



## Cambridge City Council Planning

**Date:** Wednesday, 2 October 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  
Start time: At conclusion of Part Two

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

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

#### 2 Apologies

3	Declarations of Interest	
4	Minutes	(Pages 19 - 30)
<b>Part 1: Major Planning Applications (10am)</b>		
5	19/0340/FUL - John Banks Honda 444 Newmarket Road	(Pages 31 - 68)
<b>Part 2: Minor/Other Planning Applications (12.30pm)</b>		
6	17/0869/FUL - 19-21 Godesdone Road	(Pages 69 - 116)
7	18/1661/FUL - 44 George Street	(Pages 117 - 138)
8	19/0902/FUL - 23A Hooper Street	(Pages 139 - 154)
9	18/1828/FUL - 80 Chesterton Road	(Pages 155 - 172)
10	19/0212/FUL - Oakley Lodge, 627-631 Newmarket Road	(Pages 173 - 182)
11	19/0511/FUL - 10 Chaucer Road	(Pages 183 - 208)
12	19/0469/FUL - 101 Perse Way	(Pages 209 - 220)
13	18/1552/S73 - 8 Seymour Street	(Pages 221 - 236)
14	19/0169/FUL - 18 Eltisley Avenue	(Pages 237 - 244)
15	19/0992/FUL - 2 Green End Road	(Pages 245 - 256)
<b>Part 3: General and Enforcement Items</b>		
16	Cambridge Science Park	(Pages 257 - 278)

**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)**

**Christ's Pieces/New Square Conservation Plan (2001)**

Historic open space guidance.

**Hills Road Suburbs and Approaches Study (March 2012)**

**Long Road Suburbs and Approaches Study (March 2012)**

**Barton Road Suburbs and Approaches Study (March 2009)**



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

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

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

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

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

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**PLANNING**

7 August 2019

10.00 am - 6.40 pm

**Present:**

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

Councillors McQueen left after the vote on item 19/38/Plan.

**Officers:**

Delivery Manager Development Management: Nigel Blazeby

Principal Planner: Lorraine Casey

Senior Planner: Mairead O'Sullivan

Senior Planning Officer: Lewis Tomlinson

Planner: Mary Collins

Planner: Nicholas MacDermott

Planning Assistant: Alice Young

Senior Planning Officer: Andy White

Legal Adviser: Keith Barber

Committee Manager: Toni Birkin

Committee Manager: James Goddard

**FOR THE INFORMATION OF THE COUNCIL****19/26/Plan Apologies**

Apologies were received from Councillor Page-Croft.

Councillor McQueen left after the consideration of item 19/38/Plan.

**19/27/Plan Declarations of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillors Baigent and Sargeant	All	Personal: Member of Cambridge Cycling Campaign.

**19/28/Plan Minutes**

The minutes of the meeting held on 17 June 2019 were approved as a correct record and signed by the Chair.

### **Change to Published Agenda order**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the published agenda.

### **19/29/Plan 18/1993/FUL - Land Between 21 and 29 Barton Road (inc. 27 Barton Road and Croft Gardens)**

The Committee received an application for full planning permission.

The application sought approval for redevelopment for College accommodation (comprising 4 new buildings which would provide 60 graduate rooms and 12 x 2 bed and 12 x 1 bed family apartments) and refurbishment and extension of 27 Barton Road, together with associated cycle and car parking and external works following demolition of existing buildings (1-12 Croft Gardens, storage building and garages).

The Senior Planner updated her report by referring to details on the amendment sheet regarding conditions 25 and 33. 34. The wording of condition 34 to restrict occupation of the site was reported verbally at Committee (set out in 'decision' below).

The Delivery Manager said that resolutions made at 11 June 2019 Planning Committee were null and void; thus, the application would be considered afresh when Committee considered it today.

The Committee received representations in objection to the application from the following:

- Residents of Millington Road.
- Mr Dadge (Agent for Millington Road residents who were objecting).

The representations covered the following issues:

- i. Disappointment that Officers recommended approval of the application.
- ii. The application would have a negative impact on the character of the area. The west of the city had a rural character.

- iii. Concern King's College (as the land owner and applicant) had let the property fall into disrepair so the site could be redeveloped and usage intensified.
- iv. Queried with the King's College Bursar on how much had been spent on maintenance. Had been informed this was millions, as witnessed by Councillor Gehring, but did not accept this. Asked the Bursar to repeat this assertion in committee.
- v. The Council had received objections to the application, as set out in the representations section in the Officer's report.
- vi. Referred to Building of Local Interest and Duty of Care criteria.
- vii. Supported objections made to Robinson College's planning application.
- viii. The application was worse than the previous one due to its impact on residents' amenities.
- ix. One new building would be located just 15m away from the neighbouring dwelling 4c Millington Road. This was an issue because:
  - a. It would be 3 storeys high.
  - b. Concerns about bulk and scale.
  - c. Close proximity to neighbours.
  - d. Open windows at night would cause light pollution and noise issues.

Dr Carne (representing King's College (Applicant)) addressed the Committee in support of the application.

Councillor Cantrill (Newnham Ward Councillor) addressed the Committee about the application; declaring a personal interest as a resident of Millington Road, but was speaking as a Ward Councillor.

- i. Case of demolition and impact on the Conservation Area.
  - a. The existing buildings made a positive impact on the local area. Buildings of Local Interest status had been conferred by the City Council in 2016.
  - b. Historic England had made a representation asking for the existing building to be retained.
  - c. Buildings had not been maintained in-line with other buildings in the King's College estate. They should not be demolished.
  - d. Proposed buildings would not make a positive impact on the local area due to height, scale and massing.
  - e. The new buildings were materially different from existing ones, they were monotonous and uniform.

- ii. Need for student accommodation.
  - a. The City Council undertook a detailed analysis of the need for student accommodation across the City in 2017 identifying 3,100 units were needed between 2017-2026.
  - b. Taking into account sites in the Local Plan, these would exceed the expected need, so queried whether King's College needed the extra accommodation (in the proposal) given the existing supply in the market place already.
- iii. Impact on amenity and bio-diversity of neighbouring properties.
  - a. The area around 4c Millington Road was unique in Newnham. The application would have a material impact on biodiversity. He referred to Local Plan Policy 70.
  - b. A number of Resident Associations had expressed concern about the play equipment proposed for Lamma Land. Funding could be better spent in the area.

Councillor Gehring (Newnham Ward Councillor) addressed the Committee about the application:

- i. Took issue with the proposal and possible demolition of buildings.
- ii. Referred to the Barton Road Study (as did Councillor Cantrill).
- iii. Referred to Objector's comments:
  - a. Climate change mitigation was not a good reason to demolish the existing buildings and replace with newer ones.
  - b. Impact on the street scene.
  - c. Lack of maintenance of existing buildings.
- iv. Did not agree with the Officer's interpretation of Historic England's comments.
- v. Re-using building tiles on the cycle store was a token gesture.
- vi. Took issue with the need of extra (student) accommodation for King's College. Referred to the Cranmer Road development.
- vii. Took issue with the loss of the eco-nursery. This was not an issue that affected the woodland, the application would have a more significant impact.

Councillor Sargeant proposed amendments to the Officer's recommendation covering:

- i. Proctorial control to limit student parking in nearby residential areas. Course tutors would limit parking permits to 12 cars in a year.
- ii. A condition to control how car usage was covered in the College's job advertisements. However, Councillor Smart accepted the Senior Planner's recommendation to require a Travel Plan condition instead.

These amendments (re Proctorial limitation of parking and the Travel Plan requirement) were **carried unanimously**. Officers were given delegated authority to settle the text for the conditions after Committee.

Councillor Baigent proposed an amendment to the Officer's recommendation by deleting condition 33.

The Delivery Manager advised the Committee that Officers recommended retaining condition 33 stating that removal of this particular condition would fundamentally affect the Officer recommendation. Without the condition being included the Officer recommendation would move from one of approval to one of refusal.

On voting Cllr Baigent's proposed amendment was **carried by 4 votes to 3**.

The Committee adjourned from Noon to 12:25pm so Officers could further consider the implications of removing condition 33 from a grant of a planning permission for the application.

The Delivery Manager said Officers recommended approval of the application subject to all 33 conditions listed in the Officer's report. Councillors had voted to remove condition 33, thus the decision to approve/refuse the application rested with the Committee. Officers could not support the application in its current form i.e. without the inclusion of condition 33 because it had been materially changed. Members would now be asked to approve the application (as per the officer's recommendation or to follow the Adjourned Decision Protocol if a 'minded to' refuse decision was carried.

Councillor Smart proposed to annul the vote calling for the removal of condition 33.

Cllr Smart's amendment was **carried 3 votes to 3 – on the Chair's casting vote**).

The Committee:

**Resolved (by 4 votes to 3)** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer Report, subject to the conditions recommended and set out in the Officers Report (and for the avoidance of doubt, with condition 33 re-instated) plus the following three additional conditions:

34. The 60 Graduate rooms (in Buildings C and D) shall be occupied during the academic terms only by students of King's College who are enrolled in full-time education on a course of at least one academic year; or within the 24 apartments (Buildings A and B) by students (including Postdoctoral students), Fellows and Research Associates of King's College (including their partner and immediate family). Outside of academic term times, the graduate rooms shall only be occupied by students studying at educational institutions within Cambridge, conference delegates or others attending such institutions for purposes linked with the educational functions of those institutions.

Reason: To ensure the site is occupied on the basis of the information assessed as part of the application and to ensure compliance with policy 46 of the Cambridge Local Plan 2018

35. The University of Cambridge shall not issue any more than twelve (12) car parking permits to student occupiers of the site within any academic year.

Reason: To ensure there is no overspill car parking on the surrounding streets from student occupiers of the site (Cambridge Local Plan 2018 policies 45 and 82)

36. Within six (6) months of the occupation of the development, a Travel Plan will be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will deal with occupiers of the 24 flats and it shall specify the methods to be used to discourage the use of the private motor vehicle; and the arrangements to encourage the 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).

### **19/30/Plan 18/1826/FUL - 43-47 Water Street**

The Committee received an application for full planning permission.



The application sought approval for erection of block containing 9 flats following demolition of existing building.

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

The representations covered the following issues:

- i. 32 residents objected to the proposals.
- ii. Design was out of keeping with the character of the area.
- iii. Mass and scaling would have an adverse impact on neighbours.
- iv. Existing structure could be refurbished.
- v. Demolition process would have an impact on neighbours.
- vi. Residents' concerns about safety.

Peter Mckeown (Applicant's Agent) addressed the Committee in support of the application.

Councillor Thittala (East Chesterton Ward Councillor) addressed the Committee about the application as follows:

- i. Resident's amenity would be adversely impacted by the scale of the proposed building.
- ii. Questioned how the existing building could be safely demolished when it was so close to the neighbouring property.
- iii. Balconies would overlook neighbours.
- iv. Properties would be small and would not accommodate families.
- v. Sites previous use as a builder's yard could result in contamination.
- vi. Tree on the site deserved protection.

The Committee:

**Resolved (by 4 votes to 2 and 1 abstention)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**19/31/Plan 19/0183/FUL - 3 Saxon Street**

This application was withdrawn from the agenda.

**19/32/Plan 18/1661/FUL - 44 George Street**

This item was withdrawn from the agenda.

### **19/33/Plan 19/0141/FUL - Land adj 2 Mortlock Avenue**

The Committee received an application for full planning permission.

The application sought approval for erection of a detached two storey, two bedroom dwelling.

Councillor Thittala (East Chesterton Ward Councillor) addressed the Committee about the application.

- i. The site was not big enough to accommodate the proposed building.
- ii. A family house would not fit on the site.
- iii. Would have an impact on the existing trees.
- iv. Contravened policy 51 regarding accessibility.

The Committee:

**Resolved (by 6 votes to 1)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **19/34/Plan 18/2044/FUL - 25 Brampton Road**

The Committee received an application for full planning permission.

The application sought approval for change of use from single dwelling to two flats (retrospective) and erection of first floor balcony to rear.

The Committee noted the amendment sheet.

The Committee:

**Resolved unanimously** to grant retrospective planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **19/35/Plan 19/0573/FUL - 2A Carisbrooke Road**

The Committee received an application for full planning permission.

The application sought approval for change of use of private amenity space to residential garden, and enclosure of extended garden with 1.8m high close-boarded fencing.

The Committee noted the amendment sheet.

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

The Principal Planner provided clarity on ownership of the land and what changes the property owner could undertake without a specific planning permission under the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The Committee expressed concerns about the visual impact of the proposed fencing on the street scene and the loss of an amenity that was currently enjoyed by local residents.

The Committee:

**Resolved (by 4 votes to 2 and 1 abstention)** to reject the officer recommendation to approve the application.

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

Both the change of use and the enclosure of the land with 1.8 metre high fencing would result in the loss of land which contributes to the openness and character of the area. The proposal would therefore have a harmful visual impact within the street scene, contrary to Policies 55, 56 and 59 of the Cambridge Local Plan 2018.

### **19/36/Plan 19/0199/FUL - 220 Milton Road**

The Committee received an application for full planning permission.

The application sought approval for extension and conversion of the existing building to create 6no. flats comprising 1 x 3-bedroom units, 1 x 2-bedroom units and 4 x 1-bedroom units along with car and cycle parking and provision of a communal garden following the demolition of the existing studio building.

David Mead (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

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

**19/37/Plan 19/0769/PIP - Cambridge and Huntingdon Health Authority, 18 Vinery Road**

The Committee received an application for planning permission in principle for a residential development of 9 dwellings.

David Mead (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

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

**19/38/Plan 19/0283/FUL - 48-50 High Street, Chesterton**

The Committee received an application for full planning permission.

The application sought approval for part demolition of existing single storey rear element and refurbishment of existing flat and Post Office. Erection of 4no. 1xbed duplex dwellings. Erection of timber outbuilding to provide bin and cycle storage. Demolition of existing outbuilding and shed. Associated landscaping and infrastructure including replacement gates to public highway.

Peter Mckeown (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

**Resolved (by 6 votes to 1)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the

officer report, and subject to the conditions recommended by the officers and subject to clarification of the wording of the fire hydrant condition.

### **19/39/Plan 19/0407/FUL - 105-107 Norfolk Street**

The Committee received an application for full planning permission.

The application sought approval for extensions and alterations to create two self-contained dwellings.

The Committee discussed the desire to remove Class A and E permitted development rights granted by the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) which was agreed unanimously.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with Officer recommendation, subject to the conditions recommended and set out in the Officer's report, and additional condition removing Class A and E permitted development rights.

### **19/40/Plan 18/1925/FUL - Baileys Studios, 63 Eden Street**

The Committee received an application for full planning permission.

The application sought approval for erection of a new dwelling house following demolition of existing building on site.

Julian Woods-Wilford (Applicant's Agent) addressed the Committee in support of the application.

#### The Committee:

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

The meeting ended at 6.40 pm

**CHAIR**

**PLANNING COMMITTEE**

**DATE: 2<sup>ND</sup> OCTOBER 2019**

<b>Application Number</b>	19/0340/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	13th March 2019	<b>Officer</b>	Lewis Tomlinson
<b>Target Date</b>	12th June 2019		
<b>Ward</b>	Abbey		
<b>Site</b>	John Banks Honda 444 Newmarket Road		
<b>Proposal</b>	Erection of student accommodation with 154 student rooms (following demolition of existing buildings). Together with ancillary accommodation comprising common/study rooms, laundry room, management office, plant room, bin and bicycle enclosures, landscaping and associated infrastructure including a Sub-Station.		
<b>Applicant</b>	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would not give rise to harm to the setting or special architectural merit of the Lepar Chapel and would respect the character and appearance of the locality.</li> <li>- The proposal would provide high quality accommodation for students and satisfies the adopted policy requirements for new student accommodation.</li> <li>- The proposal is not considered to give rise to any significant adverse impacts to the amenity of surrounding occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site 444 Newmarket Road 'John Banks Honda' is located at the northern apex of Newmarket Road, adjacent to Barnwell Lake. To the north-east of the site is the Leper Chapel which is a Grade I listed building.

## 2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the redevelopment of the site for student accommodation. This includes:

- The demolition of the existing car sales room building
- The erection of two blocks student accommodation, comprising a total of 154 bedrooms
- The provision of an access from Newmarket Road
- Bin/cycle storage facilities
- An electricity sub station
- 1 disabled car parking

## 3.0 SITE HISTORY

3.1 None relevant to the proposal.

## 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 28 31 32 35 36



	46 52
	55 56 57 58 59 61 62 70 71
	81 82

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

Central Government Guidance	National Planning Policy Framework 2019  National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards  Circular 11/95 (Annex A)
Previous Supplementary Planning Documents  (These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Public Art (January 2010)
Material Considerations	<u>City Wide Guidance</u>  Arboricultural Strategy (2004)  Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).

	<p>Buildings of Local Interest (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridgeshire County Council Transport Assessment Guidelines (2017)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
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## 6.0 CONSULTATIONS

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

*First comment*

#### 6.1 Objection:

- 1) The applicant has shown an inter vehicle visibility splay of 2.4x 43m on to the A1303 into a designated bus route. While the Y distance of 43m would be acceptable in locations where the vast majority of the motor vehicle traffic was domestic in nature it has been demonstrated that larger vehicles such as buses have difficulty stopping over this distance and that a splay of 2.4m x 70m would be more appropriate in this location.
- 2) While accepting in principle the provision of the toucan crossing adjacent to Garlic Row, the detail of this facility must be agreed in advance with the Highway Authority

Traffic Signal Team to confirm that it will not unduly impact on the adjacent traffic signal controlled junction and bus gate.

- 3) It is likely that a significant proportion of the residents of the proposed units will cycle into the centre of Cambridge and therefore use the existing footways on Newmarket Road for this purpose and the applicant appears to have ignored this situation which will increase conflict between cyclists and pedestrians.

### *Second comment*

#### 6.2 No objection:

- 1) Drawing number 48949/PP/201/B is acceptable to the Highway Authority and therefore, the first reason for requesting that the application be refused has been overcome.
- 2) I have requested that the Traffic Signal Team review the proposed Toucan crossing and will provide their comments as soon as I have the same.
- 3) While accepting that the existing footway is of the minimum acceptable for a shared use facility, I will await confirmation from my colleagues in Major Developments that the level of additional cycle and pedestrian traffic the site will generate can comfortably be accommodated within the existing footway width.
  1. The Highway Authority confirmed on the 7<sup>th</sup> June, that given the relatively low numbers of pedestrian and cycle flows, the shared used footway as it stands should be able to accommodate these without any significant problems.

- 6.3 Recommends conditions regarding a traffic management plan.

### **Environmental Health**

- 6.4 Further details are required on the proposed “heat pump comfort cooling units” and ventilation to ensure future occupants have sufficient control over adequate ventilation rates for thermal comfort.
- 6.5 Recommends conditions regarding plant noise insulation, construction hours, collection during construction, dust,

contaminated land, acoustic assessment compliance, artificial lighting and various associated informatives.

### **Refuse and Recycling**

- 6.6 Further information needed: From the diagram it looks like the refuse vehicle can drive all the way round, but from the design and access statement it says it can only go half way and has to turn to come back out, because the paved terraced area to the rear near the 60 student rooms is for emergency access only. The refuse vehicle really needs to be able to drive all the way round rather than turn in turning heads and come back out, only to go up the next road and do the same.
- 6.7 No objection: As the site will be managed, and bins will be brought to a collection point near the road, there is no need for refuse vehicle to enter the site.

### **Historic England**

- 6.8 On the basis of the information available to date, we do not wish to offer any comments.

### **Conservation Team**

- 6.9 The treatment of in particular, the apex of the site remains problematic in its response to context. CLP Policy 55: 'Responding to context' explains the circumstances where development proposals will be supported. The design needs to demonstrate how it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places. The supporting policy text explains the necessary understanding of and appropriate response to context will ensure that the special character of Cambridge is protected and enhanced. Proposals for new development should create a scale and form that is appropriate to existing buildings, the public realm and open spaces, which complement the local identity of an area. Policy 61 requires inter alia, that development should preserve or enhance the setting of heritage assets and contribute to local distinctiveness.
- 6.10 The design of the apex does not meet these requirements. View 5 shows it as an incongruous block mainly featuring at upper

levels, seamed metal cladding. There is nothing in its design that responds to or contributes to the local distinctiveness provided by Barnwell Lake and meadows, nor that seeks to mitigate its appearance in the setting of the Leper Chapel.

## **Urban Design Team**

### **6.11 Background information/additional comments:**

The Urban Design Team was involved in comprehensive pre-application discussions on the submitted scheme along with other technical and specialist officers.

### **6.12 Design & Conservation Panel**

The emerging proposals were reviewed by the Design & Conservation Panel (D&C Panel) CB1 sub-panel in September 2018 where it received a unanimous 'red'. A significantly revised scheme was presented to them again on the 19th January 2019 where it received an 'amber' verdict. The applicant and their design team have provided a thorough response to the D&C Panel comments in the Design & Access Statement (D&A Statement) submitted in support of the application. These changes form the basis of the application submitted and will be considered further in the comments below. In summary it is apparent that further design development has occurred that has largely resolved issues raised by the D&C Panel.

### **6.13 Response to context**

The applicant has provided a useful summary of the prevailing site context in the submitted D&A Statement. The site occupies an interesting and diverse part of Cambridge on the approach into town over the railway bridge. The site is currently occupied by the John Banks Honda dealership in a collection of unremarkable 2-3 storey buildings sandwiched between Newmarket Road (NMR) and the Newmarket (and on to Norwich) railway line at Barnwell Junction. To the south of the site is a large format DFS 'shed' showroom that rises to 3 storeys and currently provides something of a backdrop to the garage site. To the west side of NMR are existing Victorian terraced houses along with a collection of larger format residential as well as workshop type uses. The site contains a number of mature trees along the NMR frontage that will be retained as part of development proposals. Longer views into the site are afforded from across Coldham's Common. Key

view into the site have been provided and are discussed further elsewhere in these comments under 'verified views'. A key consideration is the setting of the Leper Chapel located to the north-east of the site across the railway. Conservation colleagues will be providing a detailed assessment of this aspect of the proposals. However the presence of existing trees, the intrusion of the embankment for the railway bridge, along with the distance of the garage site from the chapel go some way in helping to mitigate impact from a townscape perspective.

#### 6.14 Scale and massing

The overall scale and massing of the proposals and the need to carefully manage their impact from longer range views were key points of discussion through the pre-application process. Whilst there are larger format 'shed' type buildings in the immediate locale, the finer grain of the Victorian suburbs are also a strong and positive characteristic. The design approach aims to create a finer grain and more 'plot based' approach to the scheme. This has resulted in defining a series of 'houses' to aid with the legibility of the scheme from the point of views of future residents. These 'houses' translate into the overall stepped massing of the scheme which rises from 3 storeys at the western end of the site to 4 storeys at the eastern end. The embankment for the railway bridge helps to moderate the increase in massing at this end. The railway and Coldham's Common elevation is predominantly 3 storeys although rises to 4 storeys at the Apex end of the building. The overall approach to scale and massing is considered acceptable in design terms. However, there are a number of adjustments needed to the roof form of the eastern section of NMR to resolve concerns about impact on longer views. These changes are described more fully in our assessment of the submitted 'verified views' below.

#### 6.15 Verified views

Eight viewpoints to aid in the design development and subsequent assessment were agreed at pre-application discussions. The applicant has submitted these and the methodology from AVR London to explain the specification and construction of the verified views. The proposed scale of development is increased over that already on the site and the scheme will be visible from both Coldham's Common and NMR. Views 1-4 show the impact of the scheme on views from Coldham's Common. Glimpsed views of the development will

be possible through the existing and mature tree boundaries to The Common. Summer views have been provided but in winter the trees and bushes will continue to afford filtered views albeit more open than the summer views. In views 1-4 the scheme is not considered to be harmful. View 5 looking west from near to the Leper's Chapel reveals that the apex of the building will be visible. The introduction of the building clearly changes the existing view. The pitched roof forms of the eastern section of the NMR frontage create more visually cluttered appearance and undermine the more confident, if restrained, apex building. In our view it would be beneficial to amend the roof form to create a cleaner silhouette. View 6 is closer towards the site from NMR. Again it would be beneficial to remove the pitched form of the eastern section of the NMR frontage to allow the apex form to read more clearly. Views 7-8 show how existing vegetation along with the level change help to moderate the impact of the proposal on the NMR streetscene. In these views, the proposals are not considered to be harmful and indeed help to reinforce and define the street.

#### 6.16 Layout

The proposed development is organised around a central amenity courtyard with a series of entrances to 6 'houses' that contain the student rooms and break them down into more manageable clusters. The main reception and communal hub is located to provide activity and surveillance of the entrance space to the western corner of the site. The approach helps to breakdown the massing of the building, organise the circulation and help create an attractive and legible environment. Less active uses such as the bin store and plant area are located to the eastern part of the site and screened by the embankment to the railway. The overall layout and site organisation are considered to be acceptable in design terms.

#### 6.17 Daylight sunlight appraisal

A comprehensive daylight and sunlight appraisal prepared by EB7 has been submitted as part of the application. The appraisal reveals that the scheme will not impact on the amenity of existing nearby residents. It also reveals that the courtyard will meet and exceed BRE Assessment Guidelines. Accordingly the proposals are considered acceptable in urban design terms.

#### 6.18 Elevations and materials

The street and railway facing elevations have been broken down into a series of frontages that aim to create a finer grain and plot based response. The roof forms and changes to materials create a variation and grain to the proposed development that sits more comfortably with the prevailing character of the residential parts of NMR. The materials palette proposes brick, standing seam roofing and other metal accents around key entrances. The submitted elevations show 2 types of facing bricks whereas the D&A Statement identifies only Mystique or similar. The scheme should introduce the second variation of brick as shown on the submitted elevations to create a richness and variety. Submitted views show signage 'Barnwell Gate' but signage placeholders are not shown on the submitted elevations. The use of oversized script signage is not supported and proposals should be well integrated into the elevations. This can be covered by condition should the application be approved. The overall palette is restrained and has the potential to work well in the prevailing context. The Materials will need to be covered by condition should the application be approved.

#### 6.19 Conclusion

Overall the scheme is considered to be largely acceptable in design terms. An adjustment is needed to the roof profiles on eastern section of the NMR frontage to resolve the cluttered roof forms in longer views. With these amendments the Urban Design Team would support the proposals.

### **Landscape Officer**

6.20 No objection: Landscape supports the current submission in respect of landscape and open space. The changes produced improve the quality of the amenity offer providing a variety of spaces for group and individual study or recreation. Key trees for retention have been identified and retained along the Newmarket Road frontage retaining the maturity of the frontage landscape character.

6.21 Recommends conditions regarding landscaping plan/maintenance and boundary treatment.



## Senior Sustainability Officer (Design and Construction)

- 6.22 No objection: Recommends conditions regarding BREEAM design stage certification, BREEAM post construction certification and implementation of energy strategy

### Drainage Engineer

- 6.23 The proposals are not in accordance with Policy 31 of the adopted Cambridge City Council Local Plan. Policy 31 requires that:
- i) priority is given to the use of nature services; *the only surface water management features that are proposed is permeable paving and this is not a natural system.*
  - ii) water is seen as a resource and is re-used where practicable, offsetting potable water demand, and that a water sensitive approach is taken to the design of the development; *there is no proposed water re-use for the development.*
  - iii) the features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make an active contribution to making places for people; *the proposals lack ambition and are a perfunctory sustainable drainage proposal*
  - iv) any flat roof is a green or brown roof, providing that it is acceptable in terms of its context in the historic environment of Cambridge (see Policy 61: Conservation and Enhancement of Cambridge's Historic Environment) and the structural capacity of the roof if it is a refurbishment. Green or brown roofs should be widely used in large-scale new communities; *there are elements of flat roof and these should be a green or brown roof.*
  - v) there is no discharge from the developed site for rainfall depths up to 5 mm of any rainfall event; *this has not been demonstrated*

The proposals are not in accordance with Policy 32 of the adopted Cambridge City Council Local Plan. Policy 32 requires that:

- i) the post-development volume of run-off, allowing for climate change over the development lifetime, is no greater than it would have been for the undeveloped site. If this cannot be achieved then the limiting discharge is 2 litre/s/ha for all events up to the 100-year return period event; *this means the development should be reduced back to greenfield run-off rates. This has not been achieved. There are opportunities to*

*introduce additional storage through measures such as sub-base replacement geo-cellular attenuation.*

## **Developer Contributions Monitoring Unit**

### 6.24 Community Facilities

In line with the Planning Obligations Strategy 2010, the council does not seek S106 community facilities contributions from planning applications relating to student accommodation.

#### Indoor Sports

The proposed development is within 450m of Abbey Sports Complex facility, which is on the Council's 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution of £41,426.00 (plus indexation) is requested towards the provision and/or improvement to the fitting out of an indoor sports zone at the Abbey Sports Centre and Gym, Whitehill Road, Cambridge CB5 8NT.

#### Outdoor Sports

The proposed development is within 450m of Abbey Sports Complex facility, which is on the Council's 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016. The Cambridge & South Cambridgeshire Playing Pitch Strategy highlights the need to provide investment to be directed at sites which will provide the best impact and highest increase in participation including the provision of a 3G artificial surface at Coldham's Common. Given the scale of the proposed development on this site, and in line with the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £36,652.00 (plus indexation) is requested towards the

improvement to and enhancement of the artificial grass pitch carpet (from sand to rubber crumb) at Coldham's Common.

### Informal Open Space

This proposed development is within 350m of Stourbridge Common, which is on the council's 2016/17 'target list' of informal open spaces for which specific S106 contributions may be sought.

The Informal Open Spaces Audit (2016) highlights that the scope for improving the open space facilities in order to mitigate the impact of local development.

Based on the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £37,268.00 (plus indexation) for the provision of and/or improvement of and/or access to the Informal Open Space facilities at Stourbridge Common.

Play provision for children and teenagers

In line with the Planning Obligations Strategy 2010, the council does not seek S106 children's play contributions from planning applications relating to student accommodation.

### Planning Policy Team

#### 6.25 National Policy (NPPF) 2019

The NPPF, paragraph 60 includes the requirement for planning policies to assess and reflect the needs of student accommodation.

#### Student Accommodation in Cambridge

To support the Local Plan and Development Management processes, the Council commissioned the 'Assessment of Student Housing Demand and Supply for Cambridge City Council', referred to as the Cambridge Student Accommodation Study (CSAS). It was produced by Cambridge Centre for Housing and Planning Research and completed in January 2017. CSAS estimated the current need, in 2016 for PBSA (for both Universities) of 6,085 bed spaces (University of Cambridge: 3282; Anglia Ruskin: 2803). This figure is reduced from the maximum position of 8,802 (University of Cambridge: 3732; Anglia Ruskin: 5070) to 6,085 bed spaces because mature students are less likely to live in shared housing. The

6,085 bed spaces figure is the amount of PBSA that would be needed to accommodate all of the current students who are not housed by their educational institution or living in existing family housing.

#### Student growth requiring accommodation to 2026

Anglia Ruskin University is planning to maintain the same student numbers in Cambridge over the next five to ten years. For non-university institutions, if future plans for growth are achieved, this could mean at least a further 230 students taking courses in other educational institutions by 2026 who will require accommodation.

#### The Cambridge Local Plan 2018

The Cambridge Local Plan 2018 adopted 18 October 2018 includes Policy 46 'Development of student housing', relates to student accommodation for educational establishments within Cambridge providing full-time courses of one academic year or more. It supports the identified total growth figure for the universities and the other institutions in Cambridge of 3,104 student rooms to 2026. Taking into account student accommodation units under construction or with planning permission, allocations in the Local Plan and the remaining allocation at North West Cambridge, these sources of supply would address and go beyond the growth figure of 3,104 and would provide flexibility. Policy 46 requires schemes to "demonstrate that they have entered into a formal agreement with at least one existing educational establishment within Cambridge providing full-time courses of one academic year or more. This formal agreement will confirm that the proposed accommodation is suitable in type, layout, affordability and maintenance regime for the relevant institution."

Policy 46(a) also requires evidence of a proven need for student accommodation to serve the institution.

#### Anglia Ruskin University Student Numbers

Using the student numbers reported by Anglia Ruskin University's snapshot website indicates a 17% decline in its student population, from 11,397 in 2016/17 to 9,425 in 2017/18, at its Cambridge campus. CSAS however reported on the quantum of student growth requiring accommodation to 2026 and in particular Anglia Ruskin University maintaining the same student numbers in Cambridge over the next five to ten years. The reported drop in student numbers indicates the demand for

student accommodation will not be maintained and therefore raises the question of the demand for such student accommodation. If the new facilities are for existing students then presumably the development would release private rental housing in use by existing students. This number should be quantified to explain the extent to which this development may relieve pressure on local housing.

#### Additional Information

Additional information has been provided in the form of a letter explaining ARU student numbers and an analysis of the proposal's catchment area. These consider ARU's population as measured by the Higher Education Statistics Agency (HESA), the designated data body for England that collect, process, and publish data about higher education (HE) in the UK. These figures are therefore considered a robust source. The analysis of the area's catchment area using HESA data indicate there is a need for the proposed student accommodation.

#### Summary

Cambridge Local Plan Policy 46 'Development of student housing': supports the identified net growth need to 2026 for the universities and the other institutions in Cambridge, equating to a total of 3,104 student rooms. The additional information provided indicates there is a need for additional student accommodation to help satisfy current growth in full-time Higher Education. The proposal is therefore compliant with Policy 46(a).

6.26 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 the following objections:

- 29 Garden Walk
- 8 Montreal Square
- 17 Fen Road
- 13 Cookes Field (Waterbeach)
- 17 Romsey Road

- 5 Segraves (Boxworth)

7.2 The representations can be summarised as follows:

- Cambridge City needs more social/affordable housing for local residents not more student accommodation
- Housing developments should ensure houses are adaptable over time. Unfortunately student accommodation does not meet this criteria as it cannot be adapted to respond to the need for more affordable family housing in the city.
- Key point at the entrance to the city, opposite to the Lepar Chapel and overlooking the lake and Coldham's Common. A quality building that is distinctive is essential here.

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

- 118-120 Newmarket Road
- 185-189 Newmarket Road
- 231 Newmarket Road
- 261 Newmarket Road
- Mr Barbers, 30 Hills Road
- 189 Hills Road
- 45 Ferrars Way
- 35 Rathmore Road
- 9 Chield Way, Baldock
- 10 Blenheim Close
- Crick House 697 Station Place
- 125 Peter Taylor House, East Road
- 27 Elm Tree Drive, Bassingbourn
- Collier Road
- CB4 2WP
- CB2 3AR
- Newham College
- Homerton College
- Clare College
- 112 Meadows, Fenstanton
- Newhaven, Station Road, Elsenham
- 27 Henford Way
- 5 Seagraves, Boxworth
- Anglia Polytechnic University, East Road

7.4 The representations can be summarised as follows:

- Good for local business due to more potential customers living locally.
- The site is a gateway site in an area in need of redeveloping

7.5 A further representation has been received from Camcycle:

- We object to application 19/0340/FUL under policies 80 and 82 of the Local Plan because of poor access for cycling, some issues with the cycle parking design, and lack of contribution to the Eastern Gate SPD proposals. The applicant has proposed a Toucan crossing of Newmarket Road to help people cycle between the site and Garlic Row and the river. However, the concept put forward is of very poor quality and will likely be largely unusable because it proposes a badly staggered, two-stage crossing with a tiny waiting area in the centre of the road that will be further cluttered by guardrail and signal poles. We strongly object to this staggered crossing design.
- The applicants have noted the cycling desire line towards the city centre, however they have not taken into account the Chisholm Trail route that will run on the other side of the railway bridge, nor for that matter the existing Coldham's Common path. We believe there will be a strong desire line towards this facility and people will be unwilling to cross Newmarket Road twice to access it (especially if one of the crossings is the proposed, difficult-to-use Toucan). This will likely lead to levels of footway cycling on the southern footway of the bridge. The applicants have proposed two-tier stands. Should the planning authority be minded to grant permission to this application, a condition should be attached securing the details of gas-assisted two-tier stands, as required by policy 82, to be submitted for approval prior to installation and occupation of the dwellings. Some of the two-tier stands are provided with what appears to be a 2m aisle, which is smaller than the 2.5m required by policy 82 (Appendix L). We wish to remind the applicants that the lower tier of two-tier cycle parking does not count as 'accessible' cycle parking for the purpose of the policy 82 (Appendix L) requirement that 20% of spaces be provided using Sheffield stands. We observe that only 13 of the 103 residential cycle parking spaces are compliant with that requirement, which is short of the requirement.

- The applicants have proposed a student dwelling and it is certain that students living on this site would be walking and cycling via Newmarket Road and East Road. Therefore the applicant should be contributing towards walking and cycling infrastructure improvements within the Eastern Gate SPD area.
  
- In order to resolve our objection, the applicants should:
  - Consult Interim Advice Note 195/16 (published by Highways England), section 2.4.8, which states that, 'Staggered crossings can be difficult to negotiate by cyclists, particularly people (including disabled people) using larger vehicles. Staggered crossings shall not be used unless the central refuge can accommodate the design parameters for the design cycle and a two-way cycle track (including pedestrian facilities where appropriate) in accordance with Tables 2.2.11 and 2.2.11.1.'
  - Revise the Toucan crossing proposal such that it is in compliance with section 2.4.8 above, or better yet, a single-stage crossing that allows people to cross the entire road at once, similar to the Coldham's Common crossing or the Abbey Street crossing.
  - Account for the cycling desire line to the Chisholm Trail / Coldham's Common path and put forward a proposal to help people cycle there easily without causing conflict with pedestrians.
  - Agree to the condition securing the details of the gas-assisted two-tier stands.
  - Increase the aisle width for the two-tier stands and increase the number of cycle parking spaces provided by Sheffield stands until at a bare minimum it meets the 20% requirement. Better yet would be to provide the majority of cycle parking spaces with Sheffield stands, preferably 100% of them, in order to encourage cycling as much as possible.
  - Be required to and commit to contributions for walking and cycling infrastructure improvements as part of the Eastern Gate SPD.

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



## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces and impact on heritage assets
3. Public Art
4. Carbon reduction and sustainable design
5. Water management and flood risk
6. Light pollution, noise, vibration, air quality, odour and dust
7. Inclusive access
8. Residential amenity
9. Refuse arrangements
10. Highway safety
11. Car and cycle parking
12. Third party representations
13. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 The proposal is for the erection of new student accommodation. Policy 46 Of the Cambridge Local Plan 2018 relates to the development of new student accommodation. This states that student accommodation will be permitted if it meets identified needs of an existing educational institution to provide housing for students attending full-time courses of one academic year or more. The application will need to:

- a. Demonstrate there is a proven need for student accommodation to serve the institution
- b. Demonstrate no loss of market or affordable housing as part of the proposal
- c. Be in a location which is appropriate to the institution it serves
- d. Being close to sustainable transport links
- e. Having appropriate management arrangements to prevent student bringing cars into Cambridge
- f. The rooms and facilities being adequate
- g. Where appropriate, being warden controlled to minimize anti-social behavior

- 8.3 The applicant has submitted various documents in order to demonstrate compliance with policy 46. The applicant has submitted evidence that claims there is a need for additional student accommodation to help satisfy the current growth in full-time Higher Education at Anglia Ruskin University which is located nearby on East Road. The applicant also argues that the site currently comprises a non-residential use but lies within proximity to public transport links and is well connected by pedestrian and cycle infrastructure and can also provide a new toucan crossing point on Newmarket Road which would improve the safety for pedestrians and cyclists. No dedicated car parking for students is provided on the site and students are subject to proctorial controls to prevent students bringing cars into Cambridge. The room sizes and facilities proposed are considered acceptable (further assessment below). The site would house a mixture of post-graduate & undergraduate students and will be managed/staffed at all times by a warden. The Planning Policy Team have reviewed the application against Local Plan policy 46 and raise no objection to the proposed use. The site is not allocated for a specific use within the Cambridge Local Plan and the change of use from a garage use to student accommodation is accordingly considered to be acceptable subject to the material considerations discussed below.

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

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

- 8.4 The existing building on the site is a typical commercial of recent post war “out of town” commercial design which equates to 3 stories of height. The proposal would result in the demolition of all of the buildings on the site. The proposed redevelopment consists of 2 blocks of student accommodation with a central courtyard. The 2 blocks are separated into 6 ‘houses’ with 3 central stair/life cores. There is also a main reception and communal hub located centrally. The development rises from 3 storeys at the western end of the site to 4 storeys at the eastern end. The embankment for the railway bridge helps to moderate the increase in massing at this end. The railway and Coldham’s Common elevation is predominantly 3 storeys although rises to 4 storeys at one end. There are other large post war commercial type buildings on

this side of Newmarket Road and Victorian terraced properties on the opposite side of Newmarket Road. The proposed design responds to the finer residential grain rather than seeking to replicate or continue the large format commercial building on the site at present. It is this approach that helps the proposed development integrate well into the residential character of the opposite side of Newmarket Road.

- 8.5 Both the Urban Design Team and Landscape Officer are supportive of the proposal subject to various conditions regarding materials, landscaping and boundary treatment.

#### Impact upon the setting of the Grade I Listed Building

- 8.6 To the north-east of the site is the Leper Chapel which is a Grade I listed building. The site does not lie within a Conservation Area.
- 8.7 The Conservation Team have raised concerns that the design of the apex would not comply with the requirements of Policy 55 & 61 as outlined above. Their response suggests that the winter view from viewpoint 5 shows the apex as an incongruous block with the seamed metal cladding at the upper levels and that there is nothing in its design that responds to or contributes to the local distinctiveness provided by Barnwell Lake and meadows, nor that seeks to mitigate its appearance in the setting of the Leper Chapel.
- 8.8 Winter view 5 is taken from a position on Chisholm trail located north west of the Leper Chapel. Within this view there are 6 prominent street lamp posts that line Newmarket Road. The road is also elevated from the position on Chisholm Trail due to the embankment for the railway bridge, resulting in the road itself and vehicles travelling along it being prominent in this view. Both these features, the lamp posts and the embankment of the road, are typical of an urban setting. While the apex of the proposed building would be visible within the setting of the Leper Chapel, the proposal would fit in with the urban setting that already contributes to the setting of the Leper Chapel. The seamed metal cladding helps to break up the massing of the upper floors and achieves a balance with the brick features of the lower levels. This is to ensure the apex would not appear bulky or dominant.

- 8.9 There have been discussions about whether the site is a gateway site to the city. After visiting the site and assessing the surrounding area I do not consider this site to be a gateway site to the city but more of a transition between the 1930's suburbs to the east of the site and the Victorian city to the west of the site. I acknowledge that the design is modest. However, it is my view that such a modest approach in design is key in ensuring that the proposed development does not compete with the Grade I Listed Building. It is to be noted that the proposed building is also some distance away from the Lepar Chapel, and is separated by existing trees and Newmarket Road. In consideration of all the points above, I consider that the proposal would not have any harmful impact upon the mixed urban setting of the Lepar Chapel and would accord with Policy 55 & 61 of the Cambridge Local Plan 2018.

### **Public Art**

- 8.10 No information has been provided up front regarding public art. I am satisfied that it will be possible to include an element of public art within the site. The Local Plan policy obligation could, I consider, be addressed by way of a planning condition requiring a public art delivery plan in the event that permission is granted. Such a condition forms part of my recommendation.
- 8.11 In my opinion the proposal is capable of satisfying Cambridge Local Plan (2018) policy 56 and the Public Art SPD 2010

### **Carbon reduction and sustainable design**

- 8.12 Paragraph 4.8 of the supporting text to policy 28 states that the Council will be supportive of innovative approaches to meeting and exceeding the standards. While it is noted that the scheme is not capable of meeting the full requirement for BREEAM 'excellent', instead achieving 'very good', the proposals do meet the mandatory energy requirements associated with 'excellent'. The Senior Sustainability Officer accordingly supports the application subject to conditions.
- 8.13 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) policy 28 and the Sustainable Design and Construction SPD 2007.

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

- 8.14 The applicant has submitted additional information regarding integrated water management for the site which is currently being reviewed by the Council's Drainage Engineer but which is expected to address earlier concerns expressed by the Drainage Engineer. An update will be provided on the amendment sheet.

## **Light pollution, air quality, noise, vibration and dust**

- 8.15 The Environmental Health Officer has reviewed the submission and has no objection to the proposal subject to conditions regarding plant noise insulation, construction hours, collection during construction, dust, contaminated land, acoustic assessment compliance, artificial lighting and various associated informatives.
- 8.16 In my opinion, subject to the conditions I have recommended, the applicants have suitably addressed the issues of noise, vibration dust, light pollution and air quality, and the proposal is in accordance with Cambridge Local Plan (2018) policies 34, 35 and 36.

## **Residential Amenity**

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

- 8.17 The nearest neighbouring properties are a set of terraced properties to the north west of the site. These properties look straight onto Newmarket Road which consists of 4 lanes of traffic in some places separated by a central reservation. The applicant has provided a daylight and sunlight BRE assessment which concludes that the proposed development would have a negligible impact upon No.465-498 Newmarket Road and these properties would still meet the BRE targets. The proposal would result in built development moving closer to the site boundary at Newmarket Road, and would also result in an increase in height along this boundary. However, the elevation facing Newmarket Road has been designed to reflect traditional residential gables in order to help break up the massing. Accordingly, given the distance between the site and the neighbouring properties, and in consideration of the above points, I do not consider that the proposal would have an adverse impact upon any neighbouring

properties and is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

#### Amenity for future occupiers of the site

- 8.18 The accommodation proposed is to be used as student accommodation and as a result of this, policy 50 which sets minimum space standards is not relevant as this relates to C3 residential units and not purpose-built student accommodation. The proposed rooms and flats are considered to provide adequate amenity for the future student users of the site. Notwithstanding that, the applicant claims that the proposed rooms would be finished to a high standard, with the development also providing a networking hub and communal hub as well as large amenity area in the centre of the site. Given these additional spaces, the proposed development is considered to offer sufficient on site communal and living space to reduce the likelihood of student residents assembling beyond the site – and giving rise to disturbance to others nearby.
- 8.19 In my opinion the proposal therefore provides a high-quality living environment and an appropriate standard of amenity for future student occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2018) policy 46.

#### **Inclusive access**

- 8.20 The application is for student accommodation and as a result policy 51 is not relevant. The application does propose to provide 8 accessible bedrooms which are spread across the ground, first and second floors of the development. Each block has a lift to provide access to all floors and the ground floor flats have level access. The applicant has confirmed that the scheme has been designed to comply with the provisions of Part M of the Building Regulations covering accessibility.
- 8.21 The proposal accordingly considered to be compliant with Cambridge Local Plan (2018) policies 56 and 57.

#### **Refuse Arrangements**

- 8.22 There is sufficient room within the site for refuse collection vehicles to enter and exit the site in forward gear. The formal response raises no objection given the managed arrangements

on the site itself. Three bin stores are proposed serving each main block of accommodation.

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

### **Highway Safety**

- 8.24 The Highway Engineer initially raised concerns about inadequate visibility splays and the potential for conflict between cyclists and pedestrians. The applicant has provided revised plans and further information about visibility splays/movements. The Highway Engineer has confirmed that these concerns have been overcome and recommends the inclusion of a traffic management plan.
- 8.25 Camcycle have also provided comments concerning connectivity and the quality of cycle access to and near to the site, including concerns surrounding the details of a proposed “off-site” Toucan crossing proposed for Newmarket Road by the applicant.. The detailed design of any Toucan crossing is a matter for the Highway Authority and would be delivered by way of a financial contribution/contract to deliver the works to a specification agreed by the Highway Authority under the Highways Acts. The Council has received no comments yet on this issue from the Traffic Signals Team. Whilst the concerns of Camcycle are therefore noted, given that this element of the proposal is subject to a separate detailed design process, the Camcycle concerns are not considered to render the application unacceptable – provided the financial commitment to delivering the necessary crossing are addressed through the S106 agreement.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

#### Car parking

- 8.27 The application proposes 1 disabled car parking space and no permanent designated car parking for students creating a car free development. As the site is located on Newmarket Road and in a very sustainable location, the future occupiers will rely

on sustainable modes of transport. The occupiers of the site will be subject to proctorial control and the car free nature of the site can as a result be realistically enforced. This approach would comply with the aim of Policy 46 to prevent students bringing cars into Cambridge.

### Cycle parking

8.28 The application proposes to provide a total of 136 cycle spaces. Appendix L of the Cambridge Local Plan 2018 sets standards for student accommodation outside the city centre to provide a minimum of 2 spaces for every 3 bedspaces and 1 visitor space for every 5 bedspaces. The proposed level of provision complies with these standards. The 136 cycle spaces consists of 101 cycle spaces, 2 electric scooter spaces, 2 access spaces and 31 visitor spaces. Camcycle has objected to the proposed cycle arrangements within the cycle stores, stating that the proposed isle widths would be inadequate. After assessing the amount of space available in the cycle stores, it is my view that the required isle widths can be achieved through reconfiguration of the internal of the cycle stores. This can be achieved through a condition requesting further details of cycle storage.

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

### **Third Party Representations**

8.30 I have addressed the majority of the issues raised by the third party representations within the body of my report but cover the outstanding matters in the below table:

<b>Representation</b>	<b>Response</b>
Cambridge City needs more social/affordable housing for local residents not more student accommodation	The Local Plan supports a range of new residential accommodation to meet the City's housing needs. This includes student accommodation. The policy requirements for students housing are addressed in paragraphs 8.2 - 8.3
Housing developments should ensure houses are adaptable over time. Unfortunately student	The proposal is for purpose-built student accommodation to meet a specific identified need in the



accommodation does not meet this criteria as it cannot be adapted to respond to the need for more affordable family housing in the city.	City. Policy 51 is not considered to apply to the proposed development.
Key point at the entrance to the city, opposite to the Lepar Chapel and overlooking the lake and Coldham's Common. A quality building that is distinctive is essential here.	This is addressed in paragraphs 8.6 - 8.9

### **Planning Obligations (s106 Agreement)**

8.31 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 statutory tests; that the obligation/requirement is:

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

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

#### Indoor sports

8.32 The Developer Contribution Monitoring team has recommended that a specific S106 contribution of J41,426.00 (plus indexation) is requested towards the provision and/or improvement to the fitting out of an indoor sports zone at the Abbey Sports Centre and Gym, Whitehill Road, Cambridge CB5 8NT.

#### Outdoor sports

8.33 The Developer Contribution Monitoring team has recommended that a specific S106 contribution of J36,652.00 (plus indexation) is requested towards the improvement to and enhancement of the artificial grass pitch carpet (from sand to rubber crumb) at Coldham's Common.

### Informal Open Space

- 8.34 The Developer Contribution Monitoring team has recommended that a specific S106 contribution of J37,268.00 (plus indexation) for the provision of and/or improvement of and/or access to the Informal Open Space facilities at Stourbridge Common.

### Toucan Crossing

- 8.35 No response has been received from the Traffic Signals Team at Cambridgeshire County Council regarding a contribution towards the proposed toucan crossing. The proposed crossing would contribute towards improved and safe access near to the site for pedestrians and cyclists. I request delegated powers to agree a sum with the County Council.

### Planning Obligations Conclusion

- 8.36 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010. Delegated powers are requested to deal with the S106 agreement.

## **9.0 CONCLUSION**

- 9.1 The proposal would result in the re-development of a brownfield site in a sustainable location to provide for new residential accommodation for students. It would meet an identified need for student accommodation in the city and reduce pressure from students upon open market housing across the City. The design and layout of the development has been subject to pre-application advice including design review and has evolved into a development that officers consider responds appropriately to the sites' location, and to the setting of the Lepar Chapel. The location, design and orientation of the building has regard to nearby buildings and will not, in officers view, give rise to harm to the amenities of either residents or nearby business premises. Subject to the conditions and recommended S106 planning obligations, for which delegated powers are requested, and notwithstanding the objections received, the proposal is accordingly considered on balance to be acceptable and approval is accordingly recommended.

## 10.0 RECOMMENDATION

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

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

Reason: In accordance with the requirements of Section 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. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

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

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

4. Submission of site investigation report and remediation strategy:

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

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

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

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

5. Implementation of remediation.

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

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to and approved by the Local Planning Authority.

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

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

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

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

#### 7. Material Management Plan:

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

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

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

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

8. Unexpected Contamination:

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

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

9. 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)

10. 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)

11. 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)

12. 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)

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

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

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

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

15. 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)

16. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of glass type(s) to be used in curtain walling/windows/doors or other glazed features shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate.

(Cambridge Local Plan 2018 policies 55 and 57)

17. Before starting any brick/stonework, 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)

18. No rooftop plant or equipment shall be constructed on the building hereby approved until such time as full details, to a large scale, of the siting of the apparatus and any rooftop plant screening systems to be installed, where relevant, have been submitted to and approved in writing by the local planning authority. This may include the submission of samples of mesh/louvre types and the colour(s) of the components. Colour samples should be identified by the RAL or BS systems. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2018 policies 55 and 57)



19. Notwithstanding any details shown on the submitted plans, full details of proposed building signage shall be submitted to and approved in writing by the local planning authority prior to installation and the 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)

20. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; all means of enclosure to the site; 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); any 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 the first planting season (for planted components) following occupation of the building 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)

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

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

22. BREEAM Condition 1 - Design Stage Certification

Within 6 months of commencement of development, 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 'excellent', 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).

### 23. BREEAM Condition 2 - Post Construction Certification

Prior to the occupation of the hotel, or within 6 months of occupation, 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).

### 24. Implementation of Energy Strategy

The approved energy strategy as set out in the Barnwell Gate Development Sustainability Statement (BSD Consulting Engineers, March 2019) shall be fully implemented prior to the first occupation of the development. 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).

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<b>Application Number</b>	17/0869/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	16th May 2017	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	11th July 2017		
<b>Ward</b>	Abbey		
<b>Site</b>	19 - 21 Godesdone Road Cambridge Cambridgeshire CB5 8HR		
<b>Proposal</b>	Erection of a residential development containing five units (one 2xbed flats, three 1xbed flats and one studio unit) following demolition of the existing buildings on site		
<b>Applicant</b>	N/A c/o Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would provide an acceptable level of amenity for the future occupants</p> <p style="padding-left: 40px;">The proposal would not have a significant adverse impact on the amenity of neighbouring properties</p> <p style="padding-left: 40px;">The proposal would not harm the character and appearance of the conservation area.</p>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site is located on the western side of Godesdone Road and is currently occupied by office/warehouse buildings. The buildings are in two elements, a large pitched roof element and a smaller set back pitched roof element. The buildings occupy the entire footprint of the plot aside from an area at the front of the smaller element where there is space for off street parking.

- 1.2 The site is located within a residential area characterised by mainly two storey terrace housing with small thresholds at the front. However, there are small pockets of commercial use such as the previous use of the site. No.72 Beche Road which is north of the site and on the corner of Godesdone Road and Beche Road is in commercial use. However, many of the commercial uses have been converted back into residential. Opposite the site is relatively recent housing infill development which replaced an office building.
- 1.3 The site is located within the Riverside and Stourbridge Common Conservation Area. The properties to the north of the site in Beche Road are identified in the Area Appraisal as 'Buildings Important to the Character'. However, none of the properties in Godesdone Road are identified as such. The site is within the controlled parking zone. There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for the erection of a residential development containing five units (one 2xbed flats, three 1xbed flats and one studio unit) following demolition of the existing buildings on site.
- 2.2 The proposal follows on from a similar scheme that was refused planning permission. During the course of the current application, the appeal decision on the previous application was issued. The appeal was dismissed and the Inspector's report is a new material consideration. In light of this, the current application was revised to respond to the issues raised in the Inspector's report, and an amended proposal was submitted in May 2018. This included:
- o redesign of the side element on the northern elevation from a formerly contemporary design to a more traditional form,
  - o reduced ridge height,
  - o redesign of the dormers and
  - o internal rearrangements.
- 2.3 A full re-consultation was held with local residents and consultees on the revised proposal, which is described below. Further revisions to the internal arrangements and building height were submitted in September 2018, which were also

subject to public consultation. Finally, amendments to the roof lights were received in October 2018.

- 2.4 The proposed scheme (as revised) would have the appearance from the street of two semi-detached properties, with features including a symmetrical pair of front doors and bay windows. The northern elevation would have a lowered and recessed gable element with a single storey bin and cycle store within a lean-to. The materials would be brick with tile roof and the front elevation includes lintels and sills, and a date stone on the northern elevation. The building would be set back from the road with space for a landscape buffer in front of the building.
- 2.5 The ground floor Flat 1 would have a separate entrance while Flat 2 on the ground floor and the upper floor units would use a communal entrance. The units would be arranged with three duplexes on the first and second floors. The ground floor flats would have access to the area at the rear of the site for private amenity space. Cycle parking and bin storage would be provided in the lean-to element with separate stores.

### **3.0 SITE HISTORY**

- 3.1 As above, the current application follows on from a previous scheme for seven units (16/1002/FUL) which was dismissed at appeal. A copy of the Inspector's report is provided as an appendix. This scheme was refused by the Council on the grounds of the impact on the character of the area, the living conditions of the future occupants with particular regard to external amenity space, and the provision of cycle parking facilities. The Inspector dismissed the appeal on character and lack of amenity space grounds. The relevant sections of the appeal decision are referred to in the assessment below.
- 3.2 The relevant site history comprises:

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
16/1002/FUL	Erection of a residential development containing seven units (one 2xbed flat and six 1xbed flats) including bin and cycle storage, following the demolition of the existing buildings on the site	Appeal dismissed

09/1193/FUL Recovering of existing roof with minor modifications. APPROVED

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

#### 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 2, 3, 28, 29, 31, 32, 33, 35, 36, 41, 50, 51, 55, 56, 57, 59, 61, 80, 81, 82.

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

Central Government Guidance	<p>National Planning Policy Framework March 2019</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management</p>



	Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Air Quality in Cambridge – Developers Guide (2008)
	<u>Area Guidelines</u> Riverside and Stourbridge Common Conservation Area Appraisal (2012)

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal seeks to justify a zero level of car parking provision within the site. Recent guidance contained within the National Planning Policy Framework and the IHT guidance on best practice in car parking provision moves away from maximum levels of provision and advises that parking provision for new residential development is based upon levels of access to a private car for existing residential uses in the surrounding area. It is advised that the Planning Authority should assess the impact of the proposal in regard to the guidance provided within the National Planning Policy Framework in tandem with the Local Plan Parking Standards as this may act upon the amenity of residents of the site.
- 6.2 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.
- 6.3 Recommend conditions for restoration of the kerb and a construction management plan.

## **Environmental Health**

- 6.4 No objection. Recommend conditions to control construction and delivery hours, piling and dust, and ground contamination.

## **Urban Design and Conservation Team**

### Comment on initial scheme 14.06.2016

- 6.5 Acceptable subject to conditions for windows and doors/joinery, roofing details, dormer details, window details and brick samples.

### Comment on revised scheme 28.06.2018

- 6.6 The fairly traditional form and scale of the main block sit in the streetscape well and, given good materials & detailing, should work with neighbouring buildings. The minor block to the north west also works well in streetscape design terms and brings the scale down adjacent to the 'Sheep Shop'. Whilst the visible gable end is somewhat broad compared to traditional examples, the use of architectural devices [such as the dentil course at eaves] to help visually reduce bulk should work well.
- 6.7 Additional recommended conditions for stonework details, details of roof lights, and details of external decorative brickwork.

## **Cambridgeshire County Council (Archaeology)**

- 6.8 No objection or requirements.
- 6.9 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations:
- o 36 Beche Road
  - o 56 Beche Road
  - o 62 Beche Road

- o 64 Beche Road
- o 68 Beche Road
- o 70 Beche Road
- o 3 Godesdone Road
- o 7 Godesdone Road
- o 9 Godesdone Road
- o 12 Godesdone Road
- o 17 Godesdone Road
- o 20 Godesdone Road
- o 22D Godesdone Road
- o 43 Priory Road
- o 30 Riverside
- o 35 Riverside

7.2 The representations can be summarised as follows:

Comments on original submission:

- o Use is unsuitable for the area
- o Over-development of the site and too many units
- o The area is characterised by homes with gardens
- o The proposal is larger in scale than neighbouring properties. The roof appears to be significantly higher and disproportionately large.
- o The higher roof line would disrupt visual line of the street scene.
- o The building will read more like a three storey building.
- o The building extends much further back than the other buildings, which makes mass greater and presents expanses of brickwork on the side elevations.
- o Loss of gap which provides sense of space and breathability which contribute to the conservation area.
- o The different window styles make the building appear muddled and incoherent.
- o Large dormer windows are not consistent with the front elevation of the other properties in the street.
- o Contrived design of cutback corner which is evidence of over-development.
- o Setback from the road is light and out of keeping.
- o Buff brick would be overbearing.
- o Cladding is out of character
- o Slate would be preferred to metal roofing.
- o Inadequate car parking.

- o Little provision for bicycles.
- o Loss of light to neighbouring properties.
- o Significant loss of light and outlook, overshadowing and overbearing impact on Nos. 68 and 70 Beche Road, including impact on ground floor kitchen window of No. 70.
- o Views from No. 70 Beche Road into the toilet bedroom and seating area would compromise privacy for future occupants.
- o Overbearing impact on No. 17 Godesdone Road
- o Overlooking bathroom, bedroom, dining room and garden of No. 64 Beche Road and other gardens along Beche Road.
- o Size of the units are nearly all significantly below that of the current National Space Standards.
- o Lack of outdoor space.
- o Ground floor bedrooms will result in shuttered windows which have limited natural surveillance of the street.
- o Inadequate bin storage. Management of bin storage needed.
- o Bins would get in the way of bike storage.
- o Impact of demand for on-street parking on residential amenity.
- o Lack of information on location of contractors' compound which could be on the public highway.
- o Impact of construction on amenity of neighbouring properties and public realm
- o Impact on archaeology needs to be considered.
- o Increase in noise and disturbance.
- o Unsafe access for road users and pedestrians.
- o Extension to 62 Beche Road is not shown on plans. Side window to back bedroom would be overlooked, as would garden.
- o Tree in garden of No. 70 Beche Road is shown on plans, which has been removed.
- o Errors in submission.
- o Inadequate neighbour notification.

Additional comments on first revised proposal:

- o Changes to revised proposal are minimal or only a mild improvement. Do not overcome previous concerns about overdevelopment and development being out of character.
- o The staggered lean-to on the northern elevation is an amendment welcomed but the proposal would have an overbearing impact on Nos. 68 and 70 Beche Road in terms of outlook and daylight.

- o The setback from the front and rear elevations should be increased to more like 2m to reduce the width of this element.

Additional comments on final revised proposal:

- o Amendment to increase the height of the proposal is not supported.
- o Revisions do not address previous objections and in some cases make the proposal worse.
- o rearrangement of internal floors and including of obscure windows do little to address overlooking concerns

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

## **8.0 ASSESSMENT**

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

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

8.2 The Inspector's decision to dismiss the appeal on the previous scheme (16/1002/FUL) is a relevant material consideration, which I have referred to in my assessment below as 'the appeal scheme'. It is important to recognise that the appeal decision was assessed against the development plan policies within the Cambridge Local Plan (2006). This policy context has changed since the adoption of the Cambridge Local Plan 2018. I have assessed the proposal against the adopted development plan however, I have given weight to the Inspector's decision where

the policies of the previous and adopted Local Plan are in alignment.

### **Principle of Development**

- 8.3 The proposal would result in the loss of a commercial use. I understand the site was last occupied by Outspoken a cycle courier service. However, they have now moved out and the building is currently vacant. Nonetheless, the last lawful use of the existing warehouse building appears to be B8 use. The site is not a protected industrial site. The loss of the existing commercial use was accepted in the Inspector's decision and was found to be in accordance with policy 7/3 of the previous Cambridge Local Plan (2006) relating to the protecting of industrial/storage site.
- 8.4 The adopted Cambridge Local Plan 2018 policy 41 'Protection of business space' is a similar policy to 7/3 in protecting employment uses within B1(c), B2 or B8 use class, however the detail of the policy differs. The policy states that development (including change of use) resulting in the complete loss of employment uses will not be permitted unless the site is vacant and has been realistically marketed for a period of 12 months for employment use, including the option for potential modernisation for employment uses and no future occupiers have been found.
- 8.5 The applicant has stated that the site has been vacant for three units however, has provided no evidence that the unit has been marketed. Thus the proposal cannot demonstrate compliance with adopted development plan policy 41. Nonetheless, there are other material considerations that I must consider.
- 8.6 The applicant submitted a 'Cambridge Industrial Market Appraisal' report during the course of the application. This finds that, at the time of the report, there was just under 200,000 sq ft of industrial floor space available within 3 miles of Godesdone Road. The site provides only 1.2% of the total available industrial stock. The report concludes therefore its removal from the market would result in a negligible impact on the overall stock levels in the city.
- 8.7 The report finds that demand is generally being driven by the requirements of the knowledge-intensive market, who require

mid-tech space comprising offices, laboratories and warehouse uses. Over the last five years there has been a decrease in enquiries for city centre industrial units, such as the space available on Godesdone Road. Instead enquiries are focussing on out of centre locations or established industrial parks.

- 8.8 The applicant has also made the case that the site's location and the existing building are unsuitable for industrial use. They argue that the height of the subject property, power requirements and parking provisions all constrain the type of user who will wish to use the space, as a single storey unit is not favourable for most industrial / warehouse users. Furthermore, they say that occupiers require three phase power and a roller shutter loading door as minimum, which the subject property is unable to provide.
- 8.9 While I am unable to comment on the suitability of the building for reuse given the wide range of uses that could be considered under the lawful B8 Use Class, I do consider that the site's location is undesirable for potential occupiers. The site has limited on site car parking and is within the controlled parking zone, which restricts staff parking and deliveries. The site's location within a residential area is problematic as industrial occupiers are likely to have noise and operating hour restrictions to prevent statutory noise nuisance.
- 8.10 In my opinion, the proposed residential use of the site would be more compatible with the residential context of the site. The residential use is likely to generate less noise and disturbance, and patterns of use of the site would be more similar to the adjacent uses. Cambridge Local Plan 2018 policy 35 lends support to considering the compatibility of adjacent uses, stating that 'People's health and quality of life needs be protected from unacceptable noise impacts by effectively and appropriately managing the relationship between noise sensitive development and noise sources through land use planning'.
- 8.11 In addition, the proposed residential buildings would lead to improvements to the visual amenity of the site. The existing building is not considered to make a positive contribution to the character and appearance of the conservation area. I have assessed the proposal in the relevant section below, and in my opinion the proposal would be appropriate to the conservation area. The residential character of the proposed buildings and

their response to the traditional terrace form would enhance the site, in my opinion. This would enhance the conservation area in accordance with Cambridge Local Plan 2018 policy 61, in my opinion.

8.12 In summary, I have found that there is a conflict with policy 41 as the site has not been marketed, however there are other material considerations that overcome this and I have considered the policies within the development plan as a whole. My conclusions do not undermine policy 41, as all proposals should be considered on their own merits. In this case, I have considered the purposes of policy 41 to protect industrial sites and I consider that the loss of this small site would not have a significant impact on the availability of industrial sites. The constrained nature of the site is likely to make it a less desirable site for future occupiers.

8.13 In terms of the principle of residential development on the site, the Cambridge Local Plan 2018 policy 3 'Spatial strategy for the location of residential development' supports new development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. The site is previously developed and within an existing residential area, and therefore residential development is acceptable in principle.

8.14 For these reasons, the principle of development is acceptable.

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

8.15 The site is located within a predominantly residential context where the built form is characterised by mainly two storey terrace housing with small front thresholds bound by low brick walls. The surrounding streets are predominantly 19<sup>th</sup> Century terraced housing of Gault-type brick and Welsh slate with a variety of detailing such as painted stone lintels & sills, fanlights above the main entrances and timber, vertically sliding sash windows. The building form is almost exclusively of two or two-and-a-half storey houses with pitched roofs. Opposite the site is a modern housing development which adds to the variety of housing in this location.



- 8.16 Aside from the built form, this area is also pocketed with commercial uses mainly located on the corner of streets or at the end of terraces. Nevertheless, as Godesdone Road is predominantly characterised by residential dwellings, the redevelopment of the site from its parcel storage and delivery use to residential would be compatible and potentially improve the street scene. Currently the site consists of a wide pitched roof building with an ancillary pitched roof element which set back and to the side. The building is low in height but of a commercial scale in terms of footprint which covers most of the plot. The demolition of the existing building would be acceptable in principle.
- 8.17 The proposed units have been designed to reflect the appearance of a pair of traditional dwellings which characterize the area. Contemporary versions of traditional forms have been reproduced within the vicinity, including on the opposite side of Godesdone Road. The front elevation includes bay windows, and the proportion and arrangement of windows, and the brickwork and window detailing respond positively to the character of traditional terraces. The front elevation has been set back from the footpath with space for a landscape buffer which would enhance the appearance of the site compared to the existing situation (details to be secured through a condition). The Conservation Team supports the proposal subject to conditions concerning details, and I have also recommended a condition for brick samples and mortar details.
- 8.18 The applicant responded to the reasons for refusal on the previous appeal scheme, and amended the scheme further during the course of the application, following receipt of the Inspector's appeal decision. I have provided an assessment of the proposal against the Inspector's appeal decision – which is a material consideration - below.
- o The proposed two and a half storey building which exceeded the height of No. 17 Godesdone Road despite the fall in ground levels and the properties along Beche Road would be excessive in height and would appear overly dominant in the street scene.*
- 8.19 The current proposal has reduced the ridge and eaves height by approximately 0.5m compared to the appeal scheme. As a result, the eaves are lower than the neighbouring No. 17

Godesdone Road. The window line would also be lower than No. 17. As such, the height relationship between the application scheme and the neighbouring properties would follow the fall in ground level and would fit in with the street scene.

8.20 The street elevations show that the ridge would be higher than No. 17. However, this is as a result of the depth of the building. The pitch of the roof slope would be similar the traditional terraces. The ridge line would not be overly prominent in the street scene, in my opinion, other than in the gap between the site and No. 72 Beche Road when the northern gable would be visible. I have explained below how I consider that the proposed lowered gable and lean-to element help to break up the mass of the building in this view.

*o The dormer windows on the front elevation add to the bulk and massing, and exacerbate the impact of the building.*

8.21 The appeal scheme had three dormer windows on the front elevation. These have been reduced to two dormers. These are a similar design to the appeal scheme and are stepped in from the eaves and down from the ridge. In my opinion, these are relatively modest in size and proportionate with the roof slope. Rather than adding bulk and massing, in my opinion the reduced number of dormers help to successfully break up the large roof scape.

*o The modern design of the lean-to element would not reflect the local character of the area and would appear as an incongruous addition to the street scene and the character of the conservation area.*

8.22 The appeal scheme had a contemporary lean-to with a mono-pitched roof over a timber clad element which was attached to the main part of the building by a flat-roof glazed link. Following the Inspector's decision, the lean-to element was comprehensively re-designed. The revised design includes a recessed and lowered pitched roof element and a lower cycle and bin store lean-to element with a cat-slide roof constructed in brick. This more reflects the form of traditional terraces and would be characteristic of subservient extensions. In my opinion, this successfully responds to the Inspector's concerns

and is a more appropriate design for the conservation area and street scene.

- o The excessive overall height of the northern gable elevation would be the main element of harm from this element as a large proportion of the end of the main part of the building would be shielded by the lean-to element.*

8.23 I share the concern of the Inspector that the overall height of the northern elevation could have the potential to harm the street scene. As above, the overall height has been reduced compared to the appeal scheme. However, the ridge would be higher than No. 17 Godesdone Road. In my opinion, the revised design including the lower pitched roof element and the cycle and bin store lean-to element more successfully breaks up the overall scale and mass of the gable elevation compared to the previous scheme. The pitched roof element covers a larger area of the gable elevation and is itself visually broken up by the lean-to element. In my opinion, the reduced overall height and the greater layering on the northern elevation, on balance, overcome the Inspector's concerns on the previous scheme.

- o The chamfered element at first and second floor levels would represent a contrived design, but would not harm the character and appearance of the conservation area owing to its limited visibility.*

8.24 The chamfered edge remains on the current proposal, however I share the view of the Inspector that the limited visibility from within the conservation area means that this would not result in harm.

- o The dormer on the rear elevation would add further bulk and massing and together with its shallow pitch would appear as an alien element.*

8.25 The dormer on the rear elevation has been removed.

8.26 In summary, I am satisfied that the proposal has overcome the Inspector's concerns on the previous scheme. The proposed building would be taller and deeper than the traditional terraces along Godesdone Road, resulting in a more expansive northern gable elevation and a larger roof scape. However, it would be

lower than the appeal scheme and the northern elevation would be broken up visually. The proposal has traditional forms and reflects the character of traditional terraced properties, such that – on balance – it would not harm the character and appearance of the conservation area. The Conservation Team supports the proposal subject to conditions which would secure high quality detailing. I have also recommended a condition for brickwork details and a sample of the roof tiles.

- 8.27 In my opinion the proposal is compliant with Cambridge Local Plan 2018 policies 55, 56, 57, 59 and 61.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.28 The neighbouring properties are Nos. 68 and 70 Beche Road to the north of the site (the impact on the commercial property No. 72 Beche Road is not considered to be harmful), No. 17 Godesdone Road to the south, and the rear garden of No. 66 Beche Road, and residents within the wider area. I have assessed the impact on these properties below. I am not concerned about the impact on the properties opposite the side.
- 8.29 It is relevant that the Inspector concluded on the appeal scheme that, 'Whilst the proposed building would be larger than the existing buildings, given the juxtaposition between the existing dwellings and the proposed development, I consider that the impact on the surrounding dwellings, in particular 68 and 70 Beche Road, would not be significant as to warrant the withholding of planning permission' (paragraph 19). This is a material consideration that I have referred to in my assessment below.
- o Impact on Nos. 68 and 70 Beche Road
- 8.30 These are attached two storey traditional dwelling with small rear gardens compared to the other dwellings to the west. The rear garden of No. 68 backs onto the site whereas to the rear of No. 70 there is a 1m wide rear passage between the boundary and site. The rear gardens are between 4.6m (No. 70) and 5.6m (No. 68) deep.

- 8.31 In terms of overbearing impact, currently the majority of the outlook ground floor windows in the rear elevations of these dwellings - which serve kitchens - is overlapped by the existing commercial building. For No. 70, the existing building covers the entire rear boundary. For No. 68, the existing building cuts across half the width of the rear garden. The depth of the proposed building would be similar to the appeal scheme. The bin and cycle store lean-to on the northern elevation would be approximately 2.2m high to the eaves compared to the existing building (3.3m) and the previous scheme (4m). The lower gable elevation would be approximately 4.5m high. This would be higher than the existing building and the lean-to element on the appeal scheme, but would be approximately 8.5m from the rear elevation of the neighbouring properties. The lower gable elevation would be seen against the mass of the main part of the building and would be visually broken up by the bin and cycle store lean-to. I am satisfied that the proposal would not have a significant overbearing impact compared to the existing situation or the appeal scheme, and would be acceptable. The proposed single storey rear projection would not have an overbearing impact on these properties.
- 8.32 In terms of overshadowing, the Inspector concluded that the appeal scheme would not have a significant adverse impact in terms of loss of light. The current proposal has a lower ridge height than the appeal scheme and the scale of the northern elements has been reduced. I am satisfied that the current proposal would not have a significant impact compared to the appeal scheme which was considered to be acceptable.
- 8.33 In terms of overlooking, there are no windows in the gable end of the main building.
- o No. 66 Beche Road
- 8.34 This property has a long rear garden which adjoins the site's rear / western boundary, albeit separated by a passageway.
- 8.35 The proposed two storey rear elevation would be approximately 3m away from the site rear / western boundary and would be lower than the appeal scheme which was not considered by the appeal inspector to have an unacceptable overbearing impact. There would be a single storey rear element which has been introduced since the previous scheme. The single storey

element would have a pitched roof and a gabled western / rear elevation adjacent to the site boundary. This would be 4.3m high to the ridge and 2.3m high to the eaves. This would be separated from the garden boundary by the footpath. Due to the separation and the scale of the single storey element, I am satisfied that this would not have an unacceptable enclosing or overbearing impact on the garden of No. 66.

8.36 In terms of overshadowing, the proposal would be to the south east of the garden. The appeal Inspector did not conclude that the previous scheme would have a significant adverse impact. The current proposal is lower than the appeal scheme and I do not consider that the additional single storey element on the current proposal would have a significant overshadowing impact compared to the appeal scheme.

8.37 In terms of overlooking, due to the proximity and orientation of the rear elevation in relation to the garden of No. 66, there is potential for views into middle and rearmost parts of the garden. During the course of the application, the plans were amended so that two of the first floor windows on the rear elevation could be obscured to prevent views into the middle part of the garden without harming the amenity of the future occupants of those units. The two obscured windows would serve a bedroom and a staircase. I have recommended a condition to secure obscure glazing and fixed prior to first occupation. The remaining unobscured first floor window would serve the circulation space of Flat 3. I am not concerned about overlooking from this window as views would be towards the rearmost part of the garden of No. 66 which is less sensitive, there would be three first floor windows on the rear elevation facing towards the garden of No. 66 and other properties to the west along Beche Road. One of these would serve the main stair case and another would serve an entrance hallway for Flat 3. The appeal scheme included an unobscured bedroom window in a similar position, which was not considered by the Inspector to have a significant adverse impact on the neighbouring garden.

8.38 The proposal includes four roof lights on the rear roof slope, including one on the roof slope of the lower gabled element. These would serve habitable rooms. The applicant has revised the plans during the course of the application to demonstrate that the base of the rooflights would be over 1.7m from the

internal finished floor levels. I am satisfied that there would be no significant overlooking from these rooflights and it is not necessary to condition these. I have recommended a condition for no windows to be inserted on the first floor rear elevation. The units would not have permitted development rights to insert further rooflights or dormers as the units are flats and not dwellinghouses.

o No. 17 Godesdone Road

8.39 This is a two storey property which has been extended in the roof with a flat roof dormer connecting to a three storey rear outrigger. There is a conservatory on the ground floor and long narrow rear garden. The existing building on the application site abuts the boundary with the conservatory and the rear garden.

8.40 The proposed development would not project beyond the rear of the existing conservatory. The south east elevation would be on the boundary. The first floor and attic storey elements would be chamfered away from the boundary. The ground floor element would include a lean-to element than links into the chamfered edge. The lean-to element would have a lower roof profile than the existing outbuilding. The side elevation would be approximately 2.7m high to the eaves so would not have an overbearing impact on the conservatory. The garden of Flat 1 would have a 1.6m high closer boarded fence forming the boundary with the garden of No. 17, which would be an improvement compared to the existing situation. Notwithstanding this, I have recommended a condition that this fence should be increase in height to a minimum of 1.7m in order to prevent overlooking. The development would be to the north of No. 17 so would not overshadow the conservatory or garden.

8.41 There are two bedroom windows at the first and second floor on the main part of the house. The back bedroom is served by one window out of which there are clear views of the existing building. As the footprint of the building would extend beyond the first and second floor windows, side elevation has been chamfered at 47 degrees. Whilst the chamfered edge would still conflict with the 45 degree 'rule of thumb' from the centre point of the first floor window, the impact over and above the existing is not considered to be significant in terms of enclosure and loss

of light. Furthermore, this is the same as the previous scheme which was found by the Council and the Inspector to have an acceptable impact on these windows. I have no reason to take a different view here.

8.42 There would be oblique views from the first floor unobscured window serving the circulation space of Flat 3, however I am not concerned that this would result in a significant loss of privacy given the separation distance, orientation and dense urban context.

o Wider area

8.43 The Environmental Health team has recommended conditions to mitigate the impact of construction on nearby residential properties. The Highways Authority has recommended a construction traffic management plan. I have assessed the car parking provision in the section below. I accept the advice of consultees that the impact on the wider residential area is acceptable subject to the mitigation measures to be secured through the recommended condition.

8.44 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 57 and 35.

Amenity for future occupiers of the site

8.45 The floor space of the proposed units is provided in the table below in comparison to the internal space standards set out in policy 50 of the Cambridge Local Plan 2018. The initial plans fell short of the space standards. The revised plans were rearranged internally during the course of the application so that all units meet the space standards.

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (ml)	Proposed size of unit	Difference in size
1	1	2	1	50	53	+3
2	2	3	1	61	65	+4
3	1	2	2	58	77	+19
4	1	1	2	58	59	+1
5	1	1	1	37	37	0



- 8.46 Policy 50 also requires all new residential units to have private amenity space. The ground floor units (Flats 1 and 2) would have access to private amenity space to the rear. Flat 2 is a 2-bed unit which could be occupied by a family which generally has a greater need for private amenity space. The proposed terrace would be approximately 15.6 sqm which would provide useable space and an acceptable level of residential amenity.
- 8.47 The upper floor flats would not have private amenity space and therefore fail to meet policy 50. The Inspector found on the previous appeal scheme that the lack of amenity space for the upper floor units would give rise to unsuitable living conditions for the future occupants (paragraph 17). This was to some extent as a result of the limited size of the upper floor units. The Inspector stated that 'given the limited size of some of these flats (particularly flats 4, 6 and 7) the lack of external amenity space would give rise to an overall poor standard of living conditions' (paragraph 15).
- 8.48 Compared to the appeal scheme, the number of units has been reduced from 7 to 5 and the units have been increased in size to meet the internal space standards. The previous scheme included units as small as 32.2sqm (Flat 4), 34.8 sqm (Flat 6) and 37.2sqm (Flat 7). By comparison, the smallest unit proposed is the studio unit (Flat 5) which is 37sqm, and the other upper floor units exceed the space standards. As such, on balance, my opinion is that the lack of amenity space would not result in a poor standards of living conditions because the internal space available would be larger.
- 8.49 The size of the units means that the future occupants are likely to be individuals or couples who would have less need for private amenity space. The future occupants would be in close proximity of green spaces on Midsummer Common and along the Riverside. It would be difficult to provide balconies for the upper floor units given the conservation area status and the potential overlooking at the rear. In my opinion, these are material considerations which outweigh the lack of amenity space. I have also given weight to the desirability of redeveloping the industrial site to residential use which would be more compatible with the residential area.
- 8.50 I am satisfied that the units would be provide an acceptable level of residential amenity for the future occupants in other

regards. While two of the windows on the rear elevation would be obscure glazed (which limits the outlook), these windows serve a bedroom and communal stair well, and as such would be acceptable. The use of roof lights and dormers ensures acceptable light into the upper floor units. The landscaping at the front would provide a buffer in front of the ground floor bedroom windows to protect the privacy of the occupants. The cycle and bin stores would be convenient, as discussed in the relevant sections below.

- 8.51 In my opinion the proposal provides an acceptable living environment for the future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan 2018 policies 50 and 57.

#### Accessible Homes

- 8.52 The proposal does not include lifts to the upper floors and therefore fails to comply with Cambridge Local Plan 2018 policy 51. The Council has received a viability appraisal from the applicant that seeks to demonstrate that the introduction of a lift would result in a loss of a unit which would make the proposal unviable. This is currently being reviewed by an independent consultant. An update will be provided on the amendment sheet.

#### **Refuse Arrangements**

- 8.53 The proposal includes a separate bin store within the lean-to element. The proposal shows the bin store with capacity for 2 x 660 litre bins and 1 x 240 litre bins. This provides a total capacity of 1560 litres which is below the requirement within the RECAP guidance for the number of units proposed which would be 1700 litres. However, having measured the store, I am satisfied that the 240 litre bin could be replaced by a larger 660 litre bin which would provide 1980 litre capacity. The store would be in a convenient location for the residents. In my opinion the proposal is compliant with Cambridge Local Plan 2018 policy 57 in this regard.

#### **Highway Safety**

- 8.54 The proposal does not include vehicle access to the public highway and would remove an existing access. The Highways

Authority has not raised concerns that the access or impact of trips generated from the proposal would harm highway safety. In my opinion the proposal is compliant with Cambridge Local Plan 2018 policy 81.

## **Car and Cycle Parking**

### *o Car parking*

8.55 The proposal is for car-free development. This is compliant with the Council's adopted maximum car parking standards which promote reduced car travel and sustainable transport modes. The site is within the controlled parking zone and the Highways Authority has advised that the future occupants would not be eligible for residents' parking permits. The proposal would not therefore put pressure on on-street parking within the vicinity.

8.56 The Highways Authority has not raised concerns on highway safety grounds and I have assessed the impact on residential amenity. The site is in a highly sustainable location close to the city centre, with public transport links on Newmarket Road and pedestrian/cycle links including along Riverside. The future occupants of the 1-bed units are likely to be individuals or couples, albeit the one 2-bed unit could be occupied by families. However, given the location, the future occupants would not be dependent on car travel.

8.57 I acknowledge the concerns of local residents, however it is a material consideration that the Inspector concluded on the previous appeal scheme that, 'Whilst I have no doubt that parking demand in the area is high, I am not convinced that the development would lead to parking issues which would amount to a significant highway safety or amenity issue' (paragraph 25). I have no reason to come to a different conclusion on the current scheme. For these reasons, in my opinion the proposed car-free development is acceptable in compliance with Cambridge Local Plan 2018 policy 82.

### *o Cycle parking*

8.58 The proposal includes a cycle store within the lean-to element with space for 8 bicycles. This exceeds the Council's cycle parking standards. The spaces would be provided using Sheffield hoops. I am satisfied that the spacing of the stands

meets the Cycle Parking Guide for New Residential Developments (2010). However, the door from the street and the door between the bin store and the cycle store would be approximately 0.8m wide which is too narrow. The guidance requires these to be at least 1m wide. I have recommended a condition for this to be amended on the plans. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan 2018 policy 57 and 82.

### **Drainage**

8.59 The site is not within an identified area of surface water flood risk. The existing site is covered by buildings or hard surfacing. The proposal would include gardens and soft landscaping at the front of the site, which would increase the permeable area. I am satisfied that an acceptable surface water drainage scheme could be secured through conditions which could better the drainage on the site. Subject to this, in my opinion, the proposal is compliant with Cambridge Local Plan 2018 policy 32.

### **Sustainability**

8.60 I have recommended conditions to secure carbon reduction and water conservation measures in accordance with Cambridge Local Plan 2018 policies 28 and 31. In my opinion, this condition is reasonable as the measures are likely to be achievable.

### **Third Party Representations**

8.61 I have addressed the third party representations as follows:

<b>Representation</b>	<b>Response</b>
<u>Comments on original submission:</u>	
Use is unsuitable for the area	The site is within an existing residential area and I consider the proposed use to be more compatible with the surroundings than the existing industrial use. The principle of development is acceptable.
Over-development of the site and too many units	I have assessed the proposal in terms of its response to the

	<p>site context, impact on neighbouring properties and quality of the living accommodation for future occupants. I have found these to be acceptable and therefore there would be no grounds on which to argue over-development.</p>
<p>The area is characterised by homes with gardens</p>	<p>While internally the building would be sub-divided into flats, externally the building is similar to a pair of traditional semi-detached properties and would have gardens at the rear. The gardens would be shorter than most that characterise the area however, would be more similar to the short gardens of Nos. 68-70 Beche Road.</p>
<p>The proposal is larger in scale than neighbouring properties. The roof appears to be significantly higher and disproportionately large.</p>	<p>I have addressed this in my report.</p>
<p>The higher roof line would disrupt visual line of the street scene.</p>	<p>The street scene along the western side has a staggered roof line due to the slope of the road. While the ridgeline would be higher than the neighbouring property, it would be a detached building. The ridge would be further back into the site due to the depth of the proposed building. The eaves line would be lower than the neighbouring property, which is more important from a street scene perspective, in my opinion. In my opinion, the proposal would continue to the variety in ridge heights</p>

	within the area.
The building will read more like a three storey building.	I do not agree with this assertion. The eaves line would be similar to the neighbouring two storey properties. It is not uncommon for two storey buildings to have attic conversions including dormer windows. In my opinion, the building would read as a two storey building with an attic storey.
The building extends much further back than the other buildings, which makes mass greater and presents expanses of brickwork on the side elevations.	I agree that the building has a much deeper footprint than the traditional terraces which – combined with the higher ridgeline – has the potential to create an expansive gable end elevation. This comment was made on the original scheme with the contemporary lean-to element. I am satisfied that the revised proposal has overcome this concern. As I have set out in my report, I consider that the revised proposal with the layered lower gable and lean-to helps to visually break up the mass of the elevation.
Loss of gap which provides sense of space and breathability which contribute to the conservation area.	A gap would be maintained between the proposed building and the Beche Road terrace.
The different window styles makes the building appear muddled and incoherent.	This was a comment made on the original submission. The revised proposal includes timber two-pane windows on the front and rear elevations. This would respect the character of traditional terraces, and would include

	features such as reconstituted stone lintels and cills and a bay window. I consider this to be an appropriate design approach and high quality details would be secured through the conditions recommended by the conservation team.
Large dormer windows are not consistent with the front elevation of the other properties in the street.	I accept that there are no dormers on the existing traditional terraces. However, the proposed building with bay window reflects larger buildings within the area. As the number of dormers has been reduced compared to the appeal scheme, and the dormers have been set up from the eaves, I consider this would not harm the character and appearance of the conservation area. The proposal is a new build interpretation of the traditional forms rather than a replica.
Contrived design of cutback corner which is evidence of over-development.	I have addressed this in my report.
Setback from the road is out of keeping.	The proposed building would be closer to the pavement than the traditional terraces along Godesdone Road. However, it would retain space for landscaping which would be in keeping with the character of the street. I do not consider that this would harm the conservation area, and would be an improvement compared to the existing situation.
Buff brick would be overbearing.	The buff bricks would be in keeping with the character of

	the area. I do not consider that this would be overbearing. I have recommended a condition for a brickwork sample panel.
Cladding is out of character	The cladding was removed in the revised proposal.
Slate would be preferred to metal roofing.	The metal roofing was removed in the revised proposal.
Inadequate car parking.	I have addressed this in my report.
Little provision for bicycles.	I have addressed this in my report.
Loss of light to neighbouring properties.	I have addressed this in my report.
Significant loss of light and outlook, overshadowing and overbearing impact on Nos. 68 and 70 Beche Road, including impact on ground floor kitchen window of No. 70.	I have addressed this in my report.
Views from No. 70 Beche Road into the toilet bedroom and seating area would compromise privacy for future occupants.	There would be no direct views into windows or roof lights as shown on the revised plans. If needed, the future occupants could take measures to protect their own privacy, such as obscure glazed film.
Overbearing impact on No. 17 Godesdone Road	I have addressed this in my report.
Overlooking bathroom, bedroom, dining room and garden of No. 64 Beche Road.	I have assessed the impact on No. 66 which is the adjacent garden and a closer property. I have found the impact to be acceptable. I do not consider that there would be a greater impact on No. 64 which is located further from the application site. The first floor windows on the rear elevation would be obscured.



	There are no windows on the side elevation. There would be no significant views from the rooflights.
Size of the units are nearly all significantly below that of the current National Space Standards.	The units now meet the Council's internal space standards which align with the national Technical Housing Standards (March 2015).
Lack of outdoor space.	I accept that there is a lack of private amenity space which is contrary to policy 50. However, in my opinion there are other relevant material considerations. I have assessed this in my report
Ground floor bedrooms will result in shuttered windows which have limited natural surveillance of the street.	The ground floor bedrooms would provide natural surveillance. It is not uncommon for bedrooms or living rooms to be shuttered or curtained in order to protect the privacy of the occupants. I do not consider that the proposal would be highly unusual in this respect.
Inadequate bin storage. Management of bin storage needed	I have addressed this in my report. The moving of bins to and from the public highway for collection would be a management issue.
Bins would get in the way of bike storage.	The arrangements to access the cycle store via the bin store are not ideal, however I am satisfied that the bin store is large enough that adequate access to the cycle store could be maintained. Given the constraints of the site, I consider this to be an acceptable arrangement.
Impact of demand for on-street parking on residential amenity.	I have addressed this in my report.
Lack of information on location	Placement of a contractors'

of contractors' compound which could be on the public highway.	compound on the public highway would require the approval of the Highways Authority and would be separate to the planning permission.
Impact of construction on amenity of neighbouring properties.	The Environmental Health team has recommended a condition to restrict construction and delivery hours, piling and dust. I accept this advice that these conditions are necessary and sufficient to mitigate the impact of construction on neighbouring properties.
Impact on archaeology needs to be considered.	The County Historic Environment Team has advised that there are no requirements for archaeological evaluation works. This is consistent with the advice on the previous application and I accept this advice.
Increase in noise and disturbance.	I consider that the proposed residential use would have a lesser impact from noise and disturbance than the lawful industrial use.
Unsafe access for road users and pedestrians.	The red line of the application site does not include the public highway. The proposal would remove a vehicle access into the site which would enhance safety. The Highways Authority has raised no concerns on highway safety grounds.
Extension to 62 Beche Road is not shown on plans. Side window to back bedroom would be overlooked, as would garden.	I am not concerned about the impact on this property, which is too far from the site to be impacts in terms of overbearing and

	overshadowing, and there would be no overlooking.
Tree in garden of No. 70 Beche Road is shown on plans, which has been removed.	This was removed from the plans during the course of the application. I have assessed the proposal based on my site visit. I am s
Errors in submission.	I am satisfied with the quality of the submission.
Inadequate neighbour notification.	I am satisfied that the correct notification has been undertaken.
<u>Additional comments on first revised proposal:</u>	
Changes to revised proposal are minimal or only a mild improvement. Do not overcome previous concerns about overdevelopment and development being out of character.	Noted. I have assessed the revised proposal in the relevant sections of my report.
The staggered lean-to on the northern elevation is an amendment welcomed but the proposal would have an overbearing impact on Nos. 68 and 70 Beche Road in terms of outlook and daylight.	I have assessed this in my report.
The setback from the front and rear elevations should be increased to more like 2m to reduce the width of this element.	Officers recommended that the setback of the recessed lower gabled element on the northern elevation was increased in order to further breakdown the visual bulk and massing of the northern elevation, however this was not taken up by the applicant. I have assessed the proposal as submitted, and I am satisfied that – on balance – the northern gable elevation is acceptable.

8.62 I note the third party comments on the amendments submitted during the course of the application. The issues raised have been addressed in my assessment.

## **9.0 CONCLUSION**

9.1 The scheme has sought to address the reasons for refusal on the previous appeal scheme. The reduced height and the redesign of the lean-to element has addressed the Inspector's main concerns, as well as the reduced number of dormers.

9.2 The application must be assessed in the current policy context which – since the adoption of the new Local Plan 2018 – has raised new concerns, in particular compliance with the internal and external space standards, and the loss of the industrial use.

9.3 The scheme complies with the internal space standards, however the lack of external amenity space fails to comply. Nonetheless, in my opinion, the constraints of the site and the proximity to Riverside and Midsummer Common are also material considerations.

9.4 The applicant has failed to demonstrate that the site has been marketed for 12 months, however the constraints of the site and the computability of the industrial use with the residential area are material considerations that I have given weight to.

9.5 The impact on residential amenity of neighbouring properties was not raised as a concern by the appeal Inspector and I have provided assessment to show that the current scheme would not have a significant adverse impact.

9.6 For these reasons, my recommendation is for approval subject to conditions.

## **10.0 RECOMMENDATION**

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

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

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

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

4. Submission of site investigation report and remediation strategy:

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

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

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

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

5. Implementation of remediation.

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

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to and approved by the Local Planning Authority.

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

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

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

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

7. Material Management Plan:

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

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

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

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

8. Unexpected Contamination:

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

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

9. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority. The principle areas of concern that should be addressed are:

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

Thereafter, development shall be carried out in accordance with the agreed details.

Reason: In the interests of highway safety.

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



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

11. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

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

12. In the event of the foundations for the proposed development requiring piling, no such piling shall take place until a report / method statement detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration has been submitted to, and approved in writing by, the local planning authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

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

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

14. Prior to commencement of external brickwork, the following details shall be submitted to and approved in writing by the local planning authority:

a) a brickwork sample panel showing the brick type, mortar details and coursing; and

b) large scale drawings showing all external decorative brickwork, including (as appropriate), quoining, drip moulds, blind windows, plinths, niches, eaves & band courses, etc.

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

Reason: To protect or enhance the character and appearance of the conservation area (Cambridge Local Plan 2018 policies 55, 56, 57 and 61).

15. Prior to the erection of cills and lintels, details shall be submitted to and approved in writing by the local planning authority. This shall include the source, colour, texture, coursing, mortar mix design, joint type and thickness and pointing technique. This information shall be in the form of large-scale drawings and/or samples. Development shall be carried out in accordance with the approved details thereafter.

Reason: To protect or enhance the character and appearance of the conservation area (Cambridge Local Plan 2018 policies 55, 56, 57 and 61).

16. Prior to the insertion of roof lights hereby permitted, full details including dimensions, materials, fixings & flashings, finishes and the like shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure the roof lights are appropriate to the character and appearance of the conservation area (Cambridge Local Plan 2018 policies 55, 56, 57 and 61).

17. Prior to the commencement of roof tiling, samples of the slates shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To protect or enhance the character and appearance of the conservation area (Cambridge Local Plan 2018 policies 55, 56, 57 and 61).

18. Prior to first occupation, the windows identified as having obscured glass on the approved drawings shall be obscured to a height of at least 1.7m above the internal finished floor level to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall, and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 56 and 57).

19. No windows shall be inserted in the first floor south west and north west elevations, other than in accordance with those shown on the approved plans.

Reason: In the interests of residential amenity of neighbouring properties (Cambridge Local Plan 2018 policies 55, 56 and 57).

20. Notwithstanding the approved plan, the boundary fences shown on the approved plans shall be erected to a minimum height of 1.7m above the finished ground level of the site and shall be erected prior to first occupation of the units hereby approved. The fences shall be maintained to the minimum height thereafter.

Reason: In order to prevent overlooking towards neighbouring properties (Cambridge Local Plan 2018 policies 55, 56 and 57).

21. Prior to commencement of development (other than demolition), a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

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

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

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

Reason: To minimise flood risk (Paragraph 163 of the National Planning Policy Framework (2018) and Cambridge Local Plan 2018 policy 31).

22. Prior to first occupation of the development hereby permitted (or in accordance with an alternative timescale agreed in writing by the local planning authority), a hard and soft landscaping scheme for the in front of the building shall be implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; boundary treatments; hard surfacing materials;

b) planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

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

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

Reason: In the interests of visual amenity (Cambridge Local Plan 2018 policy 59).

23. Prior to first occupation of the development hereby permitted, carbon reduction measures shall be implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO<sub>2</sub> emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:

A) Levels of carbon reduction achieved at each stage of the energy hierarchy;

B) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit;

Where on-site renewable or low carbon technologies are proposed, the statement shall also include:

C) A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and

D) Details of any mitigation measures required to maintain amenity and prevent nuisance.

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36).

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

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28).

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

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

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

**INFORMATIVE:** Dust condition informative

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

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

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

-Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](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)

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## Appeal Decision

Site visit made on 17 July 2017

**by Chris Forrett BSc(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 18<sup>th</sup> August 2017**

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**Appeal Ref: APP/Q0505/W/17/3171375**

**19-21 Godesdone Road, Cambridge, Cambridgeshire CB5 8HR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Carlton Homes (Cambridge) Ltd against the decision of Cambridge City Council.
  - The application Ref 16/1002/FUL, dated 26 May 2016, was refused by notice dated 10 February 2017.
  - The development proposed is the erection of a residential development containing seven units (one 2xbed flat and six 1xbed flats) including bin and cycle storage, following the demolition of the existing buildings on the site.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. During the course of the consideration of the application by the Council, the proposed development was amended and these amendments also changed the number and type of residential units proposed. The Council determined the application on the basis of those amended plans and this amended description is reflected on the Appellants Appeal form. I have therefore determined the appeal on this basis.

### Main Issues

3. The main issues are the effect of the development on the character and appearance of the area, the living conditions of the future occupiers of the development with particular regard to the level of external amenity space, and the provision of cycle parking facilities.

### Reasons

#### *Character and appearance*

4. The appeal site is located on the western side of Godesdone Road which slopes downwards from Newmarket Road (A1134). Godesdone Road and Beche Road are generally characterised by two storey terraced properties which are of a traditional design and appearance. Opposite the appeal site is a more modern development, which is of a similar scale to the more historic dwellings. The appeal site currently contains a single storey commercial building with a wide gable roof facing Godesdone Road, with a smaller element set back from the road frontage.

5. The site is also located within the Central Conservation Area<sup>1</sup>. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the character or appearance of the Conservation Area.
6. The proposed development would result in a substantial new building in the streetscene which would be higher than 17 Godesdone Road to the south of the site despite the fall in land levels. The proposed building would also be substantially higher than the properties on Beche Road that adjoin the site.
7. Whilst I acknowledge that in the vicinity of the site there are a mixture of building heights (including the Travelodge hotel on Newmarket Road and a two and a half storey building on the opposite side of Godesdone Road at the corner of Beche Road) the proposed two and a half storey development would nevertheless appear overly dominant in the streetscene as a result of its excessive height. The impact of the proposed building is also exacerbated by the dormer windows on its front elevation which add to its bulk and massing.
8. Turning to the design of the building, elements of this clearly take cue from the surrounding development and the use of timber cladding would reflect the site past. However, the lean to element appears as a much more modern design than the main part of the building and would not reflect the local character of the area. This would appear as an incongruous addition to the streetscene and the character of the Conservation Area.
9. The rear aspect of the development includes a chamfered edge at first and second floor levels to ensure that the amenity of the occupiers of No 17 would not be adversely affected. The rear elevation also includes a large dormer window with a shallow pitched roof. Whilst the chamfered element would not give rise to any harm to the character or appearance of the Conservation Area owing to its limited visibility, it would nevertheless represent a contrived design. The dormer window also adds further bulk and massing to the building and together with its shallow roof pitch (when compared to the front dormers and the main roof pitch) also appears as an alien element to the overall appearance of the development. In coming to those views, I acknowledge that views of these elements would be limited, and therefore the harm arising would not be significant.
10. The Council have also referred to the size of the exposed gable wall which would face the rear of the Beche Road properties and would be visible in the streetscene. I consider that the main element of harm which arises from this exposed element is in relation to its excessive overall height as a large proportion of the end of the main part of the building would be shielded by the lean to element.
11. Paragraph 134 of the National Planning Policy Framework (the Framework) states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The redevelopment of this brownfield site could be considered to be a benefit as would the provision of much needed new housing. However, whilst the harm to the significance of the heritage asset would be less than substantial, the public benefits are not sufficient to outweigh this harm.

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<sup>1</sup> The Council have also referred to the site being in the Riverside and Stourbridge Common Conservation Area

12. For the above reasons, I conclude that the development would harm the character and appearance of the area and the character of the Conservation Area. Therefore the development would conflict with Policies 3/4, 3/7, 3/12 and 4/11 of the Cambridge Local Plan (2006) (LP) which amongst other things seek to ensure that development does not affect the setting of Conservation Areas and that development responds to the context of the surrounding area.

*Living conditions*

13. The Council's reason for refusal refers to Policies 3/7 and 3/12 of the LP. However, neither of these policies are particularly relevant to the consideration of whether the proposal provides adequate external amenity space for the future occupants of the development. Therefore I give these policies little weight. Notwithstanding that, the design aims of the Framework seek to ensure that new development is high quality including private spaces.
14. The development proposes a two bedroom flat and a one bedroom flat on the ground floor, with a further 5 No one bedroom flats on the upper floors. There is an amenity area for the occupants of the ground floor accommodation to the rear of the building. However, there is no provision for any of the flats located on the upper floors.
15. Given the limited size of some of these flats (particularly flats 4, 6 and 7) the lack of external amenity space would give rise to an overall poor standard of living conditions for the future occupiers of these dwellings.
16. In coming to that view, I acknowledge that there are areas of public open space such as Logan's Meadow, Midsummer Common, Stourbridge Common, Barnwell Lake and St Matthews Piece are all within easy walking distance of the site. I also acknowledge that the Framework requires Councils to deliver a wide choice of homes, including urban living where large garden areas would not necessarily be required. However, this does not outweigh the harm I have found.
17. For the above reasons, I conclude that the proposal would not give rise to suitable living conditions for all of the future occupiers of the development. Therefore the proposal would be at odds with the Framework which seeks to secure good design including quality private spaces.
18. I have also had regard to the concerns raised in the representations from the consultation periods on the application and appeal processes. Matters raised included the loss of sunlight and daylight, and outlook from habitable room windows of adjoining properties.
19. From the evidence before me, the proposed development would inevitably have some impact in terms of daylight, sunlight and outlook to neighbouring residential properties. Whilst the proposed building would be larger than the existing buildings, given the juxtaposition between the existing dwellings and the proposed development, I consider that the impact to the surrounding dwellings, and in particular 68 and 70 Beche Road, would not be so significant as to warrant the withholding of planning permission.

*Cycle parking*

20. The Council acknowledge that the level of cycle parking provision would be adequate for the future occupiers of the development. However, concern is

raised that the proposal does not include details of any lighting or how the cycle storage areas would be secured. Additionally, concern is raised over the route to access to storage area as it would be via the communal lobby and through two doors.

21. The submitted ground floor plan indicates the location of the secure cycle hoops, but is unclear whether these would be covered or not. However, given the space available for the cycle parking facilities, further details on the storage facilities could easily be secured via a suitably worded planning condition.
22. I have also had regard to the route from the street to the cycle parking provision through the communal entrance/lobby. Notwithstanding the guidance in the Cycle Parking Guide for New Residential Development (which the Council acknowledge is not a Supplementary Planning Document and cannot be afforded significant weight), given the width of the lobby and the easy route to the cycle parking facilities, the proposal would provide for a high standard of cycle parking provision.
23. For the above reasons, the proposal would accord with Policy 3/12 of the LP which amongst other things seek to ensure that adequate provision is made for cycle storage.

#### *Other matters*

24. I have also had regard to the concerns raised in respect of drainage and parking provision. Matters relating to drainage, and in particular whether there is sufficient capacity in the existing system, would be dealt with by the local drainage body.
25. In respect of parking provision, I noted at my site visit that there is restricted parking on street. However, given that the site is located in a built up area with a range of facilities within easy walking distance, future residents of the development would not be dependent on private cars for access to goods and services. Whilst I have no doubt that parking demand in the area is high, I am not convinced that the development would lead to parking issues which would amount to a significant highway safety or amenity issue.

#### **Conclusion**

26. Taking all matters into consideration, I conclude that the appeal should be dismissed.

*Chris Forrett*

INSPECTOR

<b>Application Number</b>	18/1661/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	25th October 2018	<b>Officer</b>	Mary Collins
<b>Target Date</b>	20th December 2018		
<b>Ward</b>	West Chesterton		
<b>Site</b>	44 George Street		
<b>Proposal</b>	Demolition of existing house and replacement with two new dwellings.		
<b>Applicant</b>	Mr Dan Brown 44, George Street		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would respect the character and appearance of the surrounding area.</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 44 George Street stands on the southwest corner of the 'knuckle' of George Street, where it turns from a north-south orientation to a southeast-northwest orientation. The site occupies the internal angle of this turn in the street and the existing dwelling is located between Nos 42 and 48 George

Street, which are both semi-detached, two-storey properties. The existing house on the site was built in 1986 and differs from its neighbours in style, materiality and form, occupying 1.5 storeys.

- 1.2 The long section of George Street, running south from the application site is a narrow street, made up of two-storey terraced houses from the middle and the end of the nineteenth century. These houses have a consistent scale and general pattern, but they differ in detail. All are finished in buff brick, although the colouration varies. Some have been cleaned and some have been painted over the whole elevation. Many have projecting bays.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the demolition of the existing house and replacement with two new dwellings. (1 one bedroom house and 1 two bedroom house). The proposed new semi-detached pair will have three levels of accommodation.

- 2.2 The application is accompanied by the following supporting information:

1. Design Statement
2. Drawings

- 2.3 This application was deferred from the August Planning Committee. Revised drawings have been received showing the rear facing windows to the first and second floor obscurely glazed to a height of 1.7 metres above internal floor area. The revised drawings also show the side wall of the garage/carport would be constructed in brick.

- 2.4 Neighbours have been re-consulted on the proposal and updates will be given through the amendment sheet and verbal updates to committee.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/86/1068/FP	Erection of detached dwelling	Approved

16/1817/FUL	Demolition of existing house and construction of a new dwelling with basement.	with conditions Refused 11.01.2017
17/0671/FUL	Demolition of existing house and construction of a new dwelling with a basement.	Refused 16.10.2017

#### 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 28 31 32 35 36 50 51 52 55 56 57 59 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Practice Guidance 2014 Circular 11/95 – The Use of Conditions in Planning Permissions
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	<p>(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>Cambridge City Council (May 2007) – Sustainable Design and Construction Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
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## 6.0 CONSULTATIONS

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

- 6.1 The proposal introduces a dwelling without any dedicated off street car parking and reduces the existing car parking provision for the site to one space from two. Therefore, the proposal is likely to increase demand for on street car parking in an area where such demand is already intense. This is unlikely to result in a significant impact on highway safety but may well impact on the residential amenity of the existing residents in the area.

Request a condition is attached requiring that no demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority.

### **Environmental Health**

- 6.2 In the interests of amenity, recommend the standard construction/demolition hours condition. The demolition phase



may give rise to dust. Recommend the bespoke dust informative.

The demolition and construction phases have the potential to generate excessive dust which may harm local amenity. It is recommended that the applicant / contractors have regard to various national and industry best practical technical guidance such as:

- Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016).
- Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites (IAQM, 2014).
- Control of dust and emissions during construction and demolition -supplementary planning guidance, (Greater London Authority, July 2014).

### **Landscape Officer**

6.3 The sunlighting diagram shows that the smaller garden area does not comply with the BRE guidance on sunlighting for amenity spaces thus creating an unpleasant and inadequate amenity space (Policy 56 (f) Creating Successful Places and Policy 59: Designing landscape and the public realm (c))

- The garage does not comply with the minimum size standards within the Local Plan. Even without the requirement for bike or bin passage, a garage must be a minimum of 3.3m wide to allow the opening of doors and practical use. (Appendix L: Car and Cycle Parking Requirements)

### **Sustainable Drainage Engineer**

6.4 A suitable surface water drainage strategy and maintenance schedule has been submitted with the application.

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

## **7.0 REPRESENTATIONS**

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

Objection:

- CamCycle
- 24 George Street
- 25 George Street
- 42 George Street
- 45 George Street
- 48 George Street
- 48A George Street
- 118 Milton Road
- 20 George Street

Support:

- Blues Property, George Street Ltd (owners of the site opposite)

7.3 The representations can be summarised as follows:

Neighbour amenity

Overshadowing

Overlooking

Loss of light

Visual domination

Design

Inappropriate materials

Out of character with the street

Excessive height

Inadequate external amenity space

Too massive for plot

Basement will set a precedent

Traffic and parking

Additional traffic

Additional pressure on on-street car parking

Insufficient cycle parking

Construction process

Disruption and danger from construction process

Impact on stability of adjacent buildings

Retaining walls will be closer to adjacent buildings

Will require road closure  
CamCycle

Object under policy 82 of the Local Plan and the Cambridge City Cycle Parking Guide SPD, concerned about the provision for cycle parking.

Parking for cycles should be in secure and covered enclosures. In this instance, security is considered acceptable as the cycles are in rear gardens to which access can be restricted. Provision needs to be added so that cycles can be parked in enclosures that are protected from the weather.

The access to the gardens is via a passageway approximately 825mm wide. For a short passage such as this, the requirement is for a minimum width of 1200mm (para 3.7.1) with gates at least 1000mm wide (para 3.8.1).

One letter of support (owners of site opposite)

The scheme would be a vast improvement of the current 80s building which has never complemented the street scene. The design enhances the area and reflects the elevation treatment of the consented project directly opposite.

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

## **8.0 ASSESSMENT**

### **Principle of Development**

- 8.1 The principle of development is acceptable and in accordance with the Cambridge Local Plan 2018 policies 1 and 3.

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

- 8.2 To the principal elevations of the proposed dwellings facing north and west the proposal would have a traditional appearance with a sloping slate roof and would be finished in a Cambridge Stock brick. The overall ridge height of the proposed dwellings respects the existing properties alongside which they will be sited and would be a similar height to 42 George Street and would be marginally higher than the ridge

height of the detached property adjacent at 48 George Street by 0.12 metres. The eaves height is graduated between these three dwellings as the corner is turned and the existing set back from the back edge of the pavement and the building line would be maintained.

- 8.3 The proposed treatment of the principal elevation of this part of the frontage reflects the simple architectural detailing seen in George Street with its ground floor bay windows and I am of the opinion that the appearance of the principal elevations is in keeping with the character and appearance of the surrounding street scene.
- 8.4 When viewed from the rear the proposed dwellings would have a three storey appearance in brick with a flat roof and would have zinc cladding to the third floor loft section. Although this three storey form is not a traditional feature or way of extending this type of dwelling, the roof form would read as a large roof extension of which is often seen to the rear of dwelling. Given views of the rear of the properties would be restricted to surrounding gardens, I do not consider this feature to be detrimental to the wider area.

Amenity for future occupiers of the site

- 8.5 Policy 50 relates to residential space standards and states that new residential units will be permitted where their gross internal floor areas meet or exceed the residential space standards set out in the Government’s Technical housing standards – nationally described space standard (2015) or successor document.
- 8.6 The proposed units would exceed the standards. In this regard, they 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	2	3	79	126.97	47.97
2	1	2	3	58	59	1

- 8.7 The proposed dwellings would have obscure glazed windows to the rear elevation at first and second floor level. This would not have a detrimental impact on the living conditions and useability of the living rooms at first floor level. This is because these rooms are dual aspect and there would be an outlook to the front and the rear facing windows would still contribute light and ventilation the living room.
- 8.8 The second floor bedrooms would be served by rooflight to the front elevation. Given these are bedrooms, it is considered that an outlook is not essential. Again natural light would light the room and the room could be ventilated.

#### Size of external amenity space

- 8.9 Policy 50 states that all residential units will be expected to have direct access to an area of private amenity space.

External amenity space should be sufficient to accommodate:

- a table and chairs suitable for the size of dwelling;
  - where relevant, provision of a garden shed for general storage (including bicycles where no garage provision or cycle storage to the frontage of the dwelling is possible);
  - space for refuse and recycling bins;
  - an area to dry washing;
  - circulation space; and
  - an area for children to play in.
- 8.10 There are two units each with direct access to outdoor amenity space. The two bedroom, four person property has a good sized rear garden, whilst the two person dwelling has a smaller garden but one which is considered an adequate size.
- 8.11 However, the Sunpath Study submitted with the application shows that the smaller garden area does not comply with the BRE guidance on sunlighting for amenity spaces which recommends that for the amenity area to appear adequately sunlit throughout the year, at least half of the garden/amenity area should receive at least two hours of sunlight on 21 March. Although the garden is likely to be in shade most of the time, the amenity space would not necessarily be unusable or create an unpleasant and inadequate amenity space. Given this is only

guidance from the BRE, I am of the view that this would not warrant a refusal.

- 8.12 The private amenity space in my opinion is still inclusive, usable, safe and may still provide enjoyable outdoor space.
- 8.13 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2018) policies 50 and 52.

#### Accessible homes

- 8.14 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.

### **Residential amenity**

#### Impact on amenity of neighbouring occupiers

- 8.15 Permitted development rights have not been withdrawn from the existing property at 44 George Street and therefore it is possible that the existing property could be extended through an extension to the roof or a dormer window to the rear which would result in a loss of privacy to adjacent neighbours. There is already the ability to look out of rooflights in the existing property towards neighbouring gardens and there is already a degree of existing overlooking.
- 8.16 Revisions have been made to the scheme and all the rear facing windows to the proposed first and second floor serving the hallways, staircases, living room and bedrooms to the proposed two dwellings, would be obscurely glazed to a height of 1.7 metres above internal floor level and non-openable below this height. This will be required by condition, if permission is recommended.

#### 42 George Street

- 8.17 No 42 is situated to the south and has a first floor window in the side elevation of an outrigger to which faces north towards the application site which is understood to serve a study. Whilst the overall height of the dwelling would be increased as a result of

the proposed development, the depth of the dwelling into the site would not extend any further than the existing main dwelling at No 42. The proposed dwelling would not extend out as far as the window and therefore, whilst there would be an increase in the built structure in proximity to this window I consider that it would not result in undue harm in terms of outlook or result in a significant enclosing effect.

- 8.18 I consider the proposal would not create an unreasonable sense of enclosure and harm outlook from the upper floor study window at No.42 George Street.
- 8.19 In addition to the side window of No 42, there is also a large area of glazing to the roof of the ground floor side element which serves as a kitchen area/family space. There is also a first floor window facing the application site which serves a corridor leading to a bathroom.
- 8.20 To prevent a detrimental loss of privacy through overlooking, I will attach a condition ensuring that the rear facing windows to the proposed first and second floor serving the hallways, staircases, living room and bedrooms of the proposed two dwellings would be obscurely glazed and non-openable.
- 8.21 The site is located to the north of no.42 George Street. I therefore do not consider the proposal would result in an unreasonable loss of sunlight or daylight to this neighbour.

#### No.48 George Street

- 8.22 48 George Street has a garage adjacent to the application site which separates this property from the application site and the proposed dwelling on Plot 2, however beyond this is their outdoor amenity space. The rear windows of no. 44 (proposed) are full height windows to the first floor living room, two half landings of the staircase and the bedroom at second floor.
- 8.23 To prevent a detrimental loss of privacy through overlooking, I will attach a condition ensuring that the rear facing windows to the proposed first and second floor serving the hallways, staircases, living room and bedrooms of the proposed two dwellings are obscurely glazed and non-openable for perpetuity. I am of the opinion that there would not be a detrimental loss of privacy through overlooking.

## Impact on No.51 George Street and No.116/118 Milton Road

- 8.24 These neighbours are located to the north and east of the application site on the opposite side of the road. 51 faces the eastern elevation. The proposed development would include first floor bay windows which would be located opposite a first floor window of 51.
- 8.25 Given the separation between the site and 51, across George Street, this would not result in significant harm to the occupiers of this property in terms of loss of privacy. With regards to overlooking into the rear gardens of 116/118 Milton Road, this is already possible from 48 George Street and as such I do not feel the proposal would result in a detrimental loss of privacy through overbearing to these properties.

### **Highway Safety**

- 8.26 The Highway Authority has not objected to the proposal but has recommended the inclusion of conditions which can be included if the scheme were to be approved. I consider the scheme would be acceptable with these safeguarding conditions.
- 8.27 A number of neighbours are concerned that construction vehicles would not be able to park or easily drive along the street. They are concerned with pedestrian, cyclists and motorist safety as large vehicles may need to mount the pavement to drive down the street and may make it difficult for emergency and refuse vehicles. I note these concerns, however, I consider the traffic management plan condition as proposed by Highways would address these concerns if I was minded to recommend approval.

### **Refuse Arrangements**

- 8.28 The household refuse bins would be stored to the rear of the dwellings with access to the kerbside via a shared alleyway.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 56 and 57 in relation to refuse provision.



## **Cycle and Car parking**

### Cycle parking

- 8.30 Cycle parking would be provided to the rear garden to each property and the level of provision and security is considered acceptable as the cycles are in rear gardens to which access can be restricted. Provision needs to be added so that cycles can be parked in enclosures that are protected from the weather and I will attach a condition to require that the cycles are covered.
- 8.31 With regards to cycle access to the rear gardens via a short passage, the requirement is for a minimum width of 1200mm (para 3.7.1) with gates at least 1000mm wide. An amended drawing has been submitted showing the passageway widened to address the objection raised by Camcycle.

### Car parking

- 8.32 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 George Street is less than 90% car parking at 5.30am. This means that there is not less than 10 per cent free parking capacity within George Street and subsequently no overnight car parking stress on George Street.
- 8.33 There would be a net loss of one car parking space as a result of the proposals. Given the frontage of the site has double yellow lines, the loss of one parking space would not result in additional parking pressure to this street as parking would be enforced. As such it is considered that the loss of a parking space would not warrant refusal.
- 8.34 The size of the garage has been increased to 3.3 metres in response to the Landscape Officers comments and now meets the minimum size requirements.
- 8.35 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 81 and 82.

## **Sustainability**

8.37 In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution, a condition is recommended requiring the implementation of carbon reduction measures in accordance with Cambridge Local Plan (2018) policies 28, 35 and 36. To ensure that the development makes efficient use of water and promotes the principles of sustainable construction, I will recommend a condition is attached requiring a water efficiency specification for each dwelling in accordance with Cambridge Local Plan (2018) policy 28).

## **9.0 Third Party Representations**

9.1 A number of neighbours are concerned with the construction of the basement and the potential impact on neighbouring properties. Its construction would need to comply with Building Regulations and cannot be conditioned under planning. Additional traffic is likely to result from the construction of the building. On a narrow road such as George Street, the construction impact is likely to be more greatly felt than perhaps other wider streets in Cambridge. I will attach a condition requiring a Construction Environmental Management Plan with particular reference to the method of constructing and managing the impact of the basement.

9.2 Party wall agreements do not fall within the remit of planning.

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

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

5. Prior to commencement of the development, a site wide Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.

c) Method of constructing and managing the impact of the basement including removal of material and importation of soil.

Reason: To protect the amenity of the adjoining properties. Cambridge Local Plan 2018 policies 34, 35 and 36

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

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

7. 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)

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

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

9. 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. 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)

10. Prior to the occupation of the development, hereby permitted, the windows identified as having obscured glass on the approved plans shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent to a height of 1.7 metres from internal floor level and shall be non-openable below 1.7 metres. The glazing shall thereafter be retained in accordance with the approved details.

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

11. Full details of facilities for the covered, secure parking of bicycles 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 and thereafter permanently retained.

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

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

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

13. Prior to the occupation of the development, hereby permitted, the curtilage(s) of the approved dwelling(s) shall be fully laid out and finished in accordance with the approved plans. The curtilage(s) 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)

14. Prior to first occupation for the use hereby permitted, carbon reduction measures shall be implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:

A) Levels of carbon reduction achieved at each stage of the energy hierarchy;

B) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit;

Where on-site renewable or low carbon technologies are proposed, the statement shall also include:

- C) A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and
- D) Details of any mitigation measures required to maintain amenity and prevent nuisance.

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36).

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

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28).

- 16. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

17. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

18. Notwithstanding the provisions of Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the erection or construction of a porch outside the external door of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the visual amenity of the neighbourhood (Cambridge Local Plan 2018 policies 52, 55, and 57).

19. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of the occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

**INFORMATIVE:** The demolition and construction phases have the potential to generate excessive dust which may harm local amenity. It is recommended that the applicant / contractors have regard to various national and industry best practical technical guidance such as:

- o Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016).



- o Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites (IAQM, 2014).
- o Control of dust and emissions during construction and demolition -supplementary planning guidance, (Greater London Authority, July 2014).

**INFORMATIVE:** With relation to the Traffic Management Plan, the principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries.
- 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.
- iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

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<b>Application Number</b>	19/0902/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	18th July 2019	<b>Officer</b>	Mary Collins
<b>Target Date</b>	12th September 2019		
<b>Ward</b>	Petersfield		
<b>Site</b>	23A Hooper Street		
<b>Proposal</b>	Change of use from existing automobile repair shop (vacant unit) to a mixed use Class B2 (micro-brewery) and Class A4 (drinking establishment) and installation of cycle storage facilities.		
<b>Applicant</b>	Calverley 23A, Hooper Street		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The use of the premises for B2 (Microbrewery) and A4 (Drinking Establishment) is in accordance with policy 41 of the Cambridge Local Plan 2018.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

- 1.1 The application site is situated on the northern side and eastern end of Hooper Street. To the west are adjoining residential properties and to the east the railway line. Opposite the site to the south is the former Mill Road Depot which is being redeveloped as housing. To the north is 23B Hooper Street, a detached residential dwelling.
- 1.2 The application site comprises brick-built buildings within a courtyard of buildings occupied in business uses.

1.3 There is an existing vacant unit to the east of the entrance to the yard which was last used for car repairs and is within B2 use. Two other buildings at the application site are in commercial use as a mixed use Class B2 (micro-brewery) and Class A4 (drinking establishment) and occupied by the current applicant Calverley's Brewery.

1.4 The application site is next to the Mill Road Conservation Area.

## **2.0 THE PROPOSAL**

2.1 Planning permission is sought for change of use from an existing automobile repair shop (vacant unit) to a mixed use Class B2 (micro-brewery) and Class A4 (drinking establishment) and installation of cycle storage facilities.

2.3 The vacant building is situated to the east of the entrance to the yard and fronts Hooper Street with doors opening to the street.

2.4 This unit would be subdivided with B2 use at the southern end of the building where it fronts Hooper Street with the remainder of the building for use as a Tap Room with a mixed use of B2 (microbrewery) and A4 (drinking establishment).

2.5 The opening hours would be Thursday and Friday evenings 17:00 to 22:30 and Saturdays 11:00 to 22:30.

2.6 There is an extant planning permission for the existing brewery buildings to be used for a mixed use of B2 and A4. These are to the Hooper Street frontage in the south western part of the application site to the western side of the of entrance to the yard and the stores at the northern end of the buildings on the eastern side of the yard.

2.7 This application for planning permission also seeks to change the use of these buildings, the subject of the earlier permission to revert back to a B2 use.

2.8 Cycle parking has been provided for 8 cycles.

2.9 The application is accompanied by the following supporting information:

1. Planning Statement

2. Plans
3. Noise Management Plan

### 3.0 SITE HISTORY

Reference	Description	Outcome
18/1123/FUL	Retrospective planning permission is sought for the change of use of existing buildings from Class B2 microbrewery to Class B2 microbrewery and Class A4 Drinking Establishment.	Approved

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 35 36 41 55 56 58 61 72 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)
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## 6.0 CONSULTATIONS

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

6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

#### **Conservation Team**

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

#### **Environmental Health**

6.3 The proposal is acceptable subject to conditions.

- Restrictions on A4 Use
- Patron use of the external areas of the premises is prohibited at all times.
- Hours of use
- Noise Management Plan
- Refuse and recycling bins / receptacles, bottles, barrels and stores
- No Preparation or Cooking of hot food on the site at any time.

6.4 This new application seeks to remove the external seating area and open up a vacant unit in order to provide additional internal seating (and so preventing the need for the external seating area). These latest proposals include the removal of one of the main causes of noise complaint (patron use of the external areas). Welcome this proposal and recommend that it is controlled by condition.

- 6.5 The other main source of noise complaint (people in the street) is more difficult to control directly via condition. The Premises License includes provisions for the dispersal of patrons away from the premises quietly. However, the dispersal of patrons in a quiet and orderly manner is a premises management issue that should be considered to be included in the Noise Management Plan (NMP).
- 6.6 Given the residential nature of the area (existing and forthcoming residential premises opposite), we would advise that the applicant does not encourage the use of mobile food vans in this locality. Noise from the engine / generator and / or music from such vehicles can give rise to statutory noise nuisance for which enforcement action can be taken by Environmental Health against the vehicle owner / operator. However, we have no power to take enforcement action on the noise from people in the street gathering at the vans. It should also be noted that outside the City Centre, Environmental Health do not have any control over where mobile food vans can stop and serve customers and as such, we consider that the potential impact of people gathering in the street at the vehicle may need to be considered as an amenity aspect through planning controls, if possible.

### **Access Officer**

- 6.7 Pleased with this application.

### **CAMRA**

- 6.8 The changes in the planning application would have several positive effects. The toilet facilities would be improved, the building would be accessible to customers and increased cycle facilities.
- 6.9 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

## Object

- 90 Ainsworth Street
- 108 Ainsworth Street
  
- Support
  
- 57 Ainsworth Street
- 106 Ainsworth Street
- 4 Comfrey Court
- Cross Street
- Ground Floor Flat 20 Guest Road
- 140 Gwydir Street
- Unit 3, 23A Hooper street
- 17 Manhattan Drive
- 17 Milford Street
- 21 Riverside
- 1 Sturton Street
- 39 Sturton Street
- 8 Swallow Gardens
- 52 Wycliffe Road
- 138 Thoday Street
- Cambs Food Tour
- 21 Ainsworth Place

7.2 The representations can be summarised as follows:

### Objections

- The existing drinking establishment causes harm to the amenity of my property and the neighbourhood.

The noise makes the outdoor areas of my property, and rooms facing the drinking establishment unusable during the hours of operation of the drinking establishment which deprives me of my right to enjoy my property to which I am entitled. The application will worsen the noise by increasing the number of drinkers that can be accommodated on the site and this will increase the noise and increase the harm to my property and the neighbourhood.

- The noise is intrusive to those of us whose gardens adjoin the premises.



The noise management plan is not working and any expansion will result in more noise and disturbance.

Support:

- Disability Cambridgeshire - has given access advice to Calverley's Brewery and support their application.
- Camcycle - support the application and the cycle parking arrangements proposed for the drinking establishment, which make good use of the available existing buildings. The renovations will improve the area and provide accessible toilets and facilities for use by patrons.
- As the landlords of 23a/23b Hooper Street, have supported many small businesses over the years. We are pleased to see another independent business operating successfully alongside existing businesses at this address. We also have responsibility for the environment at 23b Hooper Street and feel that this application would enhance the area during opening hours. As the Landlords we have not received any verbal or written complaints regarding Calverleys Brewery.

The new plans will increase inclusivity and access to the venue. The installation of cycle storage is welcomed as most customers walk or cycle there. This application will provide much needed extra WC's including a disabled access, WC disabled toilet access and cycle parking as well as generally improving facilities. Appreciate the concerns of the neighbours, but note that the plans are to relocate all of the business indoors

- Moreover, it continues the regeneration of a set of buildings which were becoming increasingly dilapidated and a potential target for vandalism and squatting.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

- 8.2 The application site is situated outside the city centre and is not within a district, local or neighbourhood centre, therefore policies 11 and 72 of the Cambridge Local Plan 2018 do not apply in this case. Within these areas A4 use is an acceptable use at ground floor level. There is no policy controlling such uses outside these areas and the main consideration will therefore relate to residential amenity matters set out within other policies of the plan.
- 8.3 The proposal does not entail the loss of a dwelling and is currently in B2 use.
- 8.4 Policy 41 of the Cambridge Local Plan 2018 (Protection of Business Space) states:
- There will be a presumption against the loss of any employment uses outside protected industrial sites. Development (including change of use) resulting in the loss of employment uses will not be permitted unless:
    - the loss of a small proportion of floorspace would facilitate the redevelopment and continuation of employment uses (within B use class or sui generis research institutes) on the site and that the proposed redevelopment will modernise buildings that are out of date and do not meet business needs; or
    - the site is vacant and has been realistically marketed for a period of 12 months for employment use, including the option for potential modernisation for employment uses and no future occupiers have been found
- 8.5 In this case B2 space is not being lost as during the day these buildings would still be used for the primary use of brewing. The use of the floorspace would facilitate the continuation of

employment uses (within B use class) on the site and the proposed redevelopment will allow the existing business to expand and to modernise buildings at the application site.

- 8.6 I am of the opinion that the mixed use of the unit by the existing brewery as B2 with A4 use would not result in any loss of business space.
- 8.7 As such I am of the opinion that the use would not be contrary to policy 41 of the Cambridge Local Plan 2018.

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

- 8.8 The proposal would not have a detrimental impact on the setting of the conservation area and would not impact on the wider surrounding area.
- 8.9 There is an extant planning permission for the use of the existing brewery buildings for a mixed use of B2 and A4.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56 and 61.

**Residential amenity**

- 8.11 The application site is on the periphery of a residential area and there are residential properties adjoining to the west in Ainsworth Street with an intervening distance of approximately 20 metres and to the north – 23B Hooper Street. The Mill Road Depot site to the south has consent for residential development.
- 8.12 The applicant has submitted a NMP (prepared by Maidenhead Planning and dated 19<sup>th</sup> June 2019) which is largely consistent with the previous NMP, approved under application reference 18/1132/FUL
- 8.13 Environmental Health welcome the removal of the external seating area as there have previously been complaints of noise from shouting, voices and singing from patrons using the external seating area and operation of the existing premises as a drinking establishment.

- 8.14 Environmental Health recommend that a condition is attached which prohibits the use of the external areas of the premises by patrons at all times.
- 8.15 Preventing patrons from drinking outside can be managed by the staff and through a Noise Management Plan. With regards to other potential use of this outside area by patrons for smoking for instance, I am of the opinion that the main reason for visiting the premises is for the consumption of beer etc. If patrons wish to smoke, they would not be able to take their drink with them, so it is possible that they would not want to congregate outside for a long time without a drink. If smokers leave the premises to smoke in the street, they are free to do so and as this is outside the application site this is outside the remit of planning control.
- 8.16 With respect to noise from people in the street, this cannot be controlled directly via condition. The Premises License includes provisions for the dispersal of patrons away from the premises quietly, however the dispersal of patrons in a quiet and orderly manner is a premises management issue that should also be included in the Noise Management Plan (NMP).
- 8.17 With respect to the noise impacts of the food vans serving customers at the Calverley Brewery, the vans are parked on the highway and outside the application site and in my view it would not be possible under planning to prohibit the use of food vans in the public highway / street when the application site is open as a drinking establishment.
- 8.18 I have recommended that permitted development rights be removed to prevent the A4 use changing to A3 use (drinking establishment with expanded food provision) without the express granting of planning permission. The A4 hours of use would be limited to Thursday and Friday evenings (5pm-10.30pm) and Saturdays (11am-10.30pm) and I have recommended a condition to restrict the hours to those specified.
- 8.19 In my opinion, subject to the conditions that have been recommended by Environmental Health, I am of the opinion that these issues have been addressed and that the proposal adequately respects the residential amenity of its neighbours

and the constraints of the site and is in accordance with Cambridge Local Plan (2018) policies 35, 36 55 and 56.

### **Inclusive access**

- 8.20 With regard to the Cambridge Local Plan 2018, Policy 56 (Creating successful places), this policy requires development that is designed to be attractive, high quality, accessible, inclusive and safe and proposals should create clearly defined public and private amenity spaces that are designed to be inclusive, usable, safe and enjoyable.
- 8.21 The applicant has given consideration to the need to provide a development that is accessible and inclusive. The entrance to the proposed Taproom would be step free with a level threshold and the proposal would include accessible WC and a lowered section of the serving bar.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 56.

### **Refuse arrangements**

- 8.23 Waste collections are made by Cambridge City Council and will be made on Tuesday and Wednesday mornings. The bins will be made ready by 1900hrs on the evening before the collection day. This is acceptable. Environmental Health recommend that a condition restricting the hours of use and movement of refuse and recycling bins / receptacles, bottles, barrels and stores is attached if approval is given to minimise noise disturbance.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 56 in relation to refuse provision.

### **Highway Safety**

- 8.25 The Highways Authority had previously commented that there is no off-street car parking provision made for customers and there is uncontrolled parking in the vicinity.
- 8.26 I am of the opinion that there would not be significant extra demand for on street parking. The A4 use is not the primary use of the premises and there are already public houses in close vicinity and many of the patrons would be walking or cycling to

the premises and would not be driving to the venue. As such I am of the opinion that there would not be any significant adverse impact upon residential amenity.

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

### **Cycle Parking**

- 8.28 The adopted standards require one space per 10 square metres of floor area. The floor area for drinking is approximately 70 square metres and cycle parking spaces have been provided for 8 cycles.

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

### **Third Party Representations**

- 8.30 I have addressed the third party representations within my report

## **9.0 CONCLUSION**

The proposed A4 use is acceptable in association with the B2 use on the application site and subject to conditions would not be detrimental to the amenities of neighbouring residential properties.

## **10.0 RECOMMENDATION**

### **APPROVE**

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 operation of the premises as approved, the applicant shall provide a detailed Noise Management Plan (NMP) for approval by the Local Planning Authority. The NMP shall include details on (but not be limited to):
  - o confirmation on opening hours,
  - o confirmation that there will be no amplified music / voice on the premises,
  - o management and control of patron access to external areas, including any external area where people may congregate for any reason,
  - o management and control of noise from internal areas,
  - o management and control of people accessing / egressing the premises,
  - o collection and delivery hours (including waste and recycling),
  - o complaints procedures and details on reviewing and updating the NMP when necessary.

The NMP shall be implemented and retained as approved thereafter.

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

4. Patron use of the external areas of the premises is prohibited at all times.

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

5. The Premises shall only be open to the public at the following times:
  - o Thursday-Friday: 1700hrs - 2300hrs
  - o Saturday: 1100hrs - 2300hrs

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

6. Music (to include internal or external amplified and unamplified music) and amplified voice is not permitted on site at any time.

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

7. The external garage doors on the ground floor of the main unit building opening directly on to / fronting Hooper Street (or any opening in this location should the garage doors as detailed be replaced) shall be kept closed at all times and shall not be used for patron ingress / egress when the premises is open to the public and operating as A4 Class Use - as a drinking establishment.

8. No bottles, kegs / barrels or other commercial refuse / waste or recycling material associated with the approved uses / site shall be emptied into external receptacles and the said receptacles and kegs / barrels shall not be taken out externally or moved around the external of the site between the hours of 2100-0700 hours.

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

9. There shall be no operational dispatches / collections from and deliveries to the site outside the following hours:

Monday - Saturday: 0800hrs - 1800hrs

There are to be no deliveries made on Sundays or bank / Public Holidays.

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

10. There shall be no preparation or cooking of hot food on the site at any time.

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



11. The premises shall be operated and used for the purposes as detailed / defined within the Planning Statement; Ref: Calverleys Brewery, 23a Hooper Street, Cambridge (prepared by Maidenhead Planning and dated 4th June 2019) and for no other purpose (including any other purpose in Class A4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

12. The cycle facilities shall be provided in accordance with the approved details before the use of the development commences and permanently maintained thereafter.

Reason: To ensure satisfactory provision for the secure storage of bicycles and refuse arrangements. (Cambridge Local Plan 2018 policies 82 and 56).

**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.

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<b>Application Number</b>	18/1828/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>	West Chesterton		
<b>Site</b>	80 Chesterton Road		
<b>Proposal</b>	Erection of a new two storey dwelling		
<b>Applicant</b>	Mr Anthony Puckridge 80 Chesterton Road		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal is considered to preserve and enhance the character and appearance of the Conservation Area.</li> <li>- The proposal is not considered to have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The proposal would provide a high quality living environment for future occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site, 80 Chesterton Road, comprises a two storey mid-terrace residential property fronting onto Chesterton Road with an outbuilding at the end of the rear garden with access onto Hamilton Road. This part of Chesterton Road is predominantly residential but is within close proximity to commercial uses at the Mitchams Corner District Centre. Hamilton road is a predominantly residential street. A number of the properties on this part of Chesterton Road have sub-divided

their gardens and as a result there are a number of 1.5 storey dwellings near the application site fronting onto Hamilton Road.

- 1.2 The site itself lies outside of the Conservation Area but the boundary of the De Freville Conservation Area is adjacent to the site so it will be visible from within the Conservation Area. The site lies within the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks full planning permission for the construction of a new two storey dwelling at the end of the garden of 80 Chesterton Road fronting onto Hamilton Road. Permission was granted for a new dwelling in this location in 1985 (see table at 3.0 of the report) but was never constructed.
- 2.2 The proposal has been amended since submission to reduce the extend of the rear projection adjacent to the adjacent Coach House, to increase the garden size of the proposed new dwelling, to show bike and bin storage for the new dwelling and to provide drainage information in response to comments from the drainage officer.
- 2.3 The proposed dwelling is 2 storeys in scale with a double bay to the front and rear elevation. One of the rear gables has been angled to address concerns about the impact on the Coach House.
- 2.4 Car parking is proposed to be retained for the host dwelling in a garage accessed from Hamilton Road. A passage is proposed to lead from the garage to the garden of no. 80. The new dwelling would also have one off-street car parking space. Bin storage and cycle parking have been shown on the amended plans as within an integral store to the front of the building.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/74/0023	ERECTION OF DOUBLE GARAGE	Permitted
C/85/0123	OUTLINE APPLICATION FOR THE ERECTION OF A RESIDENTIAL UNIT	Permitted
C/85/0334	ERECTION OF FIRST-FLOOR	Permitted

**EXTENSION TO EXISTING  
DWELLING HOUSE**

**4.0 PUBLICITY**

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

**5.0 POLICY**

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 32 35 36 50 51 52 55 56 57 61 71 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) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material
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	consideration)
<p>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
	<p><u>Area Guidelines</u></p> <p>De Freville Conservation Area Appraisal (2009)</p>

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection: A construction traffic management plan is recommended through condition.

## **Environmental Health**

- 6.2 No objection: Conditions are recommended regarding demolition/construction hours, demolition/construction collection/delivery hours and piling. An informative is recommended in relation to low NOx boilers.

## **Refuse and Recycling**

- 6.3 No comments received.

## **Urban Design and Conservation Team**

- 6.4 No material conservation issues.

## **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

### *First comment*

- 6.5 Objection: The proposals are not in accordance with Policy 31 of the adopted Cambridge City Council Local Plan as sufficient surface water drainage details demonstrating the principle of draining the site have not been submitted to the local planning authority

### *Second comment*

- 6.6 No objection: The proposals have not indicated an acceptable surface water drainage strategy as unattenuated flow into the public surface water sewer is unacceptable. However, as this is a minor development and there are no surface water flood risk issues, it would be acceptable to obtain this information by way of a condition.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- Camcycle
- The Coach House Hamilton Road x2

- 82 Chesterton road

7.2 The representations can be summarised as follows:

- The small closet shown for cycle parking is inadequate and not policy compliant.
- Concerned about overshadowing of windows in the rear elevation of the Coach House.
- Concerned about loss of privacy to first floor windows of the Coach House.
- Unclear on how drainage from the proposed roof will be addressed in the valley that runs along the western side of the building.
- Would like clarification about how clear airflow from existing boiler and kitchen vents and extraction fan outlet on the Coach House will be accommodated.
- Concerned about how far into rear garden the proposal extends and its impact on the garden of no 82 in terms of light, views and privacy. Request that the second gable is made flush with the more recessed gable.
- Would like to see conditions for energy and water conservation.

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. 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. Sustainability



## 11.Third party representations

### **Principle of Development**

- 8.2 The application proposes to subdivide the existing plot and therefore policy 52 is relevant. This policy states that subdivision of an existing residential 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 the proposed and retained dwellings and any important trees are retained, c) the privacy of the new and neighbouring dwellings are respected, d) adequate amenity space, vehicular access and parking arrangements are available for the new and retained dwellings and e) there is no detrimental effect on the potential comprehensive development of the wider area. I will cover criteria a – d under the relevant headings below. Criterion e is not considered relevant.

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

- 8.3 The proposed dwelling is similar of a similar scale to the adjacent Coach House and other development fronting onto Hamilton Road. The double gable form break down the overall mass and respond to the surrounding character of subservient scale dwellings with outbuilding characteristic built on former garden land of the properties on Chesterton Road. The Conservation Officer has no objection to the proposal. Limited details of the proposed materials have been submitted and I have recommended a condition to secure these details.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58, 59 and 61.

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

- 8.5 The Drainage Officer objected to the proposal as submitted on the grounds of lack of information. The applicant provided further details of drainage and the Drainage Officer is now satisfied that details can be provided through condition.
- 8.6 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**

- 8.7 The Environmental Health Officer has no objection to the proposal. I have recommended their suggested conditions regarding construction hours, collection hours and piling. I have also included their recommended informative which relates to low NOx boilers.
- 8.8 In my opinion, subject to the conditions I have recommended, the applicants have suitably addressed the issues of noise and vibration, and the proposal is in accordance with Cambridge Local Plan (2018) policy 35.

### **Inclusive access**

- 8.9 The building includes a lift and to provide access to the upper floors and an off street car parking space. I have recommended the condition requiring compliance with part M4(2) of Building Regulations to ensure compliance with policy 51.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 51.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.11 The primary concern is the impact of the proposal on the amenity of the occupiers of the Coach House on Hamilton road. The first floor gable has been amended in response to concerns that it would enclose the adjacent first floor bedroom window of the Coach House. The original proposal had the first floor gable running 4.3m beyond the rear wall of the Coach House. This has been reduced so as now to protrude 2.3m beyond the existing rear wall of the Coach House. The wall has also been angled away from the neighbouring window. I am satisfied that the revised arrangement would no longer adversely impact on the adjacent bedroom window. The Coach house does not have any rear garden. There is one window adjacent to the site on ground floor. This is already enclosed by the existing shed and bike store of no 82. As a result, I do not consider that the

proposal would significantly worsen the outlook from this window.

- 8.12 The owner/occupier of no 82 has made a representation raising concerns about the impact of the proposed new dwelling on their amenity. The proposal would result in some additional enclosure and overshadowing of the rear garden of no 82. However, as no 82 has a long garden and only the end of the garden would be impacted, I do not consider this impact to be significantly harmful to warrant refusal. The window of bedroom 2 is angled and faces towards the garden of no 82. It is proposed to be obscure glazed; I recommend this is also conditioned to ensure the window remains obscure in perpetuity to protect the privacy of the garden of no 82.
- 8.13 The proposed dwelling would result in some enclosure and loss of light to the end of the garden of the host dwelling but similar to the impact on no 82, this is considered acceptable given the end of the garden is the area which would be impacted with a large amount of garden remaining unaffected. The proposal would result in first floor windows looking towards the garden and back of no 80. The distance between the windows and the garden would be approximately 4m and the view would be from bedroom windows. This relationship is similar to others on the street and as a result is considered to be acceptable.
- 8.14 I have recommended the conditions and informatives requested by the Environmental Health Team in order to protect the amenity of nearby residents.
- 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 gross internal floor space measurements for units in this application are shown in the table below. The proposed new dwelling meets with the internal space requirements of policy 50.

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	6	2	102	153	+51

8.17 One of the windows to bedroom 2 is recommended to be conditioned to be obscure glazed and on restrictors to protect the amenity of the adjacent Coach House however this room would retain a clear openable window on the rear elevation so I am satisfied that outlook from this room would be acceptable.

8.18 There is also a garden to the rear of the proposed dwelling. This would be approximately 37sqm. I consider this would be adequate and given the proximity to larger areas of public open space nearby. I have recommended a condition to remove permitted development rights for the proposed dwelling for extensions and outbuildings in order to preserve the external space for the amenity of the future occupants.

8.19 The garden retained by the host dwelling is considered to be acceptable. I have recommended a curtilage condition to ensure the garden plots are laid out as shown on the plans.

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

### **Refuse Arrangements**

8.21 Bins are proposed to be provided in an integral store to the front of the property. This is considered to be acceptable. In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

### **Highway Safety**

8.22 The Highway Authority has no objection to the proposal subject to the imposition of a condition requiring a construction traffic management plan. I have recommended this condition. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

## **Car and Cycle Parking**

- 8.23 Cycle parking has been revised to be within a store with bins to the front of the property. I am satisfied that this arrangement is acceptable.
- 8.24 The application proposes a garage to be retained by no 80 and space for one off-street car parking space for the new dwelling. This is considered acceptable car parking provision given the sustainable location of the site.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **Sustainability**

- 8.26 In accordance with Cambridge Local Plan (2018) policy 28, I have recommended conditions for carbon reduction and water efficiency measures, which in my opinion are reasonable and achievable.

## **Third Party Representations**

- 8.27 I have addressed the majority of the points raised in the third party representations within the body of my report; I will cover any outstanding matters below.

<b>Representation</b>	<b>Response</b>
The small closet shown for cycle parking is inadequate and not policy compliant.	This has been amended and is now provided in a larger store at the front of the property.
Concerned about overshadowing of windows in the rear elevation of the Coach House	See paragraph 8.11
Concerned about loss of privacy from first floor windows	The angled window to bedroom 2 is shown to be obscure glazed and I have recommended a condition to require this to be the case.
Unclear on how drainage from the proposed roof will be addressed in the valley that runs along the western	Details of a surface water drainage scheme would be conditioned.

side of the building	
Would like clarification about how clear airflow from existing vents and extraction fan outlet on the Coach House will be accommodated.	This is not a planning matter.
Concerned about how far into rear garden the proposal extends and its impact on the garden of no 82 in terms of light, views and privacy. Request that the second gable is made flush with the more recessed gable.	See paragraph 8.12
Would like to see conditions for energy and water conservation.	I have recommended conditions to secure carbon reduction and water efficiency measures in accordance with the adopted policy.

## 9.0 CONCLUSION

- 9.1 The proposed design, scale and massing are considered to respond to the surrounding character and thus preserve and enhance the character and appearance of the adjacent Conservation Area. The proposal is not considered to give rise to any significant adverse impacts to the amenity of surrounding occupiers. The proposal would provide a high-quality living environment 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. There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

5. 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)

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

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

7. Prior to the occupation of the development, hereby permitted, the windows identified as having obscured glass on the approved plans shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 57/58).

8. Prior to the occupation of the development, hereby permitted, the curtilage(s) of the approved dwelling(s) shall be fully laid out and finished in accordance with the approved plans. The curtilage(s) 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)



9. 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)

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

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

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

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

12. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse hereby permitted shall not be allowed without the granting of specific planning permission.

Reason: To protect the external amenity space for the future occupants (Cambridge Local Plan 2018 policies 52, 55, and 57).

13. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse hereby permitted of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the external amenity space for the future occupants (Cambridge Local Plan 2018 policies 52, 55, and 57).

14. Prior to first occupation of the dwelling hereby permitted, carbon reduction measures shall be implemented in accordance with a Carbon Reduction Statement that has been submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that the dwelling shall achieve reductions in CO<sub>2</sub> emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
  - A) Levels of carbon reduction achieved at each stage of the energy hierarchy:

B) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit;

Where on-site renewable or low carbon technologies are proposed, the statement shall also include:

C) A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and

D) Details of any mitigation measures required to maintain amenity and prevent nuisance.

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36).

16. Prior to the occupation of the dwelling hereby permitted, water efficiency measures shall be implemented in accordance with a specification based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) that has been submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that the dwelling is able to achieve a design standard of water use of no more than 110 litres/person/day.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28).

**INFORMATIVE: Low NOx Boilers**

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. The reason is to protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives in accordance with the National Planning Policy Framework (NPPF), Policy 4/14 of the Cambridge Local Plan (2006) and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018).

<b>Application Number</b>	19/0212/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	15th February 2019	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	12th April 2019		
<b>Ward</b>	Abbey		
<b>Site</b>	Oakley Lodge 627 - 631 Newmarket Road		
<b>Proposal</b>	Change of Use from Hotel (C1 Use) to House In Multiple Occupation (HMO) (sui-generis).		
<b>Applicant</b>	College Street Properties c/o The Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- Without evidence to demonstrate the hotel has been unsuccessfully marketed for at least 12 months it is contrary to policy 78.</li> </ul>
RECOMMENDATION	REFUSAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site lies on the north eastern side of Newmarket Road. This is a mixed use area with residential dwellings as well as a range of commercial uses within close proximity to the site. The site lies adjacent to the Barnwell Road Local Centre.
  
- 1.2 The application site appears to have originally been a pair of semi-detached dwellings and a detached dwelling which have been extended and linked. The building has gable ends with double storey bay windows on the front elevation and integral front porches as well as a lean-to roof single storey front extension which is the entrance to the hotel. The buildings have been rendered. There is a car parking area to the front of the property and further car parking to the rear. There is an L-shaped garden to the rear. The site is currently used as a 22 bedroom hotel (C1 use).

1.3 This part of Newmarket Road has a mixed character. Most of the buildings in this part of the road are set back from the street; some by approx. 10m others close to triple that. The former Grafton Hotel which is 4 doors down from the site was granted permission for change of use from hotel to large HMO in 2011 (11/1521/FUL).

## 2.0 THE PROPOSAL

2.1 The application seeks full planning permission for a change of use from a C1 (Hotel use) to a large HMO (Sui Generis use). The application proposes to provide 20 bedrooms within the HMO; all of which are provided with en-suites. The rooms have been annotated to show number of proposed occupiers; 34 occupiers are the maximum proposed. There are communal living areas/kitchens proposed on the ground floor. 20 car parking spaces are proposed shared between the front and back of the site. The existing garden is shown to be retained and cycle parking is shown within the garden. A bin store is proposed to the front of the site. No physical changes are proposed to the external envelope of the building.

2.2 The applicant has provided additional financial information as part of the application process in order to demonstrate that the hotel use is not viable.

## 3.0 SITE HISTORY

3.1 The application site has an extensive planning history. I have included the relevant history below.

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/90/0692	Change of use from hotel dining room and bedroom to restaurant (open to the members of the public) and erection of a ground floor extension.	Refused
C/89/0129	Extensions to hotel (erection of 2 no. single storey buildings to provide 14 no. additional guest bedrooms).	Refused
C/87/0164	Change of use from residential to	Approved

guest house with parking facilities at the rear (amended by letter and drawings dated 09/04/87).

C/85/0062      Erection of first-floor link to two adjoining guest houses to form one guest house (as amended by letter dated 13th may 1985 and accompanying drawing and letter)      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 Local Plan 2018	Local	1 3
		31 32 35 36
		48
		55 56 59
		78
		81 82

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework 2019</p> <p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</p> <p>Circular 11/95 (Annex A)</p>
<p>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection: The proposal would have no significant adverse impact on highway safety should it be granted permission.



## **Environmental Health**

6.2 No objection: A construction hours condition and three informatives are requested.

## **Refuse and Recycling**

6.3 No objection: Recommend 1 x 1100 + 1 1 x 660 refuse bin and the same for recycling. 1 x 240 green bins for food waste is required. The bin store must have surface level access with dropped kerb and no gravel. Double doors with door hooks and no locks (unless it is a standards FB2 lock)

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 Camcycle has made a representation. The representations can be summarised as follows:

- The proposed cycle parking is neither covered nor secure and therefore contrary to policy 82.

7.2 Councillor Johnson has requested that the application be determined at planning committee. His comment can be summarised as follows:

- Concern from the applicant about non-determination of the application, citing Local Plan policies 48 and 46
- Support applicant's concern about refusal under Local Plan policy 78.

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

## **8.0 ASSESSMENT**

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

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

## **Principle of Development**

- 8.2 The proposal results in the loss of visitor accommodation so policy 78 is relevant. This states that development which results in the loss of visitor accommodation will not be permitted unless it demonstrates that the use is no longer viable. It details that to do so the application must demonstrate that a) all reasonable efforts have been made to preserve the use but it has been proven economically unviable; and b) the property has been appropriately marketed for at least 12 months in order to confirm there is no interest in the site for visitor accommodation.
- 8.3 The applicant has provided financial statements for the year ended 31 July 2018 to demonstrate that the Hotel is operating at a loss. The applicant has confirmed that rooms are advertised on all of the main online booking sites but that over the past 9 months it has mainly been used by tradesman and contractors working locally who stay Monday to Thursday with very few bookings for leisure. The hotel has been closed on Sundays for the last 6 months due to low uptake. The applicant goes on to make the case that there the owner of the site owns HMOs in the area which have had over 90% occupancy levels over the past 12 months and notes the importance of HMO accommodation in providing affordable housing in Cambridge.
- 8.4 I note that the applicant has shown that the hotel is currently operating at a loss despite the rooms being advertised online and despite an initial investment from the owners on acquiring the hotel approximately 15 months prior to submitting the application. This information would satisfy criterion a of the policy, however policy 78 requires **both** criteria to be met to overcome the objection to the loss of visitor accommodation. Without evidence to demonstrate that the hotel has been unsuccessful marketed for at least 12 months, the proposal is considered contrary to policy 78 and thus the loss of the visitor accommodation is considered unacceptable in principle.

- 8.5 Policy 48 is also relevant as this relates to Houses in Multiple Occupation (HMOs). This states that proposal for large HMOs (Sui Generis use) will be supported where the proposal a) does not create an over-concentration of such uses in the area or harm the residential amenity or surrounding area, b) the building is suitable for use as a HMO, with appropriate refuse/recycling storage, car and cycle parking and drying areas; and c) will be accessible to sustainable transport links and local services. It then details that appropriate management arrangements should be in place to monitor and minimise adverse impacts on local residents.
- 8.6 There is another large HMO at the former Grafton Hotel which is in close proximity to the site. However, I do not consider that the proposal would result in an over-concentration of HMO uses in the area. If I were minded to recommend approval of the application, I would recommend a management plan condition. I will address criteria b and c of policy 48 under the relevant headings below.

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

- 8.7 No external changes are proposed to the building. I am satisfied that if I were minded to recommend approval of the application, an appropriately designed store for bin and bikes could be dealt with through condition. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 48, 55, 56 and 59.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.8 No external changes are proposed to the building. The site is currently used as a hotel and I do not consider the change from hotel to HMO would give rise to any significant increase to noise and disturbance to surrounding occupiers, subject to a management plan condition.
- 8.9 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, 48, 55 and 56.

### Amenity for future occupiers of the site

- 8.10 The Environmental Health team has reviewed the proposal and they have no objection. They note that there is insufficient detail submitted with the application regarding the amenity provision in the shared kitchens. This would be dealt with through any subsequent application for an HMO license. I am broadly satisfied that the proposal would provide an adequate level of amenity for future occupiers. If I were minded to recommend approval, I would recommend a hard and soft landscape condition to require defensible planting around some of the ground floor bedroom windows to protect the amenity of the future occupiers of these rooms. A large communal garden is shown and is considered adequate. Size of external amenity space: approx. 393sqm
- 8.11 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 48.

### **Refuse Arrangements**

- 8.12 A bin store is shown to the front of the property. I am satisfied with the store in principle and were I minded to recommend approval then details of the store could be provided by condition.
- 8.13 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policies 48 and 57.

### **Highway Safety**

- 8.14 The Highway Authority considers the proposal would have no significant adverse impact on highway safety were it granted permission. I share this view but this does not overcome my concerns expressed about the principle of development.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 48 and 81.

## **Car and Cycle Parking**

- 8.16 Camcycle has objected to the application on the grounds that the cycle parking shown is not covered or secure. I am satisfied that were I minded to recommend approval of the application then suitable cycle parking details could be provided through condition.
- 8.17 The application proposes 20 off-street car parking spaces which equates to one space per bedroom. I consider this provision to be acceptable given the sustainable location of the site which is in close proximity to public transport and cycle links and adjacent to a Local Centre.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 48 and 82.

## **Third party representations**

- 8.19 The comments from Camycle have been addressed in the relevant section above.
- 8.20 The proposal has been assessed against policy 48 (housing in multiple occupation) in the body of this report. Policy 46 relates to development of student housing. The current application was submitted for HMO use and not for student accommodation. Therefore this policy is not relevant to the proposal.

## **9.0 CONCLUSION**

- 9.1 The applicant has failed to demonstrate that the existing C1 Hotel use is no longer viable through the submission of information demonstrating it has been unsuccessfully marketed for at least 12 months. As a result, the proposal is considered contrary to policy 78 of the Cambridge Local Plan.

## **10.0 RECOMMENDATION**

**REFUSE** for the following reason:

1. The proposal has not demonstrated that the property or site has been unsuccessfully marketed for visitor accommodation use for a period of at least 12 months. Without this information the applicant has failed to demonstrate that the loss of the visitor accommodation use is acceptable contrary to policy 78 of the Cambridge Local Plan (2018).

<b>Application Number</b>	19/0511/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	26th April 2019	<b>Officer</b>	Mary Collins
<b>Target Date</b>	21st June 2019		
<b>Ward</b>	Trumpington		
<b>Site</b>	10 Chaucer Road		
<b>Proposal</b>	Demolition of existing indoor swimming pool and linking conservatory, and demolition of single storey garage and storage shed. Internal alterations to York House, including replacement of windows. Erection of 2 storey side extension containing private swimming pool and fitness room. Erection of detached single storey, oak framed garage and detached outbuildings.		
<b>Applicant</b>	Mr & Mrs Stephen and Angela Moss 2A Long Road		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would preserve the character and appearance of the Southacre Conservation Area and would not unduly affect the character or special interest of the Building of Local Interest.</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

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

- 1.1 The application site is situated on the north eastern side of Chaucer Road. It is a large detached property in spacious grounds which is set back from the street behind landscaping.
- 1.2 The dwelling is constructed in a Late Arts and Crafts style and built in 1900. It has two storeys and is double pile, with longitudinally placed gables to the front elevation of the property and brick chimneys. External materials are red brick, render and the property has a clay tiled roof. To the side the property has a cantilered porch canopy on stone brackets.
- 1.3 Currently to the side/front of the dwelling is a single storey swimming pool with a conservatory and to the opposite side of the existing dwelling is an attached single storey garage.
- 1.4 The site is within the Southacre Conservation Area. York House, 10 Chaucer Road, is a Building of Local Interest, as well as the adjacent property at 12 Chaucer Road.
- 1.5 Trees to the front boundary of the application site are protected by virtue of being within the conservation area and through preservation orders.
- 1.6 The rear gardens of properties of the north eastern side of Chaucer Road adjoin the Sheep's Green and Coe Fen Local Nature Reserve, Vicars Brook City Wildlife Site and River Cam County Wildlife Site.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the demolition of the existing indoor swimming pool and linking conservatory, and demolition of single storey garage and storage shed. It includes internal alterations to York House, including replacement of windows.
- 2.2 The existing attached garage to the side would be removed and the dwelling extended to two storey level. At the front end of the new extension a storage area will be formed at ground floor level with a self-contained flat at first floor level above. The rear end would provide the swimming pool at ground level, with a games room above.



- 2.3 The front section of the proposed extension would be 7.3 metres deep by 8.5 metres wide. It would have an eaves level of 4 metres and a ridge height of 7.3 metres and a hipped roof. To the rear of this front section would be a rearward section which would be approximately 13 metres deep and 8.7 metres wide. This section would accommodate the proposed swimming pool and gym at ground floor level with a games room in the roof space above. A further section to the rear, 8 metres in depth and would provide a plant room and this would have a hipped end.
- 2.4 A side (west) facing dormer window is proposed in the roof of the existing dwelling to serve a new bedroom in the loft space.
- 2.5 To the front of the existing dwelling, a detached garage is proposed. This would have a footprint of 6.4 metres deep by 11.7 metres wide and would have a hipped roof with a height to the ridge of 5.7 metres. This would provide garaging for three cars and a workshop area.
- 2.6 The proposal also includes a detached garden store to be sited to the east of the proposed garage and a detached bike store to the front and western boundary.
- 2.7 The application is accompanied by the following supporting information:
1. Design Statement
  2. Drawings

*Amended plans/Additional information*

- Ecology report
- Amended Arboricultural Impact Assessment
- Daylight/sunlight response

### **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/02/0945	Creation of infill pitched roof over existing section of garage to run through with two adjacent roofs.	APC dated 05.11.2002

C/89/0516	Construction 2.75m chainlink fence around tennis court & renewal of boundary fence along Vicars Brook.	APC dated 15.09.1989
C/89/0502	Extensions and alterations to house (garage extension, pool house and conservatory link).	APC dated 15.09.1989

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 32 35 36 55 57, 58, 61, 62, 70, 71 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Practice Guidance 2014 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A) Cambridge City Council (May 2007) –
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	<p>Sustainable Design and Construction Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p>
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#### 5.4 City Wide Guidance

Buildings of Local Interest (2005)  
 Cambridge City Council (May 2007) – Sustainable Design and Construction:  
 Roof Extensions Design Guide (2003)

#### 5.5 Area Guidelines

Southacre Conservation Area Appraisal (2013)

#### 6.0 CONSULTATIONS

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

6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

##### **Conservation team**

6.2 The proposals for this site include the demolition of some of the existing buildings and extensions, and their replacement with others on a similar or larger scale.

The proposals will not unduly affect the character or special interest of the BLI and there are limited views of the buildings on the site due to the heavy vegetation on the boundary. Therefore there will be limited impact on the character and appearance of the conservation area from the public highway: the building is on a large site with the BLI being at an angle, this gives oblique

views of the proposals from Chaucer Road. Materials for the development should take their cues from the existing.

The service recommends conditions are attached requiring all new brickwork to match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc and details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate.

## **Environmental Health**

- 6.3 Additional information was requested concerning the proposed swimming pool plant noise impact and the locations of vents / louvres in relation to their proximity to the site boundary.

### *Swimming pool ventilation ducts*

Ventilation intake and exhaust vents for the swimming pool would be located within the East elevation of the application site, away from the nearest residential property, 12 Chaucer Road located to the West. This is a recommended location to utilise directionality, spatial separation and the application site building to act as a barrier to the plant noise. Their location is considered acceptable.

It is unlikely that excessive noise will be emitted from the flues, however due to the close proximity to the site boundary, noise calculations will be required to address any potential concerns.

Recommend the plant noise condition to request full details of the selected fan units (extract / intake) and boiler flues prior to installation including full acoustic calculations to be provided.

### *Gas boiler flue ducts*

Three gas boilers are to be located 2.5m from the application boundary with 12 Chaucer Road. The proposed location is not optimum for neighbouring residential properties. However their location is not directly parallel with 12 Chaucer Road and the discharge of steam from the flues at 3/3.5m is unlikely to harm amenity.

In addition, in the interests of amenity, the service recommends the standard construction/demolition/delivery noise/hours, piling and dust conditions. Conditions are also recommended requiring plant insulation and electric vehicle charge points.

### **Sustainable Drainage Engineer**

- 6.4 The proposals have not indicated a surface water or foul water drainage strategy however, as this is a minor development and there are no surface water flood risk issues, it would be acceptable to obtain this information by way of a condition.

It should be noted that swimming pool effluent is not acceptable to be discharged directly to a watercourse or a surface water sewer, it should be discharged to the foul drainage system at a controlled rate.

Request following conditions are attached:

- 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.
- Scheme for the management of foul water.
- Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features).

### **Nature Conservation Projects Officer**

*Application as originally submitted*

- 6.5 The rear gardens adjoin the Sheep's Green and Coe Fen Local Nature Reserve, Vicars Brook City Wildlife Site and River Cam County Wildlife Site. Combined these sites provide an important foraging and commuting corridor for several species of bat. The proposed demolition has the potential to disturb roosting bats and therefore request an internal and external inspection of all buildings proposed for demolition or alteration. This inspection should be undertaken following CIEEM guidelines by a competent individual prior to determination. Recommendation should be made as to whether additional surveys are required to inform the planning application and if present the likely need for a Protected species license and or mitigation.

In addition the service would seek to limit external lighting to the rear of the property through an ecological sensitive lighting scheme, particularly to avoid light spill onto the adjacent LNR and waterway. Request the scheme also seek biodiversity enhancements through provision of bird and bat boxes within the propose structure and on suitable mature trees. The exact specification, numbers and location could be secured via a condition.

*As amended: Ecology Report*

Officer are content with the Applied Ecology report that no potential bat roost sites will be affected by the proposed development.

### **Tree Officer**

*Application as originally submitted*

- 6.6 Concerns about the proximity of the garage and garden store to the front boundary and the impact of required removals and pruning on the value and effectiveness of the screen.

The tree survey schedule is incomplete and no levels information has been provided. It is not clear that level access for cars is achievable with a foundation design that successfully allows the retention of T11, T16, T20 and T21.

*Revised details*

While the application is still not fully supported, the suggested foundation construction is acceptable and if installed with appropriate care and expertise could safeguard the retention of trees to be retained.

The new WC is able to utilise the existing water and foul drainage in this area. As these existing services can be used, there is no objection as this removes the conflict with the trees to the east of buildings.

Should the application be approved conditions are requested requiring submission, approval and implementation of an Arboricultural Method Statement (AMS) and Tree Protection

Plan (TPP) and the retention of trees shown on the plan as retained trees.

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

## **7.0 REPRESENTATIONS**

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

- 3 Chaucer Close
- 11 Chaucer Road
- 12 Chaucer Road
- 14 Chaucer Road
- 18 Chaucer Road
- 23 Chaucer Road
- 60 Hobson Road
- 113 Vinery Road
- Birketts on behalf of 12 Chaucer Road
- Richard Buxton Solicitors on behalf of 12 Chaucer Road.

- 7.2 The representations can be summarised as follows:

- By virtue of the scale, massing and location of the proposed development it would have an overbearing impact on the side elevation and rear terrace and green resulting in a substantially increased sense of encroachment and enclosure to the side and rear of 12 Chaucer Road.
- Loss of privacy and sense of privacy by the introduction of windows overlooking 12 Chaucer Road above the height of the intervening garden wall.
- The excessive height of the proposed extension would heavily shadow both key living space (the family kitchen and related sitting/dining room) and the outdoor terrace to the rear of the house.
- Adverse noise and fume impacts from the large flues serving the boiler room which forms part of the extension
- Loss of mature trees and hedges which will harm the 'green lung' character of the area.
- Harm to the character and appearance of the conservation area and the locally listed York House itself and the character of the

setting of the equally locally listed Edwardian Villa, 12 Chaucer Road.

- The scale and massing would not be visually subservient to York House but would compete with it.
- Feel it would be sad to see these beautiful gardens overshadowed by an uncharacteristically large building for this neighbourhood.
- The transformation of this conservation area, celebrated for its sylvan and peaceful environment, into a row of mansions blatantly out of scale with their plots and seeming engaged in a competition to advertise wealth at the further cost of the area's character, must not be allowed to continue.
- The large plots mean that there is a constant pressure for new development, either by extending existing houses, or by in-filing sub-divided plots. These incremental changes have an adverse effect on the special qualities of the area and must be resisted.
- Too large and high. It would extend beyond the present house footprint (already extensive) and overshadow the gardens of neighbouring properties to an excessive extent. As a further 'infill' pressure it should be resisted.

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**

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

8.1 The proposed two storey extension to the side would be visible from the public realm to the front of the property and from the conservation area. The front section would have a sloping roof with two dormer windows in the front roof slope constructed in line with the front wall.

8.2 It would have a hipped roof and is in proportion with the dwelling and is set back behind the front elevation. It would read as a subservient addition from the street and public areas of the conservation area. It is not considered to erode any visual spacing between the dwellings and would preserve the sylvan appearance of this street.



- 8.3 The rearward sections are set down from the ridge of the front section and would be staggered and in separate sections. This will visually break up the massing of the extensions and contributes to my overall view that the development is acceptable in context. As such the extensions proposed are considered to respect the Building of Local Interest and the Conservation Team support the proposal.
- 8.4 There are limited public views of the rear of the property as it is screened by a belt of trees to the rear and the rear gardens are very deep and therefore there would be no wider views or visual harm to the conservation area.
- 8.5 The proposed garage would be largely hidden by mature trees along the front boundary of the application site. It would replace an existing building and would have a different orientation with its narrower gable end facing the front boundary but would be closer to the front boundary. An assessment of the impact of the proposed garage on the trees on site is made later in this report. The bike store, garage and garden buildings proposed to the front are subservient in nature and would partially occupy the site of the existing pool building which is to be demolished. These buildings are still set back behind landscaping to the front boundary of the application site and their siting would not be detrimental to the character and appearance of the Southacre Conservation Area.
- 8.6 In my opinion the proposal is compliant in design terms with Cambridge Local Plan (2018) policies 55, 56, 58, 59, 61 and 62.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### 12 Chaucer Road

- 8.7 This property is detached and the rear garden is situated to the north west whilst the dwelling itself lies to the west of the application site.
- 8.8 This property has rear facing ground floor windows serving a kitchen with a bedroom above which has windows to the rear and to the side. This property has side facing windows serving a bedroom and a bathroom at first floor. The bathroom window to

this property faces the application site. It is not obscurely glazed.

*Loss of light*

- 8.9 I am of the opinion that due to the separation of this adjacent property from the common boundary and the low eaves height of 4 metres with a roof slope of 40 degrees, that the proposal would not result in a detrimental loss of light to the rear facing kitchen window.
- 8.10 The applicant has sought the advice of a Rights to Light Consultant who finds that the proposal satisfies the BRE 25-degree test when applied to the side elevation windows of 10 Chaucer Road and the 45-degree test when applied to the rear elevation windows of 10 Chaucer Road. The proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring property and would not in my view result in significant harm from loss of light. It is considered that a detrimental loss of light would not occur to ground floor rooms of this property as a result of the proposal.

*Loss of light to garden*

- 8.11 With respect to loss of daylight to the rear garden, the applicant has provided a shadow analysis of the proposed development. The objector at 12 Chaucer Road has also commissioned a report which has been submitted to the council.
- 8.12 BRE Guidance recommends that for it to appear adequately sunlit throughout the rear, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.
- 8.13 The assessment submitted by the applicant concludes that the area along the eastern boundary where the additional shadowing would occur is the location of two distinct amenity spaces within the garden, the patio area adjacent to the house

and a decked area, both of which are frequently used by the residents of this dwelling. The shadowing would be most significant adjacent to the eastern boundary and next to the kitchen where the patio area would see significant overshadowing in the early morning even in the height of summer and would be worst in the winter when the sun is lower.

- 8.14 Shadow studies submitted by the applicant indicate that the existing deck would experience some increased shadowing in the mornings. It concludes that the amount of daylight reaching the garden to this property would be impacted by the proposal but that the additional amount of overshadowing (including the deck) would not be detrimental and that there would still be some sunlight reaching the rear garden.
- 8.15 I am of the opinion that although the proposal would reduce the amount of daylight to the outdoor amenity areas which are in frequent use by the occupiers, the rear garden of 12 Chaucer Road is large and significant areas including the centre of it would receive at least 2 hours of sunlight on March 21. As such, I am of the opinion that the proposal would not result in a detrimental loss of day and sunlight.

#### *Overlooking and privacy issues*

- 8.16 The proposed dormer to the western (side) roof slope to serve a new bedroom in the existing roofspace would in my opinion be separated sufficiently not to create any additional harm through overlooking.
- 8.17 With respect to the two storey extension to the side of the house and the proposed dormers to the front of this extension, given the oblique angle between the proposed dormer windows and the existing side elevation of 12 Chaucer Road and the fact there is already a degree of inter-looking as both properties have first floor side facing windows, I am of the opinion that this would not be additionally harmful.
- 8.18 The rooflights to the games room would be high level with a cill height of 2.2 metres above floor level so would not provide a view out but provide ventilation and light only. To address the potential for noise from these windows, a condition could be imposed to ensure that these windows are non-openable. With respect to light pollution from these windows, this is not an issue

which is within the remit of planning in respect to residential properties.

- 8.19 Due to the separation of the dwelling from the boundary and the intervening driveway and access to the rear garden, the two storey section of the extension in my opinion would not result in a detrimental loss of light, outlook or privacy. The bedroom to the rear of the property in the first floor has windows to each side and to the rear. I am of the opinion that this room would not be detrimentally affected.

*Loss of outlook and enclosure*

- 8.20 The proposed rearward extension would be visible from the rear facing kitchen window and would obscure some of the sky currently seen from this room. However given there are still unobstructed views down the garden, I am of the opinion that there would not be a detrimental loss of outlook or undue sense of enclosure as a result of the proposal.
- 8.21 The proposed extension is not considered to be unduly overbearing on the boundary.

*Noise and fumes*

- 8.22 Three gas boilers flues are to be located approximately 2.5m from the application site boundary with 12 Chaucer Road.
- 8.23 Environmental Health note that the proposed location of the boiler flues is not optimum concerning the proximity to neighbouring properties and it would be preferable to be located on the eastern elevation of the application site building. However, the location of the flues are not directly parallel with this property and the discharge of steam from the flues at an approximate height of 3/3.5m is unlikely to harm local amenity, as it would not discharge directly into a neighbouring window.
- 8.24 With respect to ventilation intake and exhaust vents for the swimming pool, these would be located within the east elevation of the application site, away from the 12 Chaucer Road located to the west. This is a recommended location to utilise directionality, spatial separation and the application site building to act as a barrier to the plant noise. They would not create

any harm to amenity of the neighbouring number 12 Chaucer Road.

### 8 Chaucer Road

- 8.25 The adjacent property at 8 Chaucer Road is sufficiently separated from the application site not to be detrimentally affected by the proposal.
- 8.26 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 (2018) policies 55 and 58.

### **Trees and biodiversity**

- 8.27 The rear garden of the application site adjoins the Sheep's Green and Coe Fen Local Nature Reserve, Vicars Brook City Wildlife Site and River Cam County Wildlife Site. Combined these sites provide an important foraging and commuting corridor for several species of bat. An Ecology report has been submitted which concludes no potential bat roost sites would be affected by the proposed demolition and the Nature Conservation Projects Officer is happy with this conclusion. As the application site is adjacent to the Local Nature Reserve and waterway, I will recommend that external lighting to the rear of the property is limited through an ecological sensitive lighting scheme, particularly to avoid light spill onto these areas and recommend biodiversity enhancements through provision of bird and bat boxes within the proposed extension and on suitable mature trees through a condition.
- 8.28 The proposed garage building to the front garden is within the root protection zone of trees protected through being in the conservation area and by preservation orders. The Tree Officer is satisfied that the proposed foundation construction of garage building is acceptable. The applicant has confirmed that the garage floor slab will sit approx. 30cm above existing ground level. The raising of the proposed building by this additional height is not considered to be detrimental in terms of visual impact.
- 8.29 Conditions will be attached requiring the submission, approval and implementation of an Arboricultural Method Statement and

Tree Protection Plan. The information is a pre-commencement requirement.

- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 70 and 71.

### **Cycle and Car parking**

- 8.31 Garaging is proposed for three cars and the cycle store can accommodate 6 cycles, which is considered acceptable.

- 8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 81 and 82.

### **Third Party Representations**

- 8.33 It is the opinion of the Conservation Team that the proposed development would not harm the character or appearance of the Southacre Conservation Area, or the special interest of the BLIs. The two level side extension, is really one and a half storeys, with the upper storey being within the roof space with dormer windows. The proposed materials and scale of the proposal would not compromise the existing building nor the conservation area. The Conservation Team consider that the proposals are of a design that is sympathetic to the local character.

- 8.34 The Conservation Team disagree the extension would not be subservient to the existing BLI. The extension is longer, but the ridge and eaves are lower than the original house and it is set back from the front elevation. In this way the BLI dominates views across the site. Unlike the existing extension, the proposal is pulled away from the boundary with no. 12 with some space between the two properties along this line.

- 8.35 Due to staggered nature of the properties, there is no distinct building line within the conservation area and therefore the proposed extension would not be detrimental to the character or appearance of the conservation area. As can be seen, not all of Chaucer Road has space around the buildings. Many of the properties have built up to the boundary line with single and one and a half story extensions on both north and south of the road.

- 8.36 The Conservation Team disagree with regard to views from Coe Fen. On the day the Conservation Officer undertook the site visit, there were no views through to the site at all due to the dense vegetation. Officers accept the view may be different during the winter months, however the extension will be set back from the rear boundary with Vicar's Brook and is appropriately designed and detailed so should not have a negative impact on any views that may be seen from there.
- 8.37 As no. 10 Chaucer Road is a large building within a large plot, the Conservation Team do not consider that the proposed extension would be harmful in terms of increasing the density of plots within the conservation area. In addition there is no concern that the proposals would harm the setting of the adjacent BLI, no. 12.

## **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 character and appearance of the Southacre Conservation Area, or the special interest of the Building of Local Interest. It would not have detrimental impact on the amenities of neighbouring properties and as such is recommended for APPROVAL.

## **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 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 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 all SuDS features;
- 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

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 policies 31 and 32)



4. 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 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 policies 31 and 32).

5. No development shall commence until a scheme for the management of foul water has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that controlled waters are not polluted. (Cambridge Local Plan 2018 policies 31 and 32)

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

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

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

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

8. The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

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

9. 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 and Cambridge Local Plan 2018 Policy 71: Trees.

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

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

11. 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)

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

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

13. 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)

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

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

15. No development shall commence above ground, other than demolition, until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and or bat boxes on the new buildings and retained trees. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reasons: to provide ecological enhancements for protected species on the site (Cambridge Local Plan (2018) policy 70)

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

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

17. All new brickwork shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

18. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse and it shall at no time be independently occupied or let, used to accommodate bed-and-breakfast guests or other short-term visitors paying rent or fees.

Reason: To avoid harm to the character of the area, to protect the amenity of neighbouring occupiers and to avoid the creation of a separate planning unit (Cambridge Local Plan 2018, policies 35, 55, 52, and 57).

19. Prior to the occupation of the development, hereby permitted, the rooflights in the first floor west elevation shall be fixed and non-openable and shall be retained as such.

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

20. Considerations in relation to gas pipeline/s identified on site:  
Cadent have identified operational gas apparatus within the application site boundary. This may include land. The Applicant must ensure that proposed works do not infringe on Cadents 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 Cadents 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 Cadents Plant Protection Team to see if any protection measures are required.

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

Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: 0800 688 588

**INFORMATIVE:** It is required that a dust management plan should reference and have regard to various national and industry best practical technical guidance such as:

- o Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016)
- o Guidance on Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018)
- o Control of dust and emissions during construction and demolition -supplementary planning guidance, (Greater London Authority, July 2014).

**INFORMATIVE:** To satisfy standard condition C62 (Noise Insulation), the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

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

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

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

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

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

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<b>Application Number</b>	19/0469/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	4th April 2019	<b>Officer</b>	Alice Young
<b>Target Date</b>	30th May 2019		
<b>Ward</b>	Arbury		
<b>Site</b>	101 Perse Way		
<b>Proposal</b>	Change of use to 8-bed (10 person) HMO (sui generis), together with erection of two-storey side and rear extension, single-storey front and rear extensions, rear roof extension, and detached cycle store in rear garden.		
<b>Applicant</b>	Mr Unai Ayo 101 Perse Way		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would harm the character of the area</li> <li>- The proposal is considered to have an acceptable impact on the amenity of adjoining occupiers</li> <li>- The proposal provides a good quality living environment for future occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 101 Perse Way is a two-storey semi-detached property on the eastern side of Perse Way, opposite Harding Way. The existing dwelling is situated approximately equidistance between the western boundary and the eastern boundary, in the centre of the application site. Along the northern boundary with the application site is a public footpath which provides access to

Rockwell Road to the east. The site is located outside the conservation area and the controlled parking zones.

## 2.0 THE PROPOSAL

- 2.1 The proposal seeks to change of the existing use (dwelling, use class C3) to an 8-bed (10 person) House of Multiple Occupancy (sui generis use class), together with erection of two-storey side and rear extension, single storey front and rear extensions, rear roof extension, and detached cycle store in rear garden. The proposed cycle store, located within the rear garden, would be accessed using the existing public pedestrian footpath to the north of the site. On site at least two car parking spaces are provided to the front of the dwelling.
- 2.2 The proposal is very similar to an extant permission 18/1314/FUL which relates to the same site. The difference between the extant permission and the proposed is that the proposed includes the change of use from a dwelling (C3 use) to an 8 bed (10 person) HMO and the rear box dormer addition. The proposed rear box dormer is identical to the recently granted certificate of lawfulness 18/0705/CL2PD.
- 2.3 The application is accompanied by the following supporting information:
1. Drawings

## 3.0 SITE HISTORY

Reference	Description	Outcome
18/1314/FUL	Single storey front and rear extensions, and two storey side extension.	Permitted
18/0706/FUL	Single storey rear and two storey side extensions.	Withdrawn
18/0705/CL2PD	Rear roof extension, including 3 velux windows to front elevation.	Granted
07/0922/FUL	Roof extension including front and rear dormers.	Refused

## 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, 28, 35, 48, 55, 56, 58, 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)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste  Cambridgeshire Design Guide For Streets and Public Realm (2007)  Cycle Parking Guide for New Residential Developments (2010)

## 6.0 CONSULTATIONS

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

- 6.1 The application form states that there is no change in parking provision within the site. The application reduces the front garden and builds over a side access way. The applicant must provide a detailed dimensioned plan of the proposed parking arrangements to demonstrate that the proposed layout is feasible and practical.

### **Environmental Health**

- 6.2 The development is acceptable subject to the construction hours and construction delivery conditions and the housing health and safety rating system and the licensing informatives.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 86 Perse Way

- 7.2 The representations can be summarised as follows:

- Insufficient provision for off street car parking for the number of residents which would detrimentally harm the current on street parking
- Inaccurate location plan
- The area in which the property resides is a residential area. The proposed changes resemble plans for a small hotel and would be unacceptable for the area.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of development**

- 8.2 Policy 48 states that proposals for large houses in multiple occupation (sui generis) as defined by the Government's Circular 08/2010 and its successor documents will be supported, where the proposal:
- a. Does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area;
  - b. The building or site (including any outbuilding) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying areas; and
  - c. Will be accessible to sustainable modes of transport, shops and other local services.
- 8.3 A review of the Council's evidence and site visit by the case officer indicates that there are a limited number of large HMOs within the vicinity. Therefore, I consider that the proposal would not create an overconcentration of large HMOs in the area. The proposal for a large HMO would not significantly harm the residential amenity of neighbours; this is discussed in paragraphs 8.7-8.11. The proposal is compliant with criterion b and c and both of these are addressed throughout the report.

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

- 8.4 As the built form has been approved under reference 18/1314/FUL, the scale, massing and character of the built form has already been assessed and is considered acceptable.
- 8.5 The application site is situated within a short walking distance of local amenities and transport links which provides access to the rest of the city and surrounding area. As such the location is

considered to be sustainable and appropriate for HMO development.

- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.7 The attached neighbour, no. 103 Perse Way, is south of the application site. By virtue of the modest scale and massing of the proposed single storey rear extension and the separation distance between the proposed two storey element and the boundary with no. 103, it is considered that the proposal would not appear to visually dominate no. 103.

### Overbearing/enclosure

- 8.8 In relation to overbearing or enclosure impacts to no. 103, the proposed single storey rear extension would project 2.65 metres further than no. 103's rear and the roof would have a lean-to design with a low ridge height. On this basis, the proposal is considered to have minimal enclosure or overbearing impacts on no. 103's rear habitable room and patio.

### Overshadowing

- 8.9 With regard to overshadowing, a BRE horizontal 45 degree plane was taken from the midpoint of no.103's rear dining room doors and this plane cut across the proposed extension. However, a vertical 45 degree plane was taken from the midpoint of the sloping lean-to roof of the single storey rear extension and this plane did not cross the centre point of no. 103's rear dining room doors. Whilst it is acknowledged that one of the two sunlight tests failed, BRE guidance states that if the development fails only one of the two tests, the impact is considered on balance to be acceptable. It is considered that the proposed rear extensions would not have a significant impact on light to no. 103's rear habitable room. The two storey element would be 7.9 metres away from no. 103 and given this distance, there would be no significant impacts on light levels on no. 103's rear elevation. In terms of the front extension, this would project a shallow depth of 1.5 metres from the front

elevation and would be situated 3.3 metres from the common boundary with no. 103. Therefore, overshadowing to no.103 as a result of the development would be limited.

### Overlooking

- 8.10 In terms of overlooking, there are no windows on the side elevation adjacent to no. 103, therefore, no direct overlooking is considered to result from the development proposed.
- 8.11 The flats to the north of the site are a significant distance away from the proposed two storey extension, therefore, the proposal would not to have a detrimental impact on amenity of the flat occupiers'. There are no windows on the northern elevation, therefore there would be no additional overlooking to these flats.
- 8.12 On the basis of the above assessment, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 55 (58) and 35.

### Amenity of future occupiers

- 8.13 The proposal would provide eight bedrooms, six of which would have ensuite shower rooms and two bedrooms which would share a shower room. The communal areas consist of two large kitchens and a living room as well as a laundry room and utility room. This communal space totals 76m<sup>2</sup>. Additionally, the rear outside amenity space would be 132m<sup>2</sup>. Whilst the laundry room is considered modest in proportion to the number of occupants, the utility on the second floor could be used as a drying area. As the proposal provides a sizeable amount of internal space as communal, an appropriate number of bathrooms and all of the bedrooms are considered an appropriate size (see table below), it is officers' view that the proposal would provide a good quality living environment for future occupiers.

Bedroom	Number of occupants	Proposed internal space (m <sup>2</sup> )	Policy Size requirement (m <sup>2</sup> )	Difference in size
1	2	17	11.5	+5.5
2	1	10.5	7.5	+3
3	1	14.6	7.5	+7.1
4	1	10.6	7.5	+3.1
5	1	11.4	7.5	+3.9
6	1	10.5	7.5	+3
7	1	10.3	7.5	+2.8
8	2	15	11.5	+3.5

8.14 In my opinion the proposal provides an adequate level of residential amenity for future occupiers and I consider that it is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

### **Highway Safety**

8.15 The Highway Authority did not object on highway safety grounds and as such officers' are satisfied that the proposal would not result in any highway safety concerns.

8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

### **Car and Cycle Parking**

8.17 The Highways Authority requested that the applicant provides a detailed plan of the parking arrangements on site. However, the proposed block plan shows that the front garden would provide at least two car parking spaces which can be independently accessed. The maximum number of car parking spaces allocated to one dwelling is two outside of the controlled parking zone. Therefore, I am satisfied that the proposal provides adequate information to address the Highway Authority's concerns and would provide sufficient car parking on site. The proposed cycle store, located in the rear garden, would provide 12 covered and secure cycle parking spaces. This is considered proportionate to the number of occupants as well as providing two additional spaces for guests. As the proposal is situated in a sustainable location, provides an adequate number of cycle



parking spaces and provides the maximum car parking spaces, it is considered that the proposal would not result in parking stress.

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

### **Refuse arrangements**

- 8.19 Refuse would be situated adjacent to the proposed cycle store in the rear garden of the application site, within an acceptable dragging distance to Perse Way for collection.

### **Third Party Representations**

- 8.20 Third party representations have raised concerns regarding the provision of off street car parking and the impact on the character of the area, this has been addressed in the residential amenity section above.

## **9.0 RECOMMENDATION**

**APPROVE**, subject to the following conditions:

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

Reason: In accordance with the requirements of Section 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: 7638 BLOCK; 7638 LOC; SG/7638/01/18 10; SG/7638/01/18 11; SG/7638/01/18 12; SG/7638/01/18 4; SG/7638/01/18 5; SG/7638/01/18 6; SG/7638/01/18 8

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 property shown as 101 Perse Way shall be occupied by no more than 10 no. people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2018 policies 56 and 48).

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)

**INFORMATIVE:** Housing Health & Safety Rating System

The Housing Act 2004 introduced the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors. Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed, habitable rooms without adequate lighting or floor area etc. Further information may be found here:

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

**INFORMATIVE:** The Housing Act 2004 introduced Mandatory Licensing for Houses in Multiple Occupation (HMOs) across all of England. This applies to all HMOs occupied by five or more persons forming more than one household and a person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. It is, therefore, in your interest to apply for a

licence promptly if the building requires one. Further information and how to apply for a Licence may be found here: <https://www.cambridge.gov.uk/licensing-of-houses-in-multiple-occupation>.

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**PLANNING COMMITTEE**

**DATE: 2<sup>ND</sup> OCTOBER 2019**

<b>Application Number</b>	18/1552/S73	<b>Agenda Item</b>	
<b>Date Received</b>	4th October 2018	<b>Officer</b>	Nicholas MacDermott
<b>Target Date</b>	29th November 2018		
<b>Ward</b>	Romsey		
<b>Site</b>	8 Seymour Street		
<b>Proposal</b>	Section 73 application to vary conditions 2 (Approved Drawings), 3 (Preliminary Contamination Assessment), 4 (Site Investigation Report), 9 (Materials), 13 (Visibility Splays), 16 (TMP), 20 (Dust) and 22 (Cycle Storage) and remove condition 21 (Contaminated Land Assessment and Remediation Strategy) of permission 18/0581/FUL (Demolition of existing shop, construction of 2 x semi-detached houses).		
<b>Applicant</b>	Mr Andy Brand Nene Lodge Funthams Lane Whittlesey PE7 2PB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed variations to the approved scheme would not significantly harm the residential amenity of the neighbouring property at No 8A.</p>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site was formerly a commercial unit located at 8 Seymour Street which has been demolished. In its place and nearing completion have been erected the shells of a pair of semi-detached houses granted permission in June 2018 Ref:18/0581/FUL. The new building is faced with a buff brick.

- 1.2 Seymour Street is mostly residential. The nearby houses are a mixture of ages and styles from the late nineteenth century to the present day, displaying a wide variety of facing materials, including traditional buff and red brick, modern yellow and orange bricks, white-painted brick, render and pebbledash. There is no consistent building line on either side of the street.
- 1.3 To the south, the site abuts the Brookfields Hospital site and to the west is car parking.
- 1.4 The site is not within any conservation area and is outside the controlled parking zone. There are parking restrictions in parts of the street, including in front of the application site where on-street parking is not permitted at any time.

## **2.0 THE PROPOSAL**

- 2.1 This is a Section 73 application to vary the following conditions of planning permission 18/0581/FUL:

2- (Approved Drawings), 3 - (Preliminary Contamination Assessment), 9 -(Materials), 13 - (Visibility Splays), 16 - (TMP) - 20 (Dust), 22 - (Cycle Storage) and to remove condition 21 (Contaminated Land Assessment and Remediation Strategy) of permission 18/0581/FUL (Demolition of existing shop, construction of 2 x semi-detached houses).

- 2.2 These variations to the conditions in effect seek permission for some small alterations to the approved drawings (condition 2), the discharge of conditions 3, 9, 13, 16, 20, 22 and the removal of condition 21.

- 2.3 The proposed changes to the approved dwellings include the deletion of a small cut out shaft that extended down from the roof to first floor level. There are also changes to the front elevation of the pair of semi-detached houses with the proposal of bay window projections.

- 2.4 The application is accompanied by the following supporting information:

1. Drawings
2. Covering letter
3. Supporting information for the discharge of conditions

### 3.0 SITE HISTORY

18/0581/FUL for Demolition of existing shop, construction of 2 x semi-detached houses. PERM dated 08.06.2018

15/0102/FUL for Demolition of existing shop, construction of 2 x semi-detached houses. PERM dated 18.03.2015

18/0581/COND3 Condition 3 - Contaminated land 1of 6 - PCO

18/0581/COND9 for Condition 9 - Materials Samples, PCO

18/0581/COND16 for Condition 16 - Traffic management plan, PCO

18/0581/COND20 for Condition 20 - Dust, PCO

18/0581/COND21 for Condition 21 - Contaminated Land, PCO

18/0581/COND22 for Condition 22 - Cycle Parking, PCO

### 4.0 PUBLICITY

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

### 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 50 51 55 56 57 59

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

<p>Central Government Guidance</p>	<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>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p>



	<p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire County Council Transport Assessment Guidelines (2017)</p> <p>Contaminated Land in Cambridge - Developers Guide (2009)</p>
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#### 5.4 **Central Government Advice**

National Planning Policy Framework 2019  
National Planning Practice Guidance

#### 5.5 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction

### 6.0 **CONSULTATIONS**

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

6.1 Condition 13 (Visibility Splays): the visibility splays that can be provided within land controlled by the applicant are provided to the satisfaction of the Highway Authority.

6.2 16 (TMP): Having considered the site constraints and the information provided the proposal is considered a satisfactory solution to the issues associated with construction and the Highway Authority has no objection to the discharge of Condition 16 of this permission.

#### **Environmental Health**

6.3 Condition 20 - The submitted “dust suppression statement” provides adequate mitigation and best practice. No objection to a compliance condition referencing the submitted “dust suppression statement”.

- 6.4 No objection to the applicant's proposal to vary Condition 3 (Preliminary Contamination Assessment) to a compliance condition
- 6.5 No objection to the applicant's proposal to remove Condition 21 (Contaminated Land Assessment and Remediation Strategy) as it is an unnecessary duplication of Conditions 3 to 8 of permission 18/0581/FUL.

### **Urban Design team**

- 6.6 "...there are no material urban design issues with the proposals."
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

8A Seymour Street

- 7.2 The representations can be summarised as follows:

Removing the "cut-out" element on the first and second floor would block the light to two windows on the adjoining wall of No 8A and reduce the lights to first floor bedroom to an unacceptable level, making it uninhabitable.

Maintenance and cleaning of the outside of the window is impossible.

The limited degree to which the window can be opened because of the proximity of the side wall of No 8, at a distance of 10 centimetres reduces air ventilation. This could adversely affect health.

States that he was not notified of the application by the Council.

- 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

### **Proposed changes to approved scheme and residential amenity**

Impact on amenity of neighbouring occupiers

- 8.1 The appearance of the building approved under permission 18/0581/FUL was simple but plain. The amended plans show the introduction of two storey bay window projections at either end of the building, one for each of the two approved dwellings. These bay window features provide greater interest to the appearance of the pair of semi-detached dwellings and are a welcome improvement to the originally approved plans.
- 8.2 The scheme also proposes the filling-in / deletion of a small cut out section in the side wall of the house which was shown on the plans approved in 2018. A cut out was shown offset from the middle of the house extending down from the roof to include the first floor level. The ground floor area was standard and did not show this cut out.
- 8.3 Whilst there are two high-level windows in the north west side elevation of No 8A Seymour Street facing the application site the windows are offset from the centre of No 8A. The cut out would have provided a void area at first floor level but would not have matched up with where the first floor high level window at No 8A is located. About a quarter of the window would have 'married up' with the cut out. The depth of the cut out was about 0.6 to 0.7 metres deep.
- 8.4 Even if the purpose of the cut out shaft was to allow a little more additional ambient light to penetrate down to the obscure glazed high level window the mis-alignment of the cut-out shaft in relation to the high level window would have meant that it would be unlikely that the cut out would have provided a significantly greater amount of light than this window now receives with the side wall of the new house already built.
- 8.5 The agent has provided details from the estate agent advertising the property this year which show the first floor middle room to be a bathroom. There is only one other bath / shower room provided for the house and that is the en-suite bathroom serving bedroom 1 which can only be accessed

through that bedroom. There is a toilet at ground floor level but no bath / shower room.

- 8.6 Given that there would be no significant difference between levels of light reaching the obscure glazed high level window with or without the cut out shaft as shown on the previously approved scheme it is not considered that this slightly amended scheme would result in unacceptable harm to the amenity of the neighbouring property at No 8A Seymour Street.
- 8.7 The proposal is compliant in design terms with Cambridge Local Plan (2018) policies 55, 56 and 57 and adequately respects the residential amenity of its neighbours and the constraints of the site and it is compliant with Cambridge Local Plan (2006) policies 56 and 58.

### **DISCHARGE OF CONDITIONS**

- 8.8 The application also proposes the variation of several of the conditions attached to the previous permission 18/0581/FUL.
- 8.9 Condition 2- (approved drawings – considered in the section above and the substitution of the approved plans with amended plans is found to be acceptable).
- 8.10 Regarding the other conditions 3, 9, 13, 16, 20 and 22 it is proposed to re-word the conditions to make them compliance conditions i.e. to accord with already submitted information rather than asking for the submission and approval of information.
- 8.11 The Highways Officer has stated that the information submitted for conditions 13 and 16 is satisfactory. The Environmental Health Officer has also stated that they are happy for conditions 3 and 20 to be changed into compliance conditions and for condition 21 to be removed.
- 8.12 Regarding the materials condition, No 9, the submitted materials schedule indicates the use of satisfactory materials in all respects and this condition can be worded to become a compliance condition.
- 8.13 There is also no objection to condition 22 regarding cycle storage being changed into a compliance condition.

## **Other Matters**

- 8.14 Third party comments have raised concern regarding the LPA notification process with the current owner of 8A stating that he was not notified of the application by the Council.
- 8.15 The application was submitted in 2018 and No 8A along with other neighbouring properties was notified of the application in October 2018.
- 8.16 The current owner bought the house in May 2019, almost a year after this application was received and made valid. As the Council sent out a letter of notification to No 8A when the application was made valid it carried out its duty with regard to publicity.
- 8.17 Any change to the use of the bathroom would have happened after May 2019. An Officer site visit to No 8A has taken place. The first floor middle room with the high level window is shrouded in darkness and the room does not have the appearance of a bathroom. The present owner of No 8A states that the room is a bedroom.
- 8.18 The room however appears too small to serve this purpose and would create a situation where the house has 5 bedrooms but only one shower/bath room which is an en-suite facility that can only be accessed through one of the bedrooms.

## **Third Party Representations**

- 8.19 The neighbor at No 8A has objected to the proposal on the grounds that removing the "cut-out" element would block the light to two windows on the adjoining wall of No 8A making a first floor bedroom uninhabitable.

**Case officer response:** The cut -out shown on the previously approved scheme in the main part would not have matched up with the high level window. Only a small part of the shaft would have allowed any light down to the first floor high level window and it is not considered that this would have made a significant difference to the existing situation.

Maintenance and cleaning of the outside of the window is impossible.

**Case officer response:** Maintenance and cleaning of the outside of the window this is not a planning matter.

Proposal will cause ventilation problems and affect health of occupants of No 8A as window can barely be opened.

**Case officer response:** The deletion of the cut out would make no difference to the ability to open the high level windows as it would have only crossed about a quarter of the window and would not have allowed the first floor window to be opened more than it is now possible to do. Rooms are on occasion approved in housing schemes that do not have windows or opening windows.

## 9.0 RECOMMENDATION

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

1. The development shall be constructed with the external materials set out in the materials schedule submitted on 4th October 2018.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55 and 57.

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 development shall be undertaken in accordance with the details hereby approved within the GeoEnvironmental Desk Study by Earth Environmental & Geotechnical Ltd, report no. A2317/18, dated January 2018 and Site Investigation Proposal Letter Report by Earth Environmental & Geotechnical Ltd, ref: A2317/18, dated 7th February 2018. For the avoidance of any doubt the demolition of the building may take place under this condition.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

4. Submission of site investigation report and remediation strategy:

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

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

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

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

5. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

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

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the Local Planning Authority.

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

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

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

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.



7. Material Management Plan:

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

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

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

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

8. Unexpected Contamination:

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

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

9. 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)

10. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

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

11. 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).

12. 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. 1251.P.100 C. 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)

13. The redundant lengths of vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

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

14. The access shall be provided as shown on the approved drawings and retained free of obstruction.  
Reason: In the interests of highway safety (Cambridge Local Plan 2018 policy 81).
15. The development shall be undertaken in accordance with the Traffic Management Plan dated December 2017.  
  
Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)
16. The development shall be undertaken in accordance with the Dust Suppression Statement received on 4th October 2018  
  
Reason: To protect the amenity of nearby properties Cambridge Local Plan 2018 policy 36.
17. The Local Planning Authority bicycle parking shall be provided in accordance with approved plan 1251.P.100 C.  
  
Reason: To ensure appropriate provision for the secure storage of bicycles (Cambridge Local Plan 2018 policy 82)
18. The first floor and second floor windows on the west facing elevation shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior and shall be non-opening until 1.7m from the finished floor level prior to occupation of the hereby approved dwellings. The development shall be retained as such thereafter.  
Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 56 and 57).

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<b>Application Number</b>	19/0169/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	21st February 2019	<b>Officer</b>	John Shuttewood
<b>Target Date</b>	18th April 2019		
<b>Ward</b>	Newnham		
<b>Site</b>	18 Eltisley Avenue		
<b>Proposal</b>	Retrospective single storey rear extension and decking		
<b>Applicant</b>	Dr. Tyler Denmead 18 Eltisley Avenue		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed extension is considered to be of high-quality design and is considered to preserve and enhance the character and appearance of the Conservation Area</li> <li>- The proposed extension is not considered to give rise to any significant adverse impacts to residential amenity</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site is a two-storey brick mid-terrace property on the eastern side of Eltisley Avenue. Eltisley Avenue is a residential street characterised by terraced dwellings. The site lies in close proximity to commercial uses at the Grantchester Street Neighbourhood Centre to the north of the site. The site lies within the Newnham Croft Conservation Area.

## 2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the construction of a single storey extension to the rear of the dwelling. It also seeks permission for the installation of decking within the rear garden area.

2.2 The application is retrospective as the extension and the decking has been completed.

## 3.0 SITE HISTORY

3.1 There is no site history.

## 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  52, 55, 56, 57, 58, 61

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

Central Government Guidance	National Planning Policy Framework July 2018  National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards  Circular 11/95 (Annex A)
Previous Supplementary Planning Documents	Sustainable Design and Construction (May 2007)
	<u>Area Guidelines</u>  Newnham Croft Conservation Area Appraisal (2013)

## 6.0 CONSULTATIONS

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

6.1 No comment.

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

6.2 There are no material conservation issues with the proposal.

### **South Newnham Neighbourhood Forum**

6.3 It is regrettable that the applicant was advised that the development did not require permission and that works have taken place. It is understood that the amount of glazing led the planning enforcement team to determine the extension would not be permitted development. The scale of the glazing visually dominates the rear of no. 19 and to some extent the garden of no 17. The Residents Forum is of the view that the development does not respond to the surrounding character, that it is not sympathetic to the existing building, that it unacceptably

overlooks and visually dominates the side and rear of no 19 and garden of no 17 and that the extension fails to protect the amenity and privacy of no's 19 and 17. There was no meaningful consultation with neighbours prior to undertaking any works. The property is within a terrace of small plots which are very close together and which needs to be taken into account. The extent of glazing and the raised decking gives rise to privacy issues for neighbours. Asks that the extent of glazing is modified to reduce the area of glass and to erect higher fences between nos. 18 & 19 and 18 & 17. The development is considered contrary to policies 52, 55 and 58 of the Cambridge Local Plan 2018.

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 owner of 19 Eltisley Avenue has made two representations including photographs.

7.2 The representations can be summarised as follows:

- Concerned about length and amount of glazing to the new extension and its proximity to no. 19.
- Increased overlooking to house and garden of no. 19
- Not in keeping with the surrounding character.
- Extension visually dominates no 19.
- Applicants did not discuss with neighbours before building the extension.

7.3 Councillor Gehring initially requested that the application was determined at planning committee due to concerns from neighbours and the resident's association. He later withdrew his request following a discussion with the case officer regarding the permitted development fallback.

7.4 Councillor Cantrill has requested that the application be determined at planning committee. He is concerned that the level of glazing impacts the privacy of no 19 and as a result considers the proposal to be contrary to policy 58.



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

## **8.0 ASSESSMENT**

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

1. Context of site, design and external spaces and impact on heritage assets
2. Residential amenity

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

8.2 The extension has replaced a former lean-to brick outrigger of approximately 1.8m depth with a contemporary square extension clad mainly in glass which measures approximately 3m x 3m. The parapet and window frames are constructed from a grey powder coated aluminium. A rooflight sits atop the flat roof. The plans allow for an open plan kitchen/dining room within the house which in turn leads off to a series of stepped decking areas. The Conservation Officer has confirmed that there are no material conservation issues associated with the proposal. The footprint and height of the extension appears to be close to or within the parameters of what would ordinarily be considered permitted development. The extension is to the rear of the property and is not visible from any public vantage point. That notwithstanding, the extension and the decking both combine to result in a high-quality contemporary design which successfully contrasts with the traditional form and appearance of the main house.

8.3 Whilst the views of South Newnham Neighbourhood Forum are noted, many rear extensions in conservation areas are contemporary in nature and there is no expectation embedded into policy that extensions such as this should be traditional in form or material. The extension as built is clearly a positive and successfully contrasting scheme and complies with policies 52, 55, 56, 57, 58, 61.

## Residential Amenity

### Impact on amenity of neighboring occupiers

- 8.4 The rear extension continues the line of the original outrigger rear extension further into the garden and as such the development does not come any closer to the boundary with no. 19 Eltisley Avenue than before.
- 8.5 In relation to no. 19, neither the length nor the height of the development is objectional. The dimensions of the extension are entirely reasonable and do not, in officers' view, give rise to any significant overshadowing or overbearing issue that would come close to warranting a refusal of planning permission. Officers are mindful of the objection from no. 19 - they consider the extension dominates their small terrace garden - but any refusal on these grounds would have to be compared against what could be constructed under permitted development and this would be – in officers' view - indistinguishable from the scheme that has been put forward for planning permission, both in height, length and the extent of glazing. Having considered the submitted photos from the external terrace of no. 19, the extension is in any case viewed largely against the back-drop of the existing rear gable and there is some limited planting already in place in-between the extension and the boundary.
- 8.6 Turning specifically to the glazing, the extension comprises floor to ceiling height panels on the side facing no. 19 and to the rear. It is not unlike a conservatory in this regard albeit many conservatories also comprise a solid wall upstand. The neighbor at no. 19 is particularly concerned that there has been a threefold increase in the amount of window space affecting their home and garden, with the glazing estimated at 1.6m away from their boundary and 3.2m away from their house.
- 8.7 Located at ground level, it is officers' view that the extent of glazing is a mainly a matter for the applicant in how they wish to utilise and live within their internal (open) kitchen/diner space. Its presence – whilst visible from no. 19 - does not impinge significantly on their privacy. It is accepted that no. 19 can see through and into the side of the proposed extension through and above an existing trellis and vice versa and that views from the rear of no. 18 into the rear gardens of nos. 17 and 19 are available from the extension and from the external decking.

However, this is a built-up terraced part of the City and complete privacy is rarely achievable.

- 8.8 There may be some increased overlooking resulting from the extension to the neighbour, but in no way could this be said to be harmful given the built-up context. In officers' view, removing elements of glazing, applying obscure film to the glazing or raising the height of the boundary fence are not necessary in this case in order to grant planning permission. Under permitted development, either neighbour could choose to erect a 2m high fence across the boundary if additional privacy was sought and/or plant additional landscaping in-between. In officers' view these are matters for the neighbours individually or collectively if there is willing. This is a ground floor extension and some inter-looking between external and internal spaces is part and parcel of living within a terraced environment.
- 8.9 Officers are not concerned regarding light pollution. It is accepted that in the winter months, the extension will have more of a presence in the earlier and darker evenings but this would be little different to a traditional conservatory. In any event at night-time, use of garden areas is typically less than during the day, so the impact on amenity from light pollution is limited.
- 8.10 Whilst it is always advisable that neighbours inform one another of planned works and it is unfortunate that the proposed works do not appear to have been communicated to the neighbours ahead of being undertaken, this is not a reason to refuse planning permission.
- 8.11 The development adequately respects the residential amenity of its neighbours, and the constraints of the site and is compliant with Cambridge Local Plan (2018) policy 58.

## **9.0 CONCLUSION**

- 9.1 The combined development in terms of the single storey rear extension and the decking are on the margins of constituting permitted development. Whilst it is not the purpose of this application to categorically determine the lawfulness of the development as implemented, it is evident that a permitted development scheme could be so similar (in terms of impact and appearance) that this forms a very strong fall-back for approving the scheme. It may be the case that a subsequent

application for a certificate of lawfulness could demonstrate beyond doubt the lawfulness of the works but in officers' view this is not necessary. The design is acceptable and the impacts on residential amenity are acceptable notwithstanding the permitted development fall-back.

## **10.0 RECOMMENDATION**

**APPROVE** with no conditions

<b>Application Number</b>	19/0992/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	15th July 2019	<b>Officer</b>	Mary Collins
<b>Target Date</b>	9th September 2019		
<b>Ward</b>	East Chesterton		
<b>Site</b>	2 Green End Road Cambridge		
<b>Proposal</b>	Conversion and minor external works to the existing 1 no. 4 bed dwelling to create 4no 1bedroom dwellings, including the insertion of 4 dormer windows and alterations to the window openings, cycle and bin store provision and associated works.		
<b>Applicant</b>	N/A C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would respect the character and appearance of the surrounding area.</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is situated on the north eastern side of Green End Road and is accessed off an existing private driveway which serves a number of residential properties of a similar age.

- 1.2 It is an existing two storey semi-detached residential property which is situated on the south eastern side. The existing property has a high eaves level with rooflights to the front and rear elevation and has a brick finish.
- 1.3 The application site is not within a Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the conversion of the existing 1 no. 4 bed dwelling to create 4 no one bedroom dwellings, including the insertion of 4 dormer windows and alterations to the window openings, cycle and bin store provision and associated works.
- 2.2 The dormers would be to the rear facing elevation. Entrance doors would be formed in the north west elevation facing the access road and front and existing openings would be blocked up. The façade would be clad in a vertical cedar.
- 2.3 The existing rear garden would be subdivided into four plots and would have cycle parking in each garden.
- 2.4 To the front of the property on the opposite side of the access road, would be a bin storage area which would be tucked into a corner.
- 2.5 The application is accompanied by the following supporting information:

- 1. Design Statement
- 2. Drawings

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/81/0805	Erection of 2 No. Dwelling houses	Approved

## **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 28 31 32 35 36 50 51 52 55 56 58 59 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Practice Guidance 2019 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration) Cambridge City Council (May 2007) – Sustainable Design and Construction Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001). Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment
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	<p>(2005)  Cambridge and Milton Surface Water Management Plan (2011)  Cycle Parking Guide for New Residential Developments (2010)</p>
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## 6.0 CONSULTATIONS

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

- 6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

### **Sustainable Drainage Engineer**

- 6.2 There are no flood risk or drainage issues associated with this application but to meet Cambridge City Council policy all external areas should be permeable paving and contrary to the planning statement the paving at the front is to be replaced. Recommend condition requiring prior to occupation, details of the permeable paving provision for the site.

### **Landscape**

- 6.3 It is considered that the proposals are generally acceptable in landscape terms. Request Landscaping condition is attached. Would expect threshold treatments to the houses (frontage), treatments at the rear which complement the existing similar development adjacent, attractive bike and bin stores which are suitable at the frontage of a development and all cycle infrastructure and parking to comply with the Cycle Parking Guide (widths of access gates, pathways, stands, security, etc) to be submitted as part of the condition submission. Please note the requirements of the condition which include boundary treatments, materials, and ancillary structures (bike/bin stores etc).



## **Environmental Health**

6.4 In the interests of amenity, recommend the standard construction hours condition.

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

## **7.0 REPRESENTATIONS**

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

- 2a Green End Road
- 6 Green End Road

7.2 The representations can be summarised as follows:

- Realise the intention of the developers is to encourage cycle use but not happy with the proposal to build sheds for cycles or bins on the drive.
- One objector is a registered disabled, elderly person and need access for all sizes of vehicle to be available at all times. No cars should be allowed to park outside no 2 (or indeed further up the drive) because this will block access completely.

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**

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

8.1 The existing property is a two storey dwelling with living accommodation in the first floor roof space. Four units are proposed with each property extended at the rear to create half dormer windows to the rear which are set into the rear wall.

- 8.2 These external alterations are in proportion to the rear elevation of the existing building and are considered appropriate in their design and materials.
- 8.3 The changes to the material finish of the front façade and the insertion of four separate entrance doors is not considered to be detrimental to the appearance of the dwelling or the surrounding area.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56 and 58.

### **Residential Amenity**

#### Amenity for future occupiers of the site

- 8.5 Policy 50 relates to residential space standards and states that new residential units will be permitted where their gross internal floor areas meet or exceed the residential space standards set out in the Government's Technical housing standards – nationally described space standard (2015) or successor document.
- 8.6 The supporting text to Policy 50 states that *new homes created by residential conversions should seek to meet or exceed the standards as far as it is practicable to do so.*
- 8.7 The proposal is for a conversion of an existing dwelling and as a result of the existing internal divisions in the building which are to be retained, four separate units are proposed.
- 8.8 The gross internal floor space measurements for units in this application are shown in the table below:

<b>Unit</b>	<b>Number of bedrooms</b>	<b>Number of bed spaces (persons)</b>	<b>Number of storeys</b>	<b>Policy Size requirement (m<sup>2</sup>)</b>	<b>Proposed size of unit</b>	<b>Difference in size</b>
1	1	2	2	58	56	-2
2	1	2	2	58	52	-6
3	1	2	2	58	59	1
4	1	2	2	58	51	-7

- 8.9 However due to the use of these existing internal divisions, the GIA of the proposed units at 1, 2 and 4 would fall below the space standards. Each bedroom would meet the space standards for a double bedroom and each unit would be open plan providing kitchen and living accommodation at ground floor level.
- 8.10 In my opinion, the deficit of floor space would be to the ground floor, however I am of the opinion that this would not lead to an unacceptable level of amenity which would be detrimental to future occupiers.
- 8.11 In this instance, I am satisfied that the conversion of the existing dwelling to four units is acceptable in this regard.

#### Size of external amenity space

- 8.12 Policy 50 states that all residential units will be expected to have direct access to an area of private amenity space.
- 8.13 All units have direct access to private outdoor amenity space and each is a good sized rear garden with rear access from the public footpath. The private amenity space in my opinion is inclusive, usable, safe and provides enjoyable outdoor space.
- 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) policies 50 and 52.

#### 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.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 59.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.17 The proposed conversion and extensions to the existing dwelling would not be detrimental to the amenities of surrounding residential properties.
- 8.18 I do not consider that there would be a detrimental loss of privacy through overlooking to residential properties to either side.
- 8.19 The proposed dormer windows to the rear elevation would face across the public footpath towards the rear garden of 10 Green End Road. Given the separation between the proposal and this garden of approximately 10 metres, I do not consider that this would lead to a detrimental loss of privacy through overlooking.
- 8.20 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 56 (58) and 35.

### **Highway Safety**

- 8.21 The addition of entrance doors would not be detrimental to the use of the private access road.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

### **Car and Cycle Parking**

- 8.23 The development would be car free and no parking spaces have been shown to the front of the property so I am satisfied there would not be parking on the shared driveway. Given the proposed dwellings are one bedroom, two person and for occupation by individuals or couples and not family homes and given the sustainable location of the development very close to a bus stop serving the city centre, that the proposal is acceptable in this respect. The application site is not within a controlled parking zone and there is on street parking available close by.
- 8.24 Cycle parking at one space per bedroom has been shown in the rear garden. This must be covered and secured and will be required by condition.

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

### **Refuse Arrangements**

8.26 The refuse arrangements are conveniently located to the front of the building and are acceptable.

8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 56 and 57 in relation to refuse provision.

### **Landscape and drainage**

8.28 The scheme seeks to convert and refurbish the existing building. The applicant has confirmed that they do not intend to change the paving at the front. The Landscape Officer has requested that there is a landscaping scheme to the front of the building. Given the wording of the landscaping condition, this would include details of permeable paving so the additional drainage condition in my opinion is not necessary.

## **9.0 Third Party Representations**

9.1 With respect to the comments expressed regarding the neighbouring property at no. 8 Green End Road, this is in separate ownership to the proposed development.

9.2 With respect to the siting of the bin store on the shared drive, permission would be required from all other owners before this could be implemented and this would be a civil matter and not a planning matter.

## **10.0 CONCLUSION**

10.1 In my opinion, the proposed development would be an acceptable subdivision of the existing dwelling and garden and would not 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. 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)

5. The cycle and refuse facilities approved in Condition 4 shall be provided in accordance with the approved details before the use of the development commences.

Reason: To ensure satisfactory provision for the secure storage of bicycles and refuse arrangements. (Cambridge Local Plan 2018 policies 82 and 56)

6. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

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

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

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

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



<b>Application Number</b>	N/A	<b>Agenda Item</b>	
<b>Date Received</b>	N/A	<b>Officer</b>	Rebecca Ward
<b>Target Date</b>	2 October 2019		
<b>Ward</b>	East Chesterton		
<b>Site</b>	Cambridge Science Park		
<b>Proposal</b>	Car Park Management Strategy		
<b>Applicant</b>	Trinity College		

<b>SUMMARY</b>	<p>This proposal, to manage car parking on the Cambridge Science Park and encourage a modal shift away from single use car, has been brought forward following a briefing to the Cambridge City Council Planning Committee in September 2019.</p> <p>If agreed the framework will be a material planning consideration on planning applications for Plot 24 (The Hub) and Plot 1-21. It will also provide a car parking cap for any future schemes.</p>
<b>RECOMMENDATION</b>	See paragraph 3.1 of this report.

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

- 1.1 The Cambridge Science Park lies to the north of Cambridge City. A small part of the Science Park lies within the City Council boundary with most of the park situated within South Cambridgeshire District Council boundary. Appendix 1 includes a boundary plan. The site is not within the Joint Development Committee area.
- 1.2 The Cambridge Science Park was established about 48 years ago. Some of the earlier buildings on the park are out of date and not fit for purpose. As a result, there have been various proposals to re-develop some of the plots for new labourites

and offices to retain existing world leading companies and attract new hi-tech industries and small start-up companies.

1.3 Whilst the park is owned by Trinity College, the plots have various lease hold periods which has meant development opportunities have come forward in a more piecemeal fashion to date.

1.4 The most recent proposals to note are;

1.4.1 Plot 1-21 - Demolition of existing buildings and erection of two four storey buildings for B1 use and a multi-storey car park, including access and landscaping) to allow amendments to cycle parking and car deck footprint, removal of external stair, amendments to bin stores, relocation of phase 1 access road and additional landscaping. Cambridge City reference number - 17/1193/FUL. South Cambridgeshire reference number - S/2436/17/FL

1.4.2 Plot 24 - Hybrid Planning Application comprising in Detail the demolition of the gym, Trinity Centre and Innovation Centre and the construction of hotel with gym, restaurant, café and business suite; and a building comprising multi-storey car park and three storey commercial floorspace (B1 floorspace to the first and second floor; flexible accommodation to the ground floor (A1, A2, A3, A4, A5, B1, D1 and/or D2)) along with associated access, infrastructure and landscaping, and the change of use of the Trinity Centre to B1 as part of a phased development; in Outline the construction of a building up to seven stories to provide B1 floorspace, with all matters reserved. South Cambridgeshire reference number S/4629/18/FL.

## **2.0 THE PROPOSAL AND AGREEMENT**

2.1 At present there are 6,977 consented car parking spaces on the whole Cambridge Science Park. Approximately one third are controlled by Trinity College and the others controlled by various lease holders.

2.2 Trinity College wishes to see Plot 24 (also known as the Hub site) and Plot 1-21 re-developed to create additional research and development facilities, hotel (including gym and swimming

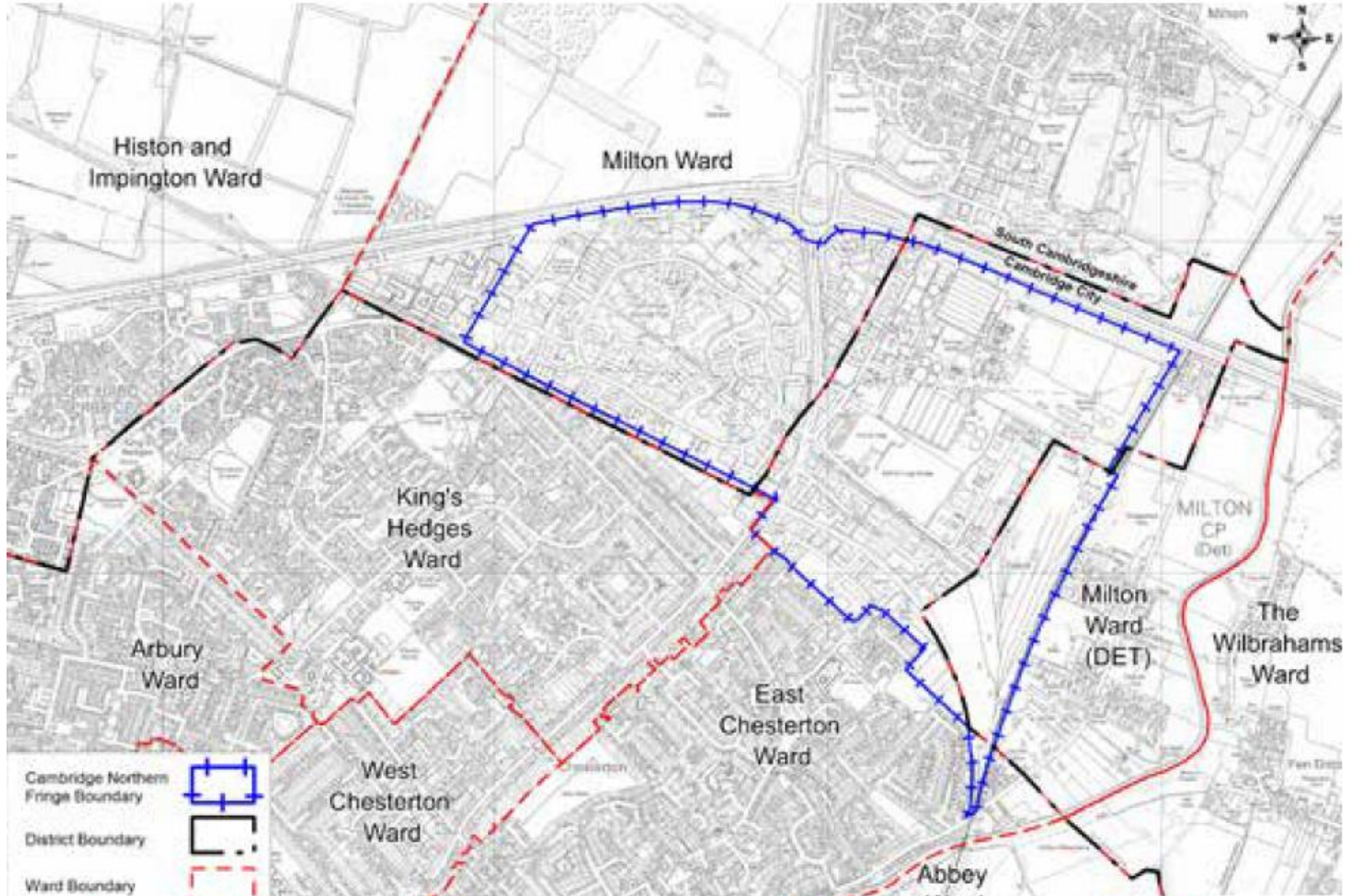
pool) and small retail units. As a result of these proposals the area would see a short-term spike in parking spaces to 7,498.

- 2.3 In recognising the challenges in the wider area; including air quality issues, capacity of the highway network and permeability of the area, Trinity College have proposed to claw back these additional spaces to ensure there is a 'no net increase' bringing levels back to the 6,977 figure.
- 2.4 The intention of this proposal is to encourage a modal shift away from single occupancy car and encourage the use of sustainable transport modes of travel to the park. This strategy is a short-medium term mitigation measure to enable the re-development of these two plots. The Cambridge North East Area Action Plan will seek to guide developments in this area in the long term.
- 2.5 Details of how the strategy will be fulfilled by Trinity College has been set out in appendix 2 'Car Parking Management Strategy'. Details of how the strategy will be monitored is set out in appendix 3 'Monitoring Framework'.
- 2.6 This strategy will need to be secured in a freestanding S106 framework agreement. Once completed it will be a material planning consideration on planning applications for Plot 24 (The Hub) and Plot 1-21. It will also provide a parking cap for any future schemes.

### **3.0 RECOMMENDATION**

- 3.1 Members authorise and delegate authority to officers to negotiate, secure and complete, upon terms considered appropriate, the S106 framework agreement, the subject matter of the report.

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**Appendix 1**  
TENANCY PLAN



## 1.0 Introduction

At present, there are 6,977 consented car spaces on the Cambridge Science Park. Approximately one third of these are directly controlled by Trinity College with the remainder controlled by various long leaseholders, some investors and some occupational tenants (i.e. Cambridge Consultants Limited and NAPP Pharmaceuticals). The plan in Appendix A identifies those sites let on long leases and those directly under the College’s control.

Trinity College wishes to see the Hub developed on Phase 1 which will result in an additional 206 spaces. MACE has aspirations in relation to Plot 1-21 to redevelop that site and create an additional 315 spaces. Accordingly, when both of these schemes are complete the car space numbers on the Park would increase to 7,498 spaces.

The table below sets this out.

	Car Parking Numbers			Car Parking Allocation as a %		
	Trinity controlled	Long leaseholder controlled	Total	Trinity controlled	Long leaseholder controlled	Total
Existing Consented Spaces	2,340	4,637	6,977	33.5%	66.5%	100.0%
Consented Spaces & Hub	2,546	4,637	7,183	35.4%	64.6%	100.0%
Consented Spaces & Hub & 1-21	2,546	4,952	7,498	34.0%	66.0%	100.0%
Difference between consented and post Plot 1-21 and Hub development	206	315	521			

## 2.0 Trinity College’s Strategy for clawing back spaces

The Trinity College controlled parts of the Park are let under numerous occupational leases, the majority of these leases grant statutory protection to the tenants entitling them to renew the leases on similar terms with the current level of parking provision (Protected Leases). However, there are a number of leases which are contracted outside of the 1954 Act (Unprotected Leases) where the College has the ability to reduce parking provision at lease expiry. The proposal is that Trinity will do this subject to the parking ratios remaining commercially sustainable. In respect of the Protected Leases, where tenants do not choose to renew at lease expiry, then the College has the ability to reduce parking ratios on any reletting and the proposal is that it would treat such events as an opportunity to further reduce parking provision.

Looking purely at Unprotected Leases or where there are currently voids or car spaces let on licences, it is possible to see that by 2025, 245 spaces could be clawed back by the College which would more than cover the additional 206 spaces being created at the Hub by the College. In addition to this, there are certain protected tenants whom Trinity College is not expecting to renew their leases, which by 2025 could result in the realistic potential for the number of released car spaces increasing to a total 454 by 2025 and to 521 by 2030. These numbers are set out in the table below.

The theoretical cap on site is 7,498 car spaces, which allows for a short term peak to deliver the immediate new developments (Units 1-21 and The Hub). The long term cap is 6,977 car spaces against which the no net interest is based. The table below does not show the full 7,498 peak because the expectation is that some car spaces will be removed before the new developments are ready for occupation.

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Unprotected leases under Trinity control	98	83	8	0	12	9	0	35	22	11	13	0	0
Cumulative "clawback" by Trinity	98	181	189	189	201	210	210	245	267	278	291	291	291
Total car spaces on Park based off 7,498 CPS reflecting the above "clawback"	7,400	7,317	7,309	7,309	7,297	7,288	7,288	7,253	7,231	7,220	7,207	7,207	7,207
Realistic potential (including the above clawback, plus other leases Trinity control where tenants expected to leave)	153	140	8	22	12	62	0	57	22	11	13	0	0
Resulting cumulative "clawback" by Trinity	153	293	301	323	335	397	397	454	476	508	521	521	521
Total car spaces on Park based off 7,498 CPS reflecting the above "clawback"	7,345	7,205	7,197	7,175	7,163	7,101	7,044	7,022	6,990	6,977	6,977	6,977	6,977

This assessment has been based on the lease expiry profile of the Park’s tenancies. If more Protected Tenants than expected decide not to renew their leases then this number could increase.

### 3.0 2028 Scenario

Accordingly, if planning permission were granted for the Hub and the development of 1-21 in accordance with current proposals, car spaces on the Park would increase to 7,498 (an increase of 521) but could, utilising plots under Trinity College’s control, realistically be reduced back to 6,977 spaces by 2028.

The table below summarises the 2028 situation. It can be seen that the car parking reduction set out is solely delivered by directly controlled sites owned by Trinity College. A further reduction in car parking spaces could take place if other Protected Leases came back under Trinity College control (at the discretion of those tenants) and if a similar approach were to be taken by the long leaseholders, that control some two thirds of the consented car parking on the Park or imposed by the Planning Authority as opportunities arise.

	Car Parking Numbers			Car Parking Allocation as a %		
	Trinity controlled	Long leaseholder controlled	Total	Trinity controlled	Long leaseholder controlled	Total
Existing Consented Spaces	2,340	4,637	6,977	33.5%	66.5%	100.0%
2028 scenario just utilising Unprotected Leases under Trinity control	2,255	4,952	7,207	31.3%	68.7%	100.0%
2028 realistic potential scenario (including the above clawback, plus other leases Trinity control where tenants may well not renew)	2,025	4,952	6,977	29.0%	71.0%	100.0%



## 4.0 Delivery of the Strategy

For the period of 10 years identified in the Section 106 Agreement, the strategy will involve the following steps (unless and until the long term cap of 6,977 is achieved):

- Where appropriate, letting accommodation on the Park with lower levels of parking provision than has historically been the case;
- Removing unused parking spaces, which have been de-allocated from a lease and which are not to be reused or redistributed from future parking use by re-purposing them for alternative uses (see further on this below);
- On all new lettings to only agree with the tenant a maximum parking ratio of 1 space per 40 sqm GIA (except where there is a reasonable prospect of this resulting in a tenant not taking a lease and subject to Trinity being confident that it can claw back the excess spaces elsewhere);
- On all protected lease renewals, or lease renegotiations (re-gears), to act in good faith and encourage tenants to accept that car parking ratios are reduced to a level no greater than 1 space per 40 sqm GIA;
- On all lease renewals of excluded leases to only accept a parking ratio that is no greater than 1 space per 40 sqm GIA except where there is a reasonable prospect of the tenant leaving the Park if the lesser parking provision were insisted upon by the Owner and Trinity is confident that it can claw back the excess spaces elsewhere;
- Where leases benefit from protection, the Owner is not expected to serve hostile section 25 Notices under section 30 of the L&T Act 1954, purely in an attempt to reduce the extent of the parking provision under the lease to be renewed;
- Where a tenant accepts a lower parking ratio than 1 space per 40 sqm GIA, to negotiate a rent to reflect the lower parking ratio agreed;
- Where on a protected lease, a tenant insists on a more generous parking ratio than 1 space per 40 sqm GIA, to use reasonable endeavours to charge a rent to reflect the higher parking provision;
- To encourage tenants and occupiers on the Park to adopt green travel plans and promote modes of transport which are more sustainable than single occupancy vehicles;

The management of car parking through lease events is a core part of the strategy, but this in itself does not prevent car spaces that are not let to tenants being used. Accordingly, methods will need to be implemented to decommission car parking spaces (which are not to be reused or redistributed) and in so doing, prevent them being used.

These measures may include converting car spaces to:

- Cycle parking
- Refuse compounds
- Improving footpath/cycle path provision through the car parks
- Additional landscaping
- Larger car spaces to provide more accessible parking spaces in accordance with current regulations
- Larger car spaces to provide EV charging points
- Increasing parking space sizes where appropriate
- Loading bays
- Temporary planters installed to prevent access
- Additional amenity space (i.e. external break out space, sports provision etc)
- Plot redevelopment

Implementing these solutions are unlikely to follow the immediate removal of car spaces from leases, but will be implemented as expeditiously as possible, initially through temporary measures whilst longer term solutions are identified, designed and implemented. In some locations, the solution may be to create parking hubs overtime for multiple tenants/buildings. To enable this to happen, there may need to be the ability to re-commission spaces that have previously been taken out of use to move parking provision around the Park, but the principle to be applied is that any such re-commissioned spaces will require at least the same number of parking spaces to be de-commissioned elsewhere on the Park at the same time, so numbers of spaces do not increase.

In order for the strategy to be delivered, the control of car parking will need to be more restrictive than it is today. The concept of “unallocated” spaces which are capable of being used by anyone on or off the park will undermine the delivery of the strategy. Having unallocated spaces will lead to drivers “hunting” for spaces across the park, leading to greater congestion and pollution on the park. It will also not prevent those tenants with already generous parking provision from utilising unallocated parking spaces. An objective behind the implementation of the strategy will be for Trinity to redistribute parking provision on a managed and co-ordinated basis amongst occupiers wherever possible, with similar parking ratios applicable to each tenant when dealing with lease end events, with the potential for that ratio reducing over time if public transport provision significantly improves over the life of this strategy. This will not prevent tenants from accepting a lower parking ratio if that meets their business needs. Accordingly, in the event of any “unallocated” spaces being created and those not being de-commissioned, they will be redistributed by Trinity to specified tenants or occupiers (rather than individuals) in accordance with this strategy across the Park, subject to this not placing the leaseholders’ in breach of their covenants, which are otherwise not capable of being varied.



As parking provision reduces, it is likely that barrier controls on parking will become more prevalent and occupiers will need to improve the management of their own staff parking allocation than has previously been the case. The involvement of key stakeholders in the delivery of Green Travel Planning will be key, particularly in relation to on and off Park infrastructure and public transport provision. Accordingly, those key stakeholders include:

- Trinity College
- Park tenants and occupiers
- The Local Authorities
- Central Government
- Owners and occupiers of other parts of the Northern Fringe of the city
- Public Transport providers

## Car Park Strategy Monitoring Framework Report

It is recognised by the College that the Local Authority will require the College to commit to this management strategy through the completion of a section 106 Agreement. The Local Authority will also need to have the ability to monitor progress with the strategy to gain comfort that the reduction in car parking provision is being delivered over time. Accordingly, in line with the terms of the Framework S.106 Agreement the College will agree to a Monitoring Report being prepared periodically and issued to the Local Authority and then jointly reviewed between the parties to either agree that matters are progressing satisfactorily or what additional reasonable measures will be implemented to seek to achieve reducing parking spaces down to a maximum of 6,977 by 2030. The report will not release commercially sensitive information or negotiations about individual leases in order to protect commercial confidentiality but will supply an over view of parking provision.

## 6.0 Summary

The reduction in car parking numbers described in this document have all been assessed on what is considered to be an aspirational but realistic change, assuming current and foreseen travel planning measures to underpin the associated modal shift to sustainable travel.

By 2028, it is hoped that the modal shift away from single occupancy cars can be improved further, including through improved public transport provision to the Park from locations where users reside. This ought to create the opportunity to reduce parking ratios further and more quickly, whilst remaining commercially sustainable.

# APPENDIX 1

## TENANCY PLAN

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**CAMBRIDGE SCIENCE PARK**  
**SECTION 106 FRAMEWORK AGREEMENT**  
**MONITORING FRAMEWORK**

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## 1.0 Introduction

This document sets out the Monitoring Requirements in accordance with the Cambridge Science Park Framework Section 106 Agreement (“the Agreement”) between South Cambridgeshire District Council (SCDC) and Cambridgeshire County Council (CCC) (“the Councils”) and Trinity College Cambridge (“the College”). The Section 106 Agreement’s aim is to achieve a reduction in car spaces on the Cambridge Science Park (“the Park”) from a peak of 7,498 spaces to a maximum of 6,977 spaces over a 10-year period from the date of the Section 106 Agreement (referred to as the “no net increase” objective).

## 2.0 The Monitoring Framework

The Monitoring Report will be based on an initial assessment of car parking spaces in 2019, split between those spaces that are controlled by the College under leases it has granted on a rack rented basis and those spaces let by the College to long leaseholders where the College does not have the ability to control parking over the next 10 years.

It is proposed that the Monitoring Report will contain a summary of parking spaces as at the date of the report along with the target parking provision the College is aiming to achieve in the next 12 months (the next Monitoring Period) in order to work towards the overall goal of reducing car park space numbers down to a maximum of 6,977 over the 10 year period to 2030. It will not contain confidential or commercially sensitive information.

The Monitoring Report will set out progress since the last report and will identify:

- I. which spaces have been taken out of tenancies as a result of lease expiries, lettings and lease renewals,
- II. how they have been or are intended to be re-purposed for alternative uses along with a time scale to do this;
- III. the number of spaces that are likely to be removed from tenancies over the next 12-months;
- IV. an updated estimate of how parking spaces will be taken out of leases for the remainder of the 10 year period;
- V. Whether there is an intention to re-commission any de-commissioned spaces, and if so, what further spaces are to be de-commission to ensure the total number of commissioned spaces does not increase.

The report will not release commercially sensitive information or negotiations about individual leases in order to protect commercial confidentiality but will supply an over view of parking provision.

If the College’s projection of total car spaces over the 10-year period is not expected to achieve the target of 6,977 car spaces, as part of its Monitoring Report, the College will present a plan to the Councils setting out how the College intends to rectify the position.

The report will be followed by a site meeting between the College representatives and the Councils, so progress on site can be audited, both in terms of assessing the number of spaces that have been de-allocated and progress in re-purposing such spaces to alternative uses. At the

## Section 106 Framework Agreement – Monitoring Framework

site meeting the College representative will verbally explain the detail of how the target number of spaces identified in point III above is to be achieved over the next Monitoring Period.

The parties may, by mutual agreement decide to adjust these reporting requirements as is sensible depending on the circumstances and lease activities in the forthcoming year.

2019 04 08 Framework Monitoring Report (005)

