officer</b>	Lewis Tomlinson
<b>Target Date</b>	29th May 2019		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	Future Business Centre Kings Hedges Road Cambridge CB4 2HY		
<b>Proposal</b>	Proposed erection of extensions to the Future Business Centre and installation of car and cycle parking, installation of substation and associated works.		
<b>Applicant</b>	Allia Ltd		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would be of a high quality design that would be well integrated with the existing building;</li> <li>- The proposal would not have an adverse impact upon any neighbouring properties;</li> <li>- The proposed reduction in car parking is supported by the Travel Plan and Travel Demand Management Strategy.</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Future Business Centre is located on the northern side of Kings Hedges Road. The existing building is 4 storeys in height. The north west boundary of the site is designated as a City

Wildlife Site and is covered by a belt of trees. There are no further constraints.

- 1.2 The Future Business Centre is a charitable initiative that provides circa 3,400sqm affordable space and workshop units to support charities learning to trade, social enterprises wanting to grow and companies developing products that result in social or environmental benefit.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks planning permission for two extensions.
- One extension is on the northern end of the building. It will measure 4 stories in height and will provide 1795ml of floor space.
  - The other extension is on the eastern end of the building. It will measure 4 stories in height and will provide 700ml of floor space.
  - The proposal retains 25 car parking spaces, 2 electric vehicle charging spaces and 3 disabled car parking spaces. Overall, the development is served by both on site and off site car parking provision. The existing off site car parking provision is to remain the same (73 spaces).

## **3.0 SITE HISTORY**

- 3.1 None relevant.

## **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 10 11 34 35 36 41 55 56 58 59 61 69 71  73 77 82

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

Central Government Guidance	<p>National Planning Policy Framework March 2018</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p>

	Strategic Flood Risk Assessment (2005)
	Cambridge and Milton Surface Water Management Plan (2011)
	Air Quality in Cambridge – Developers Guide (2008)

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

#### *First comment*

- 6.1 The proposed refuse access as shown on drawing number 3726/TJ/14/008 Rev P3 does not provide a full swept path analysis and therefore it cannot be guaranteed that a standard sized refuse vehicle can indeed make the manoeuvre as shown. This may lead to unnecessary manoeuvring within the adopted public highway to the detriment of highway safety. The above recommendation may be overcome if the applicant provides a full swept path analysis at a true scale of not less than 1:200.

#### *Second comment following submission of tracking plan (drawing number 70045997-WASP-00-XX-DR-22-001 Rev P01)*

- 6.2 Drawing number 70045997-WASP-00-XX-DR-22-001 Rev P01 were submitted to the Planning Authority this would overcome the Highway Authority request that the application be refused.

### **Environmental Health**

- 6.3 No objection subject to conditions regarding construction hours, collection during construction, pilling, dust, plant noise insulation and informatives regarding plan noise insulation, dust and boilers.

### **Landscape Officer**

- 6.4 No objection subject to the conditions regarding landscaping, green roofs and cycle storage.

### **Nature Conservation Officer**

- 6.5 No objection subject to a condition requiring the ecology recommendations and management plan to be implemented.

### **Urban Design and Conservation Team**

- 6.6 No objection subject to conditions regarding materials samples, glass types, sample panel, details of all solar panels, rooftop plant, signage & green roof.

### **Sustainability Officer**

- 6.7 No objection subject to conditions regarding water efficiency & sustainable construction

### **Sustainable Drainage Officer**

- 6.8 No objections subject to conditions regarding a surface water drainage scheme and maintenance plan.

### **Developer Contributions Officer**

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

## **7.0 REPRESENTATIONS**

- 7.1 One representation has been received from the following address:

- Flat 3, 15 Chesterton Road

- 7.2 The representation can be summarised as follows:

- No provision for the replacement of the lost green space outside the building

- No provision to provide additional car parking to the workers working in the new offices

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces and impact on heritage assets
3. Public Art
4. Renewable energy and sustainability
5. Drainage
6. Residential amenity
7. Highway safety
8. Car and cycle parking
9. Ecology
10. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

8.3 Policy 40 (Development and expansion of business space) states that:

New offices, research and development and research facilities are encouraged to come forward within the following locations:

- a) in the city centre and the Eastern Gateway, providing they are of an appropriate scale and are part of mixed-use schemes with active frontage uses where practicable at ground floor level;



- b) in the areas around the two stations (defined and subject to policies in Section Three); and
- c) research, and research and development facilities will be supported in the Cambridge Biomedical Campus (including Addenbrooke's Hospital), and at the West Cambridge site, provided they satisfy relevant policies in Section Three of the plan.

Proposals for the development of these uses elsewhere in the city will be considered on their merits and alongside the policies in Section Three of the plan.

- 8.4 The Future Business Centre is a charitable initiative that provides circa 3,400sqm affordable space and workshop units to support charities learning to trade, social enterprises wanting to grow and companies developing products that result in social or environmental benefit. This use is supported and encouraged through national and local planning policy. As the proposal is for an extension to a building with an existing business use, the principle is considered acceptable subject to the below material planning considerations.

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

- 8.5 The proposal is for two extensions. One extension is on the northern end of the building. It will measure 4 stories in height and will provide 1795ml of floor space. The other extension is on the eastern end of the building. It will measure 4 stories in height and will provide 700ml of floor space. The proposed extensions would be well integrated with the existing form, design and scale of the existing building. Conditions requesting further details of materials and finishes are recommended to ensure the development is constructed to a high quality finish.
- 8.6 The proposed extension to the eastern flank of the building, visible from Kings Hedges Road, is articulated to break the length of the overall building frontage. It will therefore be well integrated to the character and appearance of the street scene when viewed from oblique angles in accordance with Cambridge Local Plan 2018 policy 55.
- 8.7 The proposed northern extension would result in the loss of the courtyard/green space which currently provides an amenity

function. A local resident has raised concerns about the loss of this green space. As the existing courtyard is north facing and therefore shaded to an extent, the loss of the courtyard is not considered to be detrimental to the overall enjoyment of the site. The application includes re-provision of this amenity area in the form of a roof terrace. The roof terrace would not be compromised by shading and will also provide long distance views of the surrounding area. The other flat roof elements will be a mix of green roofs, which will act as a replacement of the green space lost, and solar panels. To ensure the right balance is achieved and the green roofs are implemented correctly, a condition is recommended. The Urban Design Team and Landscape Officer both support the application. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 61.

### **Public Art**

- 8.8 The application is classified as a major application and as a result there is a policy requirement to provide public art. The applicant has provided an indicative Public Art Delivery Plan which proposes a photovoltaic tree near the entrance of the site. A condition is recommended to secure the final strategy. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 56, 59 and 85 and the Public Art SPD 2010.

### **Renewable energy and sustainability**

- 8.9 The Sustainability Officer is satisfied that the information provided is acceptable subject to conditions. In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2018) policies 28 and 29 and the Sustainable Design and Construction SPD 2007.

### **Integrated water management and flood risk**

- 8.10 The proposed drainage arrangement will comprise traditional drainage networks, supplemented with SUDS, which includes permeable paving and a green roof. The Drainage officer has raised no concerns subject to the imposition of a surface water drainage condition. 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

- 8.11 There are residential properties to the south of the site, on the opposite side of Kings Hedges Road and also residential properties to the north west of the site within the Orchard Park development. However, given the siting of the proposed extensions, and the form of the existing building, the proposal would not result in a significant impact upon the residential amenity of any nearby properties. The Environmental Health Officer has recommended various conditions are recommended to protect the amenity of surrounding residents during the construction stage. A noise insulation condition is recommended due to the application seeking permission for the installation of a substation. This is to ensure that nearby residential properties are not adversely affected by subsequent noise from the substation.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

## **Highway Safety**

- 8.13 Following the submission of a tracking plan, the Highway Authority raises no objection to the proposal. Adequate turning space is provided within the site.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

## **Car and Cycle Parking**

### Car Parking

- 8.15 The existing use is classed as Sui Generis. Appendix L of the Cambridge Local Plan 2018 does not provide any car parking standards for this use class but the use is similar to B1 office. The proposal would result in the loss of 11 car parking spaces

on the site in order to accommodate the proposed extensions. However the proposal would include the reprovision of 5 spaces, 3 of which are blue badge spaces as well as retaining the offsite provision. This is set out in **table 1** below.

- 8.16 The applicant demonstrates that the existing on and off site car parks are not used to capacity through the day. This is shown through the car parking accumulation with the Transport Assessment. The Future Business Centre retains the 73 car parking spaces located within the offsite car park. This car park is exclusively for the use of the Future Business Centre and is controlled via a barrier. The development will also retain 25 on site car parking spaces, 2 electric vehicle charging points and 3 disabled car parking spaces. While the proposal would result in a small loss of car parking on site, the travel surveys submitted as part of the Transport Assessment also indicate that more than half of the staff travel to work by non-car modes. As such this reduced provision is adequate to meet the needs of the proposed development, in accordance with Cambridge Local Plan 2018 policies 81 and 82.

*Table 1: car parking provision*

<b>Car parking</b>	<b>Number</b>
Existing on site	26 formal spaces 5 informal spaces
Existing off site	73 spaces
Proposed on site	25 formal (3 blue badge and 2 electric spaces)
Proposed off site	73 spaces

### Cycle Parking

- 8.17 There are 76 existing cycle parking spaces provided on the site. The proposal will provide an additional 40 cycle parking spaces on top of the existing 76 cycle parking spaces. A condition requesting further details of the storage is required.

## Summary

- 8.18 The site is in very sustainable location, with good walking and cycle links as well as being adjacent to the Guided Busway with multiple stops being located within very close proximity to the site. Given the size of the proposed extensions, and to ensure that non car modes of travel to the site are continued to be encouraged, a Travel Plan condition is recommended. The application, through its submission of a Transport Assessment, has demonstrated that the car parking needs of the proposed development will be adequately accommodated. Car parking for the development will not be displaced to the surrounding residential areas. Therefore, it is my opinion that the proposal is compliant with policies 81 and 82 of the Cambridge Local Plan (2018).

## **Ecology**

- 8.19 The north west boundary of the site is designated as a City Wildlife Site. The Nature Conservation Officer is content with the submitted recommendations and management plan for the site. A condition is recommended to ensure the management plan is implemented. In my opinion the proposal is compliant with policies 69 & 70 of the Cambridge Local Plan (2018).

## **Planning Obligations**

- 8.20 The Developer Contributions Officer has confirmed that the Council 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.

## **9.0 CONCLUSION**

- 9.1 The proposal would result in high quality extensions which would be well integrated into the existing buildings. While the proposal would result in the loss of some green space, the re-provision in the form of a roof terrace is considered to be acceptable. The development's car parking demands will not result in displacement to surrounding streets.

## 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. Prior to the occupation of the development or the commencement of the use, a noise assessment detailing noise levels emanating from all plant, equipment and vents, relative to background levels, shall be submitted to, and approved in writing by, the Local Planning Authority.

If the assessment demonstrates that noise levels exceed the background level at the boundary of the premises, having regard to adjacent noise sensitive premises, a mitigation 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).

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. No development shall commence (including any pre-construction, demolition, enabling works or piling), until a written report, regarding the demolition / construction noise and vibration impact associated with this development, has been submitted to and approved in writing by the Local Planning Authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. The development shall be carried out in accordance with the approved details only.

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

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

7. No 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. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

Reason: To ensure the amenity of neighbouring properties are protected (Cambridge Local Plan 2018 policies 34, 55 and 56).

9. 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.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Surface Water Drainage Strategy prepared by WSP dated December 2018 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) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the green roof;
- h) 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;
- i) Full details of the maintenance/adoption of the surface water drainage system;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- k) 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).

10. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

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

11. Prior to the occupation of the uses hereby permitted, a water efficiency specification, based on the BREEAM Wat01 Water Calculator Methodology, shall be submitted to the local planning authority. This shall demonstrate the achievement of 3 credits for water efficiency (Wat01) and that the development will 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 28).

12. The proposed development shall be constructed in accordance with the strategy for enhancing the environmental performance of scheme, as set out in the BREEAM Pre-Assessment Report prepared by Faarup Associates (Rev A January 2019) and the Sustainability Statement prepared by WSP (Ref: FBC-WSP-00-XX-TP-M-500001 January 2019). Any change to the performance standards set out in these reports shall be in accordance with a revised scheme submitted to and approved in writing by the local planning authority.

Reason: Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28).

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

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

14. 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 shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate (Cambridge Local Plan 2018 policies 55 and 57).

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

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development (Cambridge Local Plan 2018 policies 55 and 57).

16. 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 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).

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

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

18. No development above ground level, other than demolition, shall commence until full details of green 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. If green roof includes intensive areas of planting, details of the irrigation system for the roof gardens must also be submitted. Details of irrigation system should include water delivery system to planting beds, water source, automatic control system, times and amounts of water to planting beds, system maintenance details (to be included within the Management Plan).

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

19. No development above ground level, other than demolition, shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles (Cambridge Local Plan 2018; Policy 82).

20. The ecological measures outlined in the submitted and approved document: MKA ecology Biodiversity Management Plan The Future Business Centre October 2018 shall be implemented in full.

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

21. Prior to occupation of the approved extension, a Public Art Delivery Plan (PADP) shall be submitted to and approved in writing by the Local Planning Authority. The PADP shall include the following:

- a) Details of the public art and artist commission;
- b) Details of how the public art will be delivered, including a timetable for delivery;
- c) Details of the location of the proposed public art on the application site;
- d) The proposed consultation to be undertaken;
- e) Details of how the public art will be maintained;
- f) How the public art would be decommissioned if not permanent;
- g) How repairs would be carried out;
- h) How the public art would be replaced in the event that it is destroyed;

The approved PADP shall be fully implemented in accordance with the approved details and timetabling. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 55 and 56 of the Cambridge Local Plan 2018.

**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](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](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](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:**

Cambridge City Council recommends the use of low NOx boilers i.e. appliances that meet a dry NOx emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality.

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## PLANNING COMMITTEE

3<sup>rd</sup> July 2019

<b>Application Number</b>	18/1520/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1st October 2018	<b>Officer</b>	Mary Collins
<b>Target Date</b>	26th November 2018		
<b>Ward</b>	Market		
<b>Site</b>	11 Napier Street Cambridge CB1 1HR		
<b>Proposal</b>	Change of use of existing first floor staff accommodation to bed and breakfast (11no rooms)		
<b>Applicant</b>	Mr Songlin Guo		
	11 Napier Street Cambridge CB1 1HR		

SUMMARY	<p>The development accords with the Development Plan for the following reason:</p> <p>The proposal accords with policy 76 as the Safeguarded Public House would be protected.</p> <p>The proposal accords with policy 12 as the proposal retains A3 use at ground floor level.</p> <p>The proposal would not have a detrimental impact on residential amenity.</p>
RECOMMENDATION	APPROVE

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a restaurant at the end of Napier Street, close to the Grafton Shopping Centre. The building is one-and-a-half storeys, detached, and has been extended at roof level by way of zinc clad box dormers. Napier Street is predominantly residential in character although there are commercial premises within close proximity along Fitzroy Street and within the Grafton Centre.
- 1.2 It is not Listed or a Building of Local Interest but is located just outside the Central Conservation Area. The site falls within the

controlled parking zone and the City Centre. The building is the former Ancient Druids Public House which was constructed around 1984 and is identified as a Protected Public House by the Cambridge Local Plan 2018.

- 1.3 The building is next to the cycle route which follows the service road at the back of the Grafton Centre (from Fitzroy Lane, across the bottom of Christchurch Street to the bottom of Napier Street) and after the pinch point between 11 Napier Street and the Grafton Centre, crosses the yard at the end of Wellington Street and emerges on East Road next to the vehicle entry to the Grafton Car Park.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for change of use of existing first floor staff accommodation to bed and breakfast (11no rooms). This would be used in conjunction with the current use of the ground floor as a restaurant.
- 2.2 The application originally proposed to also change the use of the ground floor restaurant to B & B use. During the course of the planning application, the proposal has been revised to retain the existing restaurant use at ground floor level and the proposed manager's flat in the basement has been removed from the proposal.
- 2.3 A vertical jet cowl will be fitted to the flue termination point to the eastern elevation of the building to serve the new extract equipment to the kitchen.
- 2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Drawings

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
18/1295/FUL	Wooden bin store, wooden cladding to front and rear entrances, glass canopy, handrails and associated	Permitted

17/1395/FUL	landscaping, including trellis. Installation of dormers to front and rear elevations, insertion of additional roof windows to south and north elevations and new window and door to basement office. External basement access stair and guarding's/balustrading. Sub division of existing staff accommodation to form nine bedrooms. Installation of extract flue on rear elevation (Part retrospective).	Permitted
17/1386/S73	Section 73 application to vary condition 2 of 16/1951/FUL (removal of fenestration at low level and replacement with masonry wall) to show retrospective changes in fenestration of the ground-floor west elevation including door positions, window design and additional zinc cladding only.	Permitted.
16/1951/FUL	Removal of fenestration at low level and replacement with masonry wall.	Permitted.

#### **4.0 PUBLICITY**

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

#### **5.0 POLICY**

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

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 12, 35, 36 55, 56, 58, 59, 76, 77, 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)
Material Considerations	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u>  Cambridge City Council (May 2007) – Sustainable Design and Construction: Grafton Area of Major Change SPD (December 2018)

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Control)**

- 6.1 Demonstrate that a disabled space can be provided within the location shown clear of the adopted public highway. This has since been demonstrated through the submission of amended plans.

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

The amended drawings submitted on 17th April 2019 do not change the Highway Authority response of 29th November 2018.

### **Conservation team**

- 6.2 It is considered that there are no material Conservation issues with this proposal.

### **Environmental Health**

- 6.3 The development proposed is acceptable subject to conditions relating to:
- Construction hours
  - Fume filtration/extraction
  - Noise insulation scheme
  - Collections and deliveries
  - Plant design and installation controlled by a compliance condition requiring that works are carried out in accordance with the details provided in the Noise Impact Assessment.

## **Waste**

- 6.4 Suggest at the very minimum a 360l bin for general and another for recycling, both collected weekly, on-top of the bins above for the resident/manager. These would need to be presented on the road for collection on the day/s agreed as the bin store is too far from the road for the refuse operators to access.

## **Access Officer**

- 6.5 Double doors will need to be powered or be asymmetrical with one leaf being at least 900mm and having an opening force of less than 20N.  
Plan for accessible room required  
Needs a blue badge marked parking space  
A lift serving all floors would be preferable.  
Hearing loop where appropriate  
Colour contrast décor and signage to help visually impaired visitors

## **CAMRA**

- 6.6 Object. The former Ancient Druids could once again be viable as a pub. The application to convert it to a bed and breakfast facility would deprive the local community of this possibility.

## **Cadent**

- 6.7 Cadent have identified operational gas apparatus within the application site boundary. Recommend an informative note for the Applicant is attached if minded to approve this application.

## **Policy Team**

- 6.8 **National Policy (NPPF)**  
National policy in the NPPF includes the presumption in favour of sustainable development at the heart of the planning system. This sets a clear expectation on planning authorities to plan positively to promote development and create sustainable communities.  
*Public Houses*  
Public houses support the social and economic roles of sustainable development. They are a unique part of British culture and help support social and cultural well-being by

providing a place for social interaction within a community as well as creating local employment opportunities. A thriving local pub sector is therefore important to achieving sustainable development.

Paragraph 20 of the NPPF sets the strategic priorities for the area in the local plan including the provision of community facilities and cultural infrastructure.

Paragraph 81 of the NPPF supports policies that set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth and other local policies for economic development and regeneration. While paragraph 85 encourages policies and decisions which support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Paragraph 91 of the NPPF supports places that promote the opportunity for meetings between members of the community who might not otherwise come into contact with each other. The public house has long been an established part of the community, one that people want to have access to and one that promotes social interaction. It is therefore a valid local planning policy objective to retain public houses in order to provide such places for social interaction.

The NPPF, para 92, encourages a positive approach towards the delivery and “use of community facilities (such as local shops, meeting places, public houses and places of worship) ... to enhance the sustainability of communities and residential environments;”

In summary, the NPPF seeks to support sustainable communities. In this context, public houses may be valued for their role in supporting local economies; in providing a local facility for social interaction; and in retaining an intrinsic part of the settlement’s cultural and historic heritage. The NPPF states that local authorities should plan positively for the provision of community facilities such as public houses, guard against their unnecessary loss, and ensure that policies are flexible enough to allow such facilities to modernise and be retained for the benefit of the community (paragraph 92).

#### *Tourism development*

The Bed and Breakfast proposal is considered to be tourism development and hence is considered a main town centre use. As the site is within the city centre, it’s location for Bed and Breakfast use is considered to be acceptable in principle.

## **The Cambridge Local Plan 2018**

### *Loss of a Safeguarded Public House Site*

The recently adopted (18 October 2018) Cambridge Local Plan 2018 contains: Policy 76: 'Protection of public houses'; the list of protected public houses sites applicable to Policy 76 in Appendix C; and the accompanying guidance in Appendix K: 'Marketing, Local Needs Assessment and Viability'. The former Ancient Druids public house site on Napier Street is included on the list of protected public houses sites.

Policy 76 allows for safeguarded public house sites to oscillate amongst 'A' and 'D1' Class Use Types when it has been proven that the site is no longer needed for public house use. Any proposal that involves the loss of an A4 use must first satisfy a number of tests to demonstrate the site is no longer viable/needed, capable of diversification and the local community have been properly consulted with the potential loss of the public house. The tests are as follows:

1. The site needs to be properly marketed for A4 use at a commensurate market rent/price as explained in Appendix K.
2. An assessment of realistic diversification options need to be provided where the site offers some form of diversification potential. This may include ancillary B&B which is linked to the A4 pub business.
3. Adequate consultation with local people within the vicinity of the public house site.

No information has been provided explaining how the proposal complies with Policy 76. Alternatively, if the proposal was amended to include an A4 use with an operator in place to run it as such, the revised proposal would comply with Policy 76. The proposal already includes a manager's flat for the bed and breakfast proposal; this could be used by the same manager to operate the public house business subject to any other requirements to make the proposal acceptable in planning terms.

### *New visitor accommodation*

The Cambridge Local Plan 2018 also contains Policy 77: 'Development and expansion of visitor accommodation'. The Bed and Breakfast would also apply to this policy; and while the type of visitor accommodation (i.e. Bed and Breakfast) is not specifically supported by Policy 77, the site's location is support in that it is in an area of mixed-use and is within walking distance of bus route corridors with good public transport accessibility.



#### *The former Ancient Druids Public House site*

The pub site is located within the north eastern periphery of the city centre adjacent to the Grafton Shopping Centre. The site is located within the Fitzroy/Burleigh Street/Grafton Area of Major Change designated by Policy 12 in the Cambridge Local Plan. The site is a safeguarded site, which has the intention of allowing the site's use to oscillate amongst 'A' and 'D1' Class Use Types when it has been proven that the site is no longer needed for public house use. The public house itself has in recent years been used as a restaurant.

Since the pub closed, there has been substantial new development built along Newmarket Road which has helped to reinvigorate the area's appeal. Examples include: Anglia Ruskin University's recent acquisition of Compass House on the corner of Elizabeth Way roundabout; two new hotels built along Newmarket Road totalling 340 rooms, with another 90 room hotel proposed close by to these. More residential and student accommodation units have been granted planning permission and built in and around Newmarket Road, nearby. Other developments under construction include new office space at 122 - 128 Newmarket Road (Planning ref. 17/1225/FUL) involving the re-opening of the Five Bells public house for A4 use as a gaming bar.

While there are other public houses in the area, each public house provides a variation in local service and therefore caters to different parts of the community while providing a degree of competition for local people. This means they create a vibrant and appealing destination by providing a competitive range of local facilities. This is exemplified by The Corner House public house hosting a small, performance venue and The Wrestlers providing Thai food. The rebuilt Five Bells is expected to have gaming theme to it. The Burleigh Arms is currently a gastro pub with a large beer garden.

These public houses help the area retain its attractive and vibrant appeal as a location to visit throughout the day and evening for people to meet and socialise in. The site's retention as a viable public house site is essential to ensure this area is able to serve and support the day-to-day needs of a growing local community.

#### *Fitzroy/Burleigh Street/Grafton Area of Major Change*

The recently adopted Grafton Area of Major Change SPD also highlights the substantial investment expected in this part of the city centre outlined in Local Plan Policy 12: Fitzroy/Burleigh

Street/Grafton Area of Major Change. This area is supported as a location for expansion and/or redevelopment for retail and leisure use (A1, A2, A3, A4 and D2), with residential and student accommodation on upper floors.

The SPD, available from the City Council's website<sup>1</sup> identifies three key objectives which sit above the statements of guidance, development parameters and illustrative guidance in Chapter 5 of the SPD. There are:

1. Integration and permeability through better streets and spaces
2. A balanced and successful destination - the SPD encourages the strengthening of the area for retail, and greater diversification as a destination for the city - for residents, visitors, workers and students.
3. Flexibility and phasing - In practical terms, it is vital that any proposals for the area are set in context of the longer-term strategy for the area.

There should be evidence from the owners of the Grafton Shopping Centre that the proposal will not conflict with the longer term proposals for the area's reconfiguration.

#### *Proposed Bed and Breakfast use (C1 class use)*

A number of public houses provide 'Bed and Breakfast' type accommodation as a means of diversifying and supporting the main public house/A4 use. These include The Carpenter's Arms on Victoria Road, the recently refurbished The Waterman on Mitcham's Corner, The Earl of Derby on Hills Road. The mix of public house and Bed and Breakfast uses are considered compatible.

### **Conclusion**

No information has been provided explaining how the proposal complies with Policy 76. CAMRA should be notified about this planning application because the site is a safeguarded public house with potential for its use to be re-introduced.

The site has significant potential to re-introduce a public house use, based upon its proximity to a recently rejuvenated Newmarket Road and its location within the Grafton Area of Major Change. However, evidence should be provided from the owners of the Grafton Shopping Centre that any proposal will

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<sup>1</sup> <https://www.cambridge.gov.uk/grafton-area-of-major-change-masterplan-and-guidance-spd>

not conflict with the longer term proposals for the area's reconfiguration.

- 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 Councillor Tim Bick has commented on the application.

- Concerned that the cycle route bordering the south of the building is respected and maintained uncluttered in the event of any approval.
- Consider that the following proposed features are inconsistent with continuation of the cycle way and should be removed by amendment or specifically conditioned against:
  - Cycle racks along this southern frontage or to obstruct it at either end.
  - Waste/recycling bin storage along this southern frontage or to obstruct it at either end.
  - Use of the southernmost vehicle parking space on the east side of the frontage (which has until now been prohibited for parking and should continue that way)

- 7.2 The owner/occupier of the following addresses has made a representation:

- 17 Christchurch Street

- 7.3 The representation can be summarised as follows:

- Public right of way and cycle access between 11 Napier Street and rear of the Grafton should not be obstructed.
- Parking spaces to rear should not obstruct this route.
- Bin storage location and arrangements need to be clarified.

- The parking bay that obstructs the pedestrian and cycle route should be removed. The route may not have been adopted by the Highways Authority, but it was an integral part of the Planning process when the Grafton was under consideration. This section of the route is in place of that part of Fitzroy Street and Blucher Row that disappeared under the Grafton. The Council's Access Officer ought to be concerned about this too. The parking space, combined with the adjacent ramp constructed when the Grafton was altered, make a pinch point very difficult for wheel chair use.

## **8.0 ASSESSMENT**

### **Principle of development**

- 8.1 The application site is located within the north eastern periphery of the city centre adjacent to the Grafton Shopping Centre. It is located within the Fitzroy/Burleigh Street/Grafton Area of Major Change designated by Policy 12 in the Cambridge Local Plan.
- 8.2 Policy 76 of the Cambridge Local Plan 2018 relates to the 'Protection of public houses' and includes a list of protected public houses sites in Appendix C. The property is the former Ancient Druids public house site on Napier Street and is included on the list of protected sites.
- 8.3 Policy 76 states that the loss of any part of a public house, or its curtilage will be permitted if it can be demonstrated that:
  - the viability of the public house use will not be adversely affected, sufficient cellarge, beer garden, parking and dining/kitchen areas will remain to retain a viable public house operation; and
  - the loss including associated development will not detract from the prevailing character and appearance of the area, including where the building is of merit or has any distinctive architectural features.
- 8.4 The existing building has been in restaurant use since circa 2008. At this time there was a permitted change of use from Class A4 Drinking establishments to A3 restaurant, so the established and permitted use of the existing building is as a restaurant rather than a pub.

- 8.5 Given that the lawful use of the site is as a restaurant, the proposal does not therefore result in the loss of a public house. Notwithstanding this, I consider that there would be sufficient dining and kitchen areas and potentially basement areas for cellarage to retain a viable public house operation in the future.
- 8.6 Policy 77 relates to the Development and expansion of visitor accommodation'. Whilst the type of visitor accommodation (i.e. Bed and Breakfast) is not specifically referred to in Policy 77, the site's location is in an area of mixed-use and is within walking distance of bus route corridors with good public transport accessibility.
- 8.7 The Grafton Area of Major Change SPD highlights the substantial investment expected in this part of the city centre outlined in Local Plan Policy 12: Fitzroy/Burleigh Street/Grafton Area of Major Change. This area is supported as a location for expansion and/or redevelopment for retail and leisure use (A1, A2, A3, A4 and D2), with residential and student accommodation on upper floors.

The continued use of the ground floor as restaurant use which was secured as an amendment to the original proposal would be in accordance with this policy as A3 use is appropriate within this area.

- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan 2018 policies 12, 76, 55, 56 and 58.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.9 The use of the first floor of the premises for bed and breakfast accommodation would not be detrimental to the amenities of surrounding properties. Environmental Health Officers are satisfied that subject to compliance, the proposed extraction system to the kitchen and associated would not adversely impact on surrounding properties.
- 8.10 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, 56 and 58.

## **Parking and highway safety**

- 8.11 Bed and Breakfasts require one cycle parking space for every 2 members of staff and 2 spaces for every 10 bedrooms.

There has been conflict between the requirement for the provision of a disabled parking space and keeping the cycle way, which is in close proximity to the southern side and eastern end of the existing restaurant building, clear of obstructions. Revised drawings have been received showing no cycle parking to the southern side of the building which removes the obstruction to the cycle way.

The Access Officer has requested that a Blue Badge parking space is provided. I will attach a condition regarding the final layout of the cycle and parking spaces.

## **9.0 CONCLUSION**

- 9.1 The continued use of the ground floor as restaurant use would protect the site of the safeguarded public house and sufficient dining and kitchen areas and basement. The associated use at first floor level of Bed and Breakfast accommodation would be one which would be a compatible with the ground floor restaurant use and acceptable at first floor level within the city centre.

## **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. The plant and associated equipment as stated within the Noise Impact Assessment, (Reference 11NS180928), prepared by MAS Environmental Ltd and dated 28th September 2018 shall be fully implemented prior to the bring into use of the first floor and shall be maintained in accordance with the approved details thereafter.

Reason: To protect the amenity local amenity in accordance with Cambridge Local Plan 2018 Policy 35.

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

Reason: To protect the amenity local amenity in accordance with Cambridge Local Plan 2018 Policy 35.

6. Prior to first use, details of the final scheme of noise insulation including:

- Glazing specifications per room based on the results of the Noise Impact Assessment and
- Proposals for and details of the alternative ventilation system to be installed in the noise impacted rooms. The alternative ventilation scheme will need to be capable of providing at least 2 air changes per hour in the individual rooms.

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 occupiers (Cambridge Local Plan 2018 policy 35)

7. Prior to the first 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)

8. Prior to the first use of the development hereby permitted, an accessible car parking space shall be provided to allow a car to park free of the highway and the cycle route. The parking area shall be laid out in accordance with the approved details and retained thereafter.

Reason: To ensure satisfactory provision for the parking of vehicles. (Cambridge Local Plan 2018 policies 56 and 82)

9. Prior to the first use of the development hereby permitted, details of the bin store facilities shall be submitted to and approved by the Local Planning Authority. The bin store shall be provided in accordance with the approved details and retained thereafter.

Reason: To ensure satisfactory provision for the secure storage of bins. (Cambridge Local Plan 2018 policy 56)

10. Prior to commencement of the use, full details of facilities for the covered, secure parking of bicycles for use in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or the use commences and shall be retained in accordance with the approved details thereafter.

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



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

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

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

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

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

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

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

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

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

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

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

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

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

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## PLANNING COMMITTEE

3<sup>rd</sup> July 2019

<b>Application Number</b>	18/1887/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd December 2018	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	28th January 2019		
<b>Ward</b>	Abbey		
<b>Site</b>	57 Peverel Road Cambridge CB5 8RN		
<b>Proposal</b>	Erection of a detached 3-bed dwelling to the side of 57 Peverel Road.		
<b>Applicant</b>	Mrs COUTTS 57, Peverel Road Cambridge CB5 8RN		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would provide a quality living environment for future occupiers</li> <li>- The proposal would not harm the amenity of surrounding occupiers</li> <li>- The proposal is acceptable in design terms</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a two storey rendered semi-detached dwelling on Peverel Road. Peverel Road is a residential circuit road to the east of Barnwell Road. The site lies next to a corner plot opposite to an area of Protected Open Space. Peverel Road is characterised by semi-detached dwellings many of which have garages to the side. All of the houses are set back from the street with either parking or small gardens to the front. There has been some other infill development within the street.
- 1.2 The site lies outside of the Conservation Area. The site lies within a Minerals and Waste Consultation Area. The site lies

within Cambridge Airport safeguarding zone. The site lies outside the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks full planning permission for the erection of a detached three bedroom house to the side of 57 Peverel Road. The plans have been amended since submission to increase the gap between the proposed and existing house to ensure the rear gardens would be adequately accessible for bikes and bins.
- 2.2 The proposed new house would sit in line with no. 57. One off street car parking space is shown to be retained to the front of each dwelling. Bin and bike storage for both dwellings is shown in the rear gardens.
- 2.3 The proposed house would have a gable end to the street with a flat roof element at single storey to the side rising up to first floor towards the rear. A pitched roof canopy is proposed over the front door.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/80/0771	Erection of single-storey extension to existing dwelling house	Permitted

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

## 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 3
		31 32 33 34 35 36 37
		50 51 52
		55 56 57 59
		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> <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</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>

plan are no longer SPDs, but are still material considerations.)	
Material Considerations	<u>City Wide Guidance</u>  Cambridge and Milton Surface Water Management Plan (2011)  Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)  Cambridge City Council Waste and Recycling Guide: For Developers.  Cycle Parking Guide for New Residential Developments (2010)

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 No objection: three conditions are requested which require adequate drainage to the driveway, visibility splays and to ensure that no unbound material is used on the driveway.

### **Environmental Health**

- 6.2 No objection: Conditions are recommended regarding piling and construction hours.

### **Ministry of Defence (Defence Infrastructure Organisation)**

- 6.3 No objection: A construction management strategy is required by condition.



## **Cambridge Airport**

- 6.4 No objection: Any consent should be subject to a condition removing PD rights for cranes and construction equipment.

## **Head of Streets and Open Spaces (Landscape Team)**

- 6.5 Further information needed: It is not clear where cycle storage provision will be achieved for either the new or the retained dwelling. Upon receipt of this information, landscape would be in a position to support this application.

## **Drainage**

- 6.6 No objection: A condition and informative are requested to require further infiltration testing to be undertaken and submitted with a surface water strategy.

## **Minerals and Waste**

- 6.7 No comments received.
- 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 occupier of the following addresses have made representations:

- Camcycle x2
- 59 Peverel Road x3

- 7.2 The representations can be summarised as follows:

- Cycle parking is small and accessed from a narrow passage
- Revised cycle store is too small
- Cycle store is accessed across grass
- Concerned that the dwelling would be rented/used by students
- Concerned about car parking
- Noise and disturbance from additional house

- Concerned about disturbance during construction and request that builders are prevented from parking to front of no. 59

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. Water management and flood risk
4. Noise and vibration
5. Inclusive access
6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Third party representations

### **Principle of Development**

8.2 Policy 52 of the Cambridge Local Plan (2018) is relevant as it relates to the protection of garden land and subdivision of existing dwelling plots. This states that proposals that subdivide an existing residential dwelling plot will only be permitted where a) the form, height and layout is appropriate to the surrounding character, b) there is sufficient garden space for existing and proposed dwellings and that any trees worth retaining are kept, c) the amenity of the existing and new properties would be acceptable, d) there is adequate provision for amenity space, vehicular access and car parking for existing and proposed properties and e) there is no detrimental impact on potential comprehensive redevelopment of the wider area. Criterion e is not relevant. I will assess the proposal against the other criteria under the relevant headings below.

## **Context of site, design and external spaces**

- 8.3 Although the area is characterised by semi-detached dwellings, there has been some infill development on the street. This is mainly in the form of side extensions to existing dwellings to create a small terrace. The proposal is for a detached dwelling to the side of no 57. Although this is not a common feature on the street, I consider the dwelling would infill a large void between no 57 and 59 and would read well in the streetscene.
- 8.4 The footprint of the building has been reduced to ensure adequately wide access to the rear gardens for bikes and bins. The building would have a simple architectural form with a pitched roof gable end facing the street. The entrance would have a simple pitched roof canopy. The building is proposed to be finished in buff brick. Material samples are required by condition. Subject to details of materials the proposal would be of high quality design.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 59.

## **Integrated water management and flood risk**

- 8.6 The Drainage Officer notes that additional infiltration tests are required. This information as well as a final drainage strategy are required by pre-commencement condition.
- 8.7 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.

## **Noise and vibration**

- 8.8 A construction hours and piling condition are recommended by the Environmental Health Officer. Subject to these conditions I consider the proposal would not harm the amenity of surrounding occupiers during construction.
- 8.9 In my opinion, subject to the conditions the proposal is in accordance with Cambridge Local Plan (2018) policy 35.

## **Inclusive access**

- 8.10 The applicant has confirmed that it would be possible for the proposed dwelling to meet with part M4(2) of Building Regs. A condition requiring compliance is recommended.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 51.

## **Residential Amenity**

### **Impact on amenity of neighbouring occupiers**

- 8.12 The proposed dwelling sits in line with the existing house at no. 57. As a result I am satisfied that it would not enclose or overshadow this occupier. There would be first floor windows to the rear of the property which would have views into the garden of no 57. The windows serve a bedroom and a bathroom and the bathroom window is likely to be obscure glazed. The garden is already overlooked by the first floor windows of 59 Peverel Road and this is a typical suburban relationship. I am therefore satisfied that the proposal would not have an unacceptable impact on the privacy of no 57.
- 8.13 The building is located adjacent to the side passage and garage of 55 Peverel Road. The building is set away from the rear windows and broadly in line with the building line of 55. As a result I am satisfied that it would not enclose or overshadow this occupier. The first floor bedroom window nearest to no 55 is angled away from this neighbour and would only allow for very oblique views. As with no 57, the garden of 55 is already overlooked by neighbouring windows and I do not consider this relationship harmful to the privacy of this occupier.
- 8.14 The application is for one additional dwelling which would result in an intensification of use of the site however I do not consider this would give rise to any significant noise or disturbance to surrounding neighbours.
- 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, 55 and 56.

## Amenity for future occupiers of the site

- 8.16 The proposed dwelling meets with the minimum internal floor space requirements of policy 50. A large rear garden is proposed for the new dwelling which would be adequate for the new dwelling. I am also satisfied that the garden retained by the host dwelling would be acceptable. In my view the proposed new dwelling would provide a good standard of amenity to future occupiers. Occupiers of the retained dwelling would also enjoy a good standard of amenity.

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 <sup>2</sup> )	Proposed size of unit	Difference in size
1	3	5	2	93	99	+6

- 8.17 In my opinion the proposal provides a high-quality (*and accessible*) living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2018) policies 50, 51 and 52.

## Refuse Arrangements

- 8.18 Bin storage for both dwellings on the revised plans is shown within the gardens. This is accessible through a 1.2m gap between the houses. In my view the provision is acceptable. Details of bin stores for both properties are required by condition.
- 8.19 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

## Highway Safety

- 8.20 The Highway Engineer has not raised concerns about any impact on highway safety as a result of the proposal. Three conditions are requested relating to visibility splays, drainage to

the driveway and use of unbound materials. I share his view and recommend all three conditions.

- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

- 8.22 One off street car parking space is proposed for each dwelling. The site is located in a sustainable location close to cycle and public transport links. As a result I am satisfied that this provision is acceptable. I note one of the representations raises concerns about parking however in my view the level of parking proposed for the new dwelling and retained by the existing dwelling would be adequate and in compliance with policy 82.
- 8.23 Cycle parking is shown in the rear garden. This is acceptable in principle but details of the stores are required by condition. I note that Camcycle have raised concerns that the stores shown would not be adequately large to hold three bicycle parking spaces. I am satisfied that an adequately large store can be accommodated on site. The stores will need to be accessed over a path rather than grass and details of this can be provided through the landscape condition.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

### **Third Party Representations**

- 8.25 I will address any outstanding matters raised by the third party representations in the below table:

<b>Representation</b>	<b>Response</b>
Cycle parking is small and accessed from a narrow passage	The building footprint has been reduced to ensure the path is adequately wide for bikes access
Revised cycle store is too small	Noted. Details of a store are required by condition. See paragraph 8.23
Cycle store is accessed across grass	Details of a path to access the store are required to be dealt with through a landscape

	condition.
Concerned that the dwelling would be rented/use by students	The proposal is for a C3 dwelling. This could be rented by students but this is not a material planning consideration.
Concerned about car parking	See paragraph 8.22
Noise and disturbance from additional house	See paragraph 8.14
Concerned about disturbance during construction and request that builders are prevented from parking to front on no. 59	See paragraph regarding construction disturbance. It is not possible to prohibit builders parking outside no 59 through the planning consent and this would be a civil matter.

## 9.0 CONCLUSION

- 9.1 The proposed dwelling is considered to be a good quality design and to sit well in the streetscene. The proposal is not considered to harm the amenity of surrounding occupiers. The proposed level of car parking is considered acceptable. The proposal would provide a good standard of amenity for future occupiers.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

Reason: In accordance with the requirements of Section 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 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 details of paths to reach the proposed bike and bin stores, proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

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

6. Prior to the occupation of the dwelling, details of cycle stores for the proposed and existing dwellings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location of the stores, and dimensioned floor plans and elevations. The stores shall thereafter be installed and retained in accordance with the approved details.

Reason: To ensure adequate cycle storage for both dwellings (Cambridge Local Plan (2018) policy 82).

7. Prior to the occupation of the dwelling, details of the bin stores for the proposed and existing dwellings shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall be constructed in accordance with the approved details prior to the occupation of the dwelling.

Reason: To ensure adequate bin storage is provided for both dwellings (policy 52 and 57 of the Cambridge Local Plan 2018)

8. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: To prevent surface water discharging to the highway, in the interests of highway safety (Cambridge Local Plan 2018 policy 81).

9. Prior to the first occupation or bringing into use of the development, hereby permitted, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No 18PL101 REV 01. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

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

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

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

11. Prior to the commencement of development, other than demolition, a scheme for surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + an allowance for climate change. The submitted details shall include the following:

1) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

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

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

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

12. Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems (Cambridge Local Plan 2019 policy 37)

13. The dwelling, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

## PLANNING COMMITTEE

3<sup>rd</sup> July 2019

<b>Application Number</b>	18/1952/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	12th December 2018	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	6th February 2019		
<b>Ward</b>	Newnham		
<b>Site</b>	6 Wilberforce Road Cambridge CB3 0EQ		
<b>Proposal</b>	Retrospective permission for the erection of a bike store.		
<b>Applicant</b>	Mr Joe Sanghera 6 Wilberforce Road Cambridge CB3 0EQ		

SUMMARY	<p>The development does not accord with the Development Plan for the following reason:</p> <ul style="list-style-type: none"> <li>- The store is considered harmful to the Conservation Area and streetscene.</li> <li>- The amendments are not considered adequate and the revised store would remain out of character.</li> </ul>
RECOMMENDATION	REFUSAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a three storey mid-terrace tile clad residential dwelling on the north western side of Wilberforce Road. This is a predominantly residential area although the area to the east of the site is occupied by Department of Applied Mathematics and Theoretical Physics. The properties on the western side of the road are all set back from the street. The majority have hedges and mature planting to the front of the properties.

1.2 The site lies within the West Cambridge Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks retrospective planning permission for a bike store to the front of the property.
- 2.2 The bike store is completed and in place. It is sited on the front driveway hard on the boundary with 8 Wilberforce Road. The store is timber. It runs perpendicular to the street. Planting was removed to accommodate the cycle store. The application was submitted following an enforcement investigation.
- 2.3 The application has been amended since submission and proposes to reduce the length of the existing store by 1.1m. The height is marginally reduced in places. The applicant notes that the height is difficult to calculate as the ground slopes. Additional planting and a green roof are also proposed. The store also accommodates bins in a covered area adjacent to the house.
- 2.4 The application is accompanied by the following supporting information:
1. Plans
  2. Amended plans
  3. Cover letter in support of application

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
14/0643/FUL	Removal of tile hanging on front elevation, render wall and replacement of all windows. Windows replaced in rear elevation as required to fit minor opening size adjustments.	Permitted

## **4.0 PUBLICITY**

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 55 56 57 59 61 81 822

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)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> West Cambridge Conservation Area Appraisal (2011)

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Control)

- 6.1 No objection: The proposal would not have any significant adverse impact on highway safety.

### Urban Design and Conservation team

#### *First comment*

- 6.2 Objection: The size and location of the bike store is considered to have a negative impact on the character and appearance of the conservation area. No. 6 Wilberforce Road is within a terrace of 4 modern three storey buildings. All of the frontages have parking spaces, originally divided up by hedging from the house elevations to the pavement edge. The owners of no. 6 have removed the hedge between no. 6 and no. 8 and replaced it with a timber cycle shed. The height and length of the shed make it very intrusive in the streetscene which has a negative impact on the character and appearance of the conservation area due to the uncharacteristic nature of the structure. The softness of the hedging has been replaced with the harshness of the built form.

#### *Second comment*

- 6.3 Objection: The revised plans do not overcome the Conservation Team's concerns and the proposal remains harmful to the character and appearance of the Conservation Area.
- 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 which are in objection to the proposal:
- 10 Adams Road
  - 6 Clarkson Road
  - 5 Madingley Road



- 7 Wilberforce Road
- 8 Wilberforce Road (photo of the bike store and photo prior to construction of the bike store provided) x4
- 9 Wilberforce Road
- 30 Wilberforce Road

7.2 The representations in objection can be summarised as follows:

- Out of character
- Structure is harsh, bulky, visually intrusive and at odds with the green to the front of the other properties
- visually dominates the neighbouring property
- Hedge should be reinstated and a transparent curved bike store erected in its place (as at 2 Adams Rd)
- Hornbeam was removed as part of construction
- Does not preserve and enhance the character and appearance of the Conservation Area.
- Hazard as reduces visibility when moving a car out of driveway of 8 Wilberforce Road
- Hazard to pedestrians as it limits visibility for vehicles leaving 6 Wilberforce Road
- Exceeds 1.8m boundary fence height
- Hope that the structure could be modified to be in keeping
- Concerned about accuracy of the plans
- Very large structure for a bike store

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

- 94 Ainsworth Street
- 11 Bendyshe Way, Barrington
- 21 Blackthorn Close
- 69 Bramley Way, Hardwick
- 44 Broadway, Bourn
- Camcycle x2
- 2 Clarkson Close
- 16 De Freville Avenue x2
- 24 Fox Hill Road, Guilden Morden
- 71 Hemingford Road
- 161 Hobart Road
- 17 Lilywhite Drive
- 6 Lotfield Street, Orwell
- 31 Madingley Road
- 10 Malthouse Place, Green Drift, Royston

- 4 Opeford Close, Offord Cluny, St. Neots
- 2 Page Close, Histon
- 3 Pear Tree Close, Haddenham, Ely
- 78 Sedgwick Street
- 15 Shelly Garden
- 24 Springfield Road, Sawston
- 5 Stevensons Road, Longstanton
- 58 The Limes, Harston
- 14 Wilberforce Road
- 16 Wilberforce Road x 2
- 19 Wilberforce Road
- 28 Wilberforce Road

7.4 The representations in support can be summarised as follows:

- Were the proposal to be a new house there would be a requirement for cycle parking and the store is conveniently located and would comply with policy 82
- The shelter is custom built to the needs of the occupier
- Uses natural materials and once weathered will blend in well as opposed to the metal cars on other driveways
- The structure is attractive to look at and made of high quality materials
- It supports a sustainable mode of transport which helps reduce greenhouse emissions and air pollution
- Cycle parking should be encouraged to alleviate traffic congestion
- In line with the councils recently adopted climate change policy
- The roof would have a green element which would improve biodiversity
- This type of bike store is common in new residential developments
- The Conservation Area has a mixed character
- No higher than a normal fence and no more imposing
- The applicant has demonstrated a willingness to compromise to ensure the shelter is more sympathetic to the Conservation Area
- The revisions to the plans overcome the previous objections as the building will be reduced and will blend into the environment and would provide adequate visibility for pedestrians

7.5 Councillor Rod Cantrill has requested that the application is determined at planning committee. He considers the applicants suggestion to amend the plans and reduce the size of the store

would overcome concerns about the impact on the street scene and Conservation Area.

- 7.6 Councillor Nethsingha has requested that the application be determined at planning committee if the case officer recommendation is for refusal.
- 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. Context of site, design and external spaces and impact on heritage assets
2. Residential amenity
3. Highway safety
4. Car and cycle parking
5. Third party representations

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

- 8.2 The applicant has amended the plans and proposes to reduce the overall length of the existing bike store by 1.1m. The height of the structure would remain unchanged but would be lessened as the highest part of the store currently lies nearest the footpath due to the slope in the ground; by removing the element closest to the footpath the highest part of the store would be removed.
- 8.3 The Conservation Officer considers the bike store to be harmful to the character and appearance of the Conservation Area. She notes the soft landscape to the front of the terrace, which acts as a boundary treatment, is characteristic and that this has been removed between nos 6 and 8 to make way for the bike store. She considers that the harshness of the bike store replaces the softness of the landscape and appears out of character as a result. She does not consider the proposed amendments overcome her concerns.

- 8.4 This part of Wilberforce Road has much greenery which softens the surrounding buildings and mature planting in the front gardens of properties is characteristic in the area. The bike store is between 1.59 and 1.78m in height and currently runs all the way to the pavement. The proposal is to reduce the store so it would be 1.2m from the footpath. A hedge is proposed to the front of the store and it is proposed to have a green roof. Whilst this would be an improvement on the existing arrangement, it is not considered to be adequate and the bike store would still appear bulky and incongruent in the streetscene. None of the other nearby buildings have stores or outbuildings to the front of the building and this form of development is considered out of character. I do not consider that the reduction in length and additional planting would adequately mitigate the harshness and overall bulk and scale of the boxy structure.
- 8.5 I accept that there are benefits from the store as it enables the occupant to provide secure and easily accessible cycle storage and keeps bins tucked away from the street. However this does not outweigh the harm to the character and appearance of the Conservation Area and the store is considered contrary to the NPPF.
- 8.6 In my opinion the proposal, in terms of design and impact on the Conservation Area, is contrary to Cambridge Local Plan (2018) policies 55, 56, 57, 59 and 61.

### **Residential Amenity**

#### **Impact on amenity of neighbouring occupiers**

- 8.7 The proposed store lies hard on the boundary with 8 Wilberforce Road. No 8 is to the south of the store so it does not overshadow this property. Given that no 8 is an end of terrace property, although the store does enclose the outlook from the nearest window on the front elevation, I do not consider this to be significantly harmful to warrant refusal given the more open aspect to the south.
- 8.8 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and in this respect, I consider that it is compliant with Cambridge Local Plan (2006) policies 55 and 57.

## **Highway Safety**

- 8.9 The Highway Engineer considers the proposal would have no significant adverse impact on highway safety. I note the representations raise concerns that the store impacts on car and pedestrian visibility. However, given the Highway Authority's view, I do not consider the store would have an unacceptable impact on highway safety. The proposed store is now to be set back by 1.1m from the pavement which would result in improved pedestrian visibility.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

## **Car and Cycle Parking**

- 8.11 The proposal does provide covered cycle storage for 6 Wilberforce Road. I accept the point made by supporters of the application, that were no 6 a new build, covered and secure cycle storage would be required. However, the proposal is to retrofit cycle storage rather than integrating it into the design as would be the case with any new build. I accept that the occupier does have a demand for secure cycle parking and that as the property is a mid-terrace property there is no direct access to the rear garden other than through the house. However, the benefits of the store do no outweigh the harm to the streetscene and the character and appearance of the Conservation Area contrary to the NPPF.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **Third Party Representations**

- 8.13 I will respond to any matters raised in the third party representations which I have not addressed in the body of my report in the below table.

<b>Representation</b>	<b>Response</b>
Were the proposal to be a new house there would be a requirement for cycle parking and the store is conveniently located and would comply with policy 82	Noted. See paragraph 8.11

The shelter is custom built to the needs of the occupier	I note the store serves a purpose but this does not outweigh the harm to the Conservation Area. See paragraph 8.11
Uses natural materials and once weathered will blend in well as oppose to the metal cars on other driveways	I accept the store will weather but the height, scale and massing appear harsh and out of character. Cars are not permanent structures and the use of the driveway by cars would allow the hedge to have been retained.
The structure is attractive to look and made of high quality materials	The structure itself is well built but does not conform to the surrounding character due to its height, scale and siting.
It supports a sustainable mode of transport which helps reduce greenhouse emissions and air pollution	I note this is a benefit of the store
Cycle parking should be encouraged to alleviate traffic congestion	I note this benefit but this is not considered to outweigh the harm to the Conservation Area.
In line with the councils recently adopted climate change policy	I note the importance of sustainable transport in the Local Plan however the store itself is considered harmful to the Conservation Area and this harm is not considered to be outweighed by the benefits of the store.
The roof would have a green element which would improve biodiversity	The addition of a green roof would not adequately mitigate for the overall scale of the bike store. The loss of the existing hedge harms biodiversity and the addition of the green roof in terms of biodiversity is not considered to be a benefit which would outweigh the harm to the Conservation Area
This type of bike store is common in new residential developments	Noted but these are normally part of a comprehensive re-development rather than the bike

	store for consideration as part of the application which was added to the frontage of an older property within a Conservation Area.
The Conservation Area has a mixed character	I note the mixed character but consider greenery and planting to the front of properties to be characteristic of this part of the Conservation Area. None of the properties in this part of the Conservation Area have buildings to the front of the house.
No higher than a normal fence and no more imposing	Fences at the front of a property which abut the highway can be no greater than 1m to be considered pd. The structure is taller than a PD fence and is also substantially bulkier than a fence.
The applicant has demonstrated a willingness to compromise to ensure the shelter is more sympathetic to the Conservation Area	I note the applicant's willingness to make amendments but these do not go far enough to overcome the harm to the Conservation Area and streetscene.
The revisions to the plans overcome the previous objections as the building will be reduced and will blend into the environment and would provide adequate visibility for pedestrians	I agree that pedestrian visibility would be improved but do not consider that the store as amended would blend into the environment and consider it would still have an unacceptable impact on the Conservation Area.

## **9.0 RECOMMENDATION**

**REFUSE**, for the following reasons:

1. The cycle store by virtue of its height, length, bulky form and siting adjacent to the street appears prominent in the streetscene. The timber structure, which has replaced a hedge, appears harsh and is incongruous in the street. The proposed planting to the front of the store is not considered adequate to soften the structure. The cycle store is considered harmful to the character and appearance of the Conservation Area and is considered to appear dominant in the streetscene. As a result it is contrary to Cambridge Local Plan (2018) policies 55, 56, 57 and 61 and the NPPF (2019).



## PLANNING COMMITTEE

3<sup>rd</sup> July 2019

<b>Application Number</b>	19/0015/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	8th January 2019	<b>Officer</b>	Lewis Tomlinson
<b>Target Date</b>	5th March 2019		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	11 Hinton Avenue Cambridge CB1 7AR		
<b>Proposal</b>	Erection of detached three bedroom dwelling and associated works at 11 Hinton Avenue, Cambridge		
<b>Applicant</b>	Mr & Mrs Mothersole 30 Greater Foxes Fulbourn CB21 5EZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The design and scale of the proposed development would not have an adverse impact on the character of the surrounding area;</li> <li>- The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers;</li> <li>- The proposed development would provide a high quality living environment for the future occupiers;</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of land directly adjacent to No.11 Hinton Avenue. The site does not fall within a Controlled Parking Zone. There are no site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The proposal seeks planning permission for the erection of a 1.5 storey 1 bedroom dwelling. It would be accessed via Hinton Avenue. 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:
- Reduce the height and massing
  - Addition of an off street car parking space

## **3.0 SITE HISTORY**

- 3.1 None relevant

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

PLAN		POLICY NUMBER
Cambridge Local Plan 2018		1, 3
		31, 32, 35, 36
		50, 51, 52, 55, 56, 57, 59
		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 The proposal includes the removal of two off street car parking spaces, the streets in the vicinity provide uncontrolled parking, and as there is no effective means to prevent residents from owning a car and seeking to keep it on the local area this demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.
- 6.2 No objection subject to the inclusion of conditions regarding introduction of kerb, falls & levels and a highways informative.

### **Drainage Officer**

- 6.3 There is extensive surface water flooding indicated on the Environment Agency's Flood Risk from Surface Water Maps which can be found here <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>. It is therefore recommended that finished floor levels are set higher

than the surrounding ground level so that the property will not be at risk of flooding.

- 6.4 No objection subject to conditions regarding minimum finished floor levels and flood resilience construction.

### **Environmental Health**

- 6.5 No objection subject to the inclusion of conditions regarding plant noise insulation, construction hours, and piling. An informative regarding the plant noise is also recommended.

### **Landscape Officer**

- 6.6 No objection subject to a green roof condition.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 4 Hinton Avenue
- 5 Hinton Avenue
- 10 Hinton Avenue
- 13 Hinton Avenue

- 7.2 The objections can be summarised as follows:

- The drop kerb access removes 1 on-street car parking space
- Increase parking congestion due to the loss of parking for the existing dwelling
- The dwelling will overshadow and have a overbearing impact upon the garden of 5 Hinton Avenue
- The design is out of keeping with the character of the area
- Devalue neighbouring houses

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

### **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 This particular section of Hinton Avenue is characterised by large two storey pairs of semi-detached housing. However, No.11 Hinton Avenue is the last in the row of this design. The adjacent property, No.5 Hinton Avenue, is a detached property of a different design and marks the point in which the street scene becomes more varied. The contemporary design of the proposed dwelling would not be in keeping with the pairs of semi-detached properties but the design of the dwelling has evolved in order to address the site constraints in regards to residential amenity impact and the provision of car parking. A materials condition is recommended to ensure the proposal would be of a high quality finish. The proposal would also include an appropriate sized amenity area for the proposed dwelling.

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 an overdevelopment of the site in accordance with Cambridge Local Plan (2018) policies 52, 55, 56 & 57.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

#### No.5 Hinton Avenue

8.8 To the north of the site lies No.5 Hinton Avenue. Due to the recently approved and constructed extensions, No.5's amenity area has been reduced and is now solely to the south of the host dwelling. The amenity area of No.5 is immediately to the north of the proposed dwelling. The applicant has since amended the design to significantly reduce the height and

massing of the dwelling to address this. The eaves height of the proposed dwelling would be 4.5m and the ridge height would be 6.7m and would be sited 9.4m away from the south facing elevation of No.5. While the proposed dwelling would bring the built form onto the boundary of No.5, the built form is less than the existing dwelling at No.11 and sits within the bulk of the existing dwelling. For these reasons, it is my view that scale and massing of the proposed dwelling is acceptable and would not have a significant overbearing impact upon No.5. Given that the ridge height of the proposed dwelling sits significantly below the ridge height of the existing dwelling at No.11 Hinton Avenue, I consider that the proposed dwelling would not result in a significant loss of light to the main amenity area of No.5 or to any of the ground floor or first floor rooms.

- 8.9 The existing dwelling at No.11 has kitchen windows facing towards the proposed dwelling but given that there are windows on the rear elevation serving the same room, these windows would not be significantly impacted. 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

- 8.10 The Environmental Health Team has recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. I accept this advice and have recommended the conditions accordingly.
- 8.11 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 36, 52, 55 and 56.

#### Amenity for future occupiers of the site

- 8.12 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. The proposed unit would 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 <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	2	70	73	+3

8.13 Policy 50 of the 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 large long east facing garden.

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

#### *Accessible homes*

8.15 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**

8.16 The Drainage Officer has not raised any objections subject conditions regarding minimum finished floor levels and flood resilience construction. In my opinion, subject to this condition, the proposal is compliant with the National Planning Policy Framework (2019) and policy 31 of the Cambridge Local Plan (2018).

#### **Refuse Arrangements**

8.17 There is adequate room within the rear garden to store bins. In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.



## **Highway Safety**

- 8.18 The Highway Authority was consulted as part of the application and does not consider there would be any adverse impact upon highway safety but has raised the issue that the proposal could impose additional parking demands upon the on-street parking on the surrounding streets, this is addressed in the below section regarding car parking. As the proposal now includes car parking, the recommended condition regarding dropped kerb is not considered necessary. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

## **Car and Cycle Parking**

### **Car Parking**

- 8.19 The proposal includes 1 car parking space for the proposed dwelling. The existing 2 car parking spaces for the existing dwelling would be lost due to the erection of the proposed dwelling.
- 8.20 The definition of parking stress is contained within the supporting text of Policy 53 (Flat conversions) of the Cambridge Local Plan (2018). It states that parking stress is defined as occurring in those streets where surveys show that there is less than 10 per cent free notional parking capacity. The Cambridge On-Street Residential Parking Study November 2016 shows that Hinton Avenue is at 90% car parking at 5.30am. This means that there is not less than 10 per cent free parking capacity within Hinton Avenue and subsequently no overnight car parking stress on Hinton Avenue.
- 8.21 Neighbours have raised concerns that the proposed widening of the existing dropped kerb would result in a loss of an on-street car parking space. There is currently insufficient room between the existing dropped kerb at 11 Hinton Avenue and the existing dropped kerb at 5 Hinton Avenue for a car to park without partially blocking either dropped kerb. The proposed widening of the existing dropped kerb would not result in the loss of an on-street car parking space.
- 8.22 The proposed dwelling would provide 1 car parking space. This complies with the maximum standards in the Cambridge Local Plan (2018). It is my opinion that the loss of 2 car parking

spaces for the existing dwelling would not warrant a refusal of the application due to the reasons set out in paragraph 8.20 of this report.

### Cycle Parking

8.23 The proposal includes cycle parking within a store in the garden.

8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **9.0 Third party representations**

9.1 The majority of the third party representations have been addressed in the preceding paragraphs. Residents have raised concerns that the proposed dwelling could have a negative impact on the value of neighbouring properties. This is not a planning issue.

## **10.0 CONCLUSION**

10.1 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.

## **11.0 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. Prior to the occupation of the development or the commencement of the use, a noise assessment detailing noise levels emanating from all plant, equipment and vents, relative to background levels, shall be submitted to, and approved in writing by, the Local Planning Authority.

If the assessment demonstrates that noise levels exceed the background level at the boundary of the premises, having regard to adjacent noise sensitive premises, a mitigation 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)

6. 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)

7. 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)

8. The finished ground floor levels of the dwelling hereby approved are to be set no lower than 9.24 mAOD.

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

9. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: To prevent surface water discharging to the highway, in the interests of highway safety (Cambridge Local Plan 2018 policy 81).

10. 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)

11. 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)

12. 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)

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

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

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