



## Cambridge City Council Planning

**Date:** Wednesday, 4 March 2020

**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.

- 2 Apologies
- 3 Declarations of Interest
- 4 Minutes - to follow

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

5 19/1616/FUL - 67-97A Campkin Road (Pages 7 - 46)

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

6 19/1167/FUL - Public Toilet, Silver Street (Pages 47 - 78)

7 19/1350/LBC - Public Toilet, Silver Street (Pages 79 - 98)

8 18/1890/FUL - Family Centre, Malta Road (Pages 99 - 122)

9 19/1389/TDAMIN - Cambs and Hunts Health Authority, 18 Vinery Road (Pages 123 - 150)

10 19/1506/FUL - 4 Huntingdon Road (Pages 151 - 160)

11 19/1409/FUL - 38 Pakenham Close (Pages 161 - 170)

12 19/1301/FUL - 23 Garden Walk (Pages 171 - 186)

13 19/1290/FUL - 32 Arbury Road (Pages 187 - 196)

14 19/0763/FUL - 305 Hills Road (Pages 197 - 212)

15 19/0724/FUL - 184 Perne Road (Pages 213 - 228)

16 19/0866/FUL - 67 Perne Road (Pages 229 - 244)

### **Part 3: General and Enforcement Items**

17 Objection to TPO 37\_2019 - Newmarket Road (Pages 245 - 250)

18 Objection to TPO 40\_2019 - 291 Arbury Road (Pages 251 - 256)

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

**Alternates:** Herbert, Page-Croft and Thornburrow

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# Appendix 1 – Planning Policies and Guidance

(Updated January 2020)

## 1.0 Central Government Advice

1.1 National Planning Policy Framework (NPPF) February 2019 – 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 (NPPG)

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

1.3 Circular 11/95 – The Use of Conditions in Planning Permissions (Appendix A only): Model conditions.

#### *Planning Obligations*

### 1.4 Community Infrastructure Levy (CIL) Regulations 2010 (as amended)

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.

The 2019 amendments to the regulations removed the previous restriction on pooling more than 5 planning obligations towards a single piece of infrastructure.

## 2.0 Development Plans

2.1 The Cambridgeshire and Peterborough Minerals and Waste Plan 2011

2.2 Cambridge Local Plan 2018

### **3.0 Supplementary Planning Documents**

3.1 Sustainable Design and Construction 2020

3.2 Cambridge Flood and Water 2018

3.3 Affordable Housing 2008

3.4 Planning Obligations Strategy 2004

#### *Development Frameworks and Briefs*

3.5 The New Museums Site Development Framework (March 2016)

3.6 Ridgeons site Planning and Development Brief (July 2016)

3.7 Mitcham's Corner Development Framework (January 2017)

3.8 Mill Road Depot Planning and Development Brief (March 2017)

3.9 Land North of Cherry Hinton (February 2018)

3.10 Grafton Area of Major Change - Masterplan and Guidance (February 2018)

### **4.0 Use Classes**

Class A1: Shops

Class A2: Financial & Professional Services

Class A3: Restaurants & Cafes

Class A4: Drinking Establishments

Class A5: Hot Food Take-away

Class B1: Business

Class B2: General Industrial

Class B8: Storage or Distribution

Class C1: Hotels

Class C2: Residential Institutions

Class C3: Dwellinghouses

Class C4: Small House in Multiple Occupation

Class D1: Non-Residential Institutions

Class D2: Assembly and Leisure

Sui Generis: A use on its own, for which any change of use will require planning permission



# Agenda Item 5

**PLANNING COMMITTEE**

**4th March 2020**

<b>Application Number</b>	19/1616/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd November 2019	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	21st February 2020		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	67 - 97A Campkin Road		
<b>Proposal</b>	Demolition of 32no existing flats and garages, and erection of 75no new affordable dwellings, including 4no houses and 71no apartments, a new community facility, car parking, landscaping and associated works.		
<b>Applicant</b>	.. Mandela House (ground Floor) 4 Regent Street Cambridge CB2 1BY		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><li>- The development would significantly increase the amount of affordable housing to help meet demand within the city;</li><li>- The proposed development would make more efficient use of brownfield land by providing a high-quality residential development that would not have any significant adverse impact on the residential amenity of the neighbouring occupiers;</li><li>- The design and scale of the proposed development is of a high quality and responds appropriately to the surrounding built form;</li><li>- The proposed development meets high standards of sustainability with fabric-first construction, MVHR, green roofs, EV charging points, electrically based low carbon heating solution with air source heat pumps, solar panels, and sustainable urban</li></ul>
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	drainage.
RECOMMENDATION	APPROVAL

## **0.0 BACKGROUND**

0.1 This is a Regulation 3 planning application that has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to deliver 500 net new council rented homes across the City using mainly council owned sites/assets. The City Council has received J70 million support from central government as part of the Devolution Deal to help achieve this target. The development proposed at Campkin Road includes 75 new council rented homes – an uplift of 43 homes. This equates to 8.60% (net) of the 500 home target.

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

- 1.1 The application site is an irregular shaped plot of land and occupies approximately 0.90 hectares in area.
- 1.2 The site hosts 4x 2-storey blocks of flats (32 flats in total) which have pitched roof forms and gable ends. The blocks are rectangular in form and have a strong linear layout. The blocks are set back significantly from Campkin Road, leaving a large area of green to the front of the site. The site also houses 31 garages.
- 1.3 Campkin Road runs along the north and eastern aspects of the site, with Hawkins Road, Jackson Road and Kent Way directly to the south and west. The nearby surrounding area is broadly residential in nature with some alternative uses dotted around, including a school, shops and other commercial premises. Building heights locally vary between two and four storeys in height with four storey properties evident directly to the south-west of the site, and further to the south and south-east.
- 1.4 The property is not located within a designated conservation area and there are no listed buildings on the site or in the immediate vicinity.



1.5 The eastern section of the site (running north-west to south-east) which is currently green and separates the road from the existing flats site is identified on the adopted Cambridge Local Plan (2018) proposals map as being Protected Open space.

## **2.0 THE PROPOSAL**

2.1 This application proposes a comprehensive redevelopment of the site involving the demolition of 32no existing flats and garages, and erection of 75no new affordable dwellings, including 4no houses and 71no apartments, a new community facility, car parking, landscaping and associated works.

2.2 The residential accommodation includes a range of dwelling types with 2-bedroom houses and 1 and 2 bedroom apartments. All of the new dwellings proposed meet or exceed the residential space standards within Policy 50 of the Local Plan. The dwellings are proposed within buildings ranging between two and four storeys in height.

2.3 The proposal includes a new community facility which would be situated at the ground floor level of the north-western most building.

2.4 The proposal retains the area of Protected Open space to the east of the site whilst also creating other open spaces within the site, including private gardens for the houses, a communal garden, and the provision of play equipment to the north-western part of the site.

2.5 The scheme has been through an extensive pre-application process with officers, and the design of buildings, layout and open spaces has evolved.

2.6 In addition to the relevant plans and application form, the application is accompanied by the following supporting information:

- Air Quality Assessment
- Preliminary Ecological Appraisal
- Daylight & Sunlight Assessment
- Design and Access Statement
- Flood Risk Assessment and Drainage Strategy
- Phase 1 Land Contamination Assessment

- Noise Assessment
- Planning Statement
- Statement of Community Involvement
- Transport Statement
- Arboricultural Survey and Implications Assessment
- Energy Strategy
- Utilities Assessment
- Public Art Strategy and Delivery Plan
- Demolition and Construction Management Plan (Inc Traffic Management Plan)
- Sustainability Statement
- BREEAM Pre-assessment
- Landscape Strategy
- Overheating statement
- Phase 2 Geo-Environmental Assessment

### **3.0 SITE HISTORY**

3.1 There is no relevant planning history on this site.

### **4.0 PUBLICITY**

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

### **5.0 POLICY**

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 3, 28, 29, 31, 32, 33, 34 35, 36, 45, 50, 51, 55, 56, 57, 59, 67, 68, 69, 70, 71, 73, 74, 75, 80, 81, 82, 85

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

Central Government Guidance	National Planning Policy Framework February 2019  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)  Public Art SPD (2010)  Greater Cambridge Sustainable Design and Construction SPD (2020)
	<u>Area Guidelines</u>  None Applicable

## 6.0 CONSULTATIONS

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

- 6.1 The Highways Officer was generally supportive of the proposal subject to the imposition of a condition with regard to securing details of the management and maintenance of the proposed streets within the development.

6.2 A concern had been raised with regard to the hours of deliveries/collections of waste due to the proximity of the site to a nearby school. It was recommended that the Traffic Management Plan be updated to change these hours so that no such activity would take place between 0930 and 1500 during the school week during term time.

6.3 It is considered that an amended Traffic Management Plan can be secured by way of condition.

#### **Cambridgeshire County Council (Transport Assessment Team)**

6.4 The Transport Assessment Officer had raised no objection to the proposal, noting that the proposal would only generate a 'very small increase in vehicle trips in peak periods'.

#### **Cambridgeshire County Council (Education and Libraries)**

6.5 The County Council's Growth and Development Officer has stated that the proposed development would be unlikely to result in a net gain of children. As such, no contributions towards education and libraries have been requested.

#### **Urban Design Officer**

6.6 The Council's Urban Design Officer has commented in support of the scheme subject to the imposition of a condition to secure samples and a schedule of materials to be used in the external elevations – including balconies.

#### **Sustainability Officer**

6.7 The Council's Sustainability Officer has confirmed that the scheme is acceptable from a sustainability point of view subject to the imposition of conditions securing compliance with the submitted energy statement, provision of water efficiency specifications for each dwelling type and submission of BREEAM certification for design and post construction.

#### **Landscape Officer**

6.8 The Council's Landscape Officer has commented in support of the proposal, subject to the imposition of conditions to secure

further details of landscaping and the maintenance and management of the proposed landscaping.

### **Tree Officer**

- 6.9 The Council's Tree Officer has been consulted on the proposal. No comment has been received.

### **Drainage Officer**

- 6.10 The Council's Drainage Officer has raised no objections to the proposal subject to conditions securing full drainage scheme details, a maintenance plan for the drainage system, a flood evacuation plan and details for foul drainage.

### **Local Lead Flood Authority**

- 6.11 The Local Lead Flood Authority have been consulted on the proposal and an objection has been raised due to concerns relating to the Surface Water Flood Risk Modelling information provided as part of the submission.
- 6.12 Further information has been submitted in response to the concerns raised and at the time of writing this report, an updated response is awaited.

### **Environmental Health Officer**

- 6.13 The Council's Environmental Health Officer has been consulted on the proposal. No objections have been raised subject to the imposition of conditions.

### **Environment Agency**

- 6.14 The Environment Agency have commented stating that the proposal is not high risk and will not therefore be providing comments.

### **Developer Contributions Monitoring Officer**

- 6.15 The relevant Officer has confirmed that contributions are required to mitigate the impact of the development, which are detailed later in this report.

### **Enabling (Affordable Housing) Officer**

6.16 No objection raised.

### **Ecology Officer**

6.17 No comment received.

### **Public Art Officer**

6.18 No comment received.

### **Fire and Rescue**

6.19 No comment received.

### **Anglian Water**

6.20 No objection raised.

### **Designing Out Crime Officer**

6.21 The Officer has confirmed that the applicant has been engaging with the police prior to the submission of the application, and raises no objection – stating that the scheme is designed to Secured By Design ‘Gold’ standard.

### **Cadent Gas**

6.22 No objection raised

### **Cambridgeshire County Council Archaeological Officer**

6.23 No objection subject to condition.

### **NHS**

6.24 No objection subject to a S106 contribution to local medical services.

## 7.0 REPRESENTATIONS

7.1 Letters have been sent to the owners/occupiers of nearby properties informing them of the proposed development. In addition, site notices were erected around the site.

7.2 Letters of representation from the following addresses have been received as a result of this process:

- 2 Jackson Road
- 14 Jackson Road
- 16 Jackson Road
- 38 The Westering

7.3 The representations can be summarised as follows:

<b>Concern</b>	<b>Officer Response</b>
Proximity to existing buildings	8.14-8.17
Overlooking/loss of privacy	8.14-8.17
Increased noise	8.77-8.78
Increased traffic	8.43
Possibilities for criminal activity	8.76
Parking provision	8.36-8.39
Drainage concerns	8.50-8.54

### **Camcycle**

7.4 Camcycle responded to the proposal as originally submitted and raised concerns with regard to the layout of cycle parking in the store for Block A, the width of the pathway between Kent Way and Campkin Road, and the cycle shed access for houses.

7.5 The applicant engaged in conversations directly with Camcycle in order to resolve their concerns.

7.6 Amendments have been made and Camcycle have subsequently removed their objection.

### **Disability Panel**

7.7 The application was presented to the Disability Panel on 28<sup>th</sup> January. The application was well received from a disability and access perspective.

7.8 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. Flood risk
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Drainage
9. Trees and ecology
10. Energy and Sustainability
11. Affordable housing
12. Public art
13. S106 contributions
14. Third party representations

### **Principle of Development**

8.2 Policy 3 of the Cambridge Local Plan (2018) seeks to ensure that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. The proposal is for a residential development within a predominantly residential area, and on a site which already houses residential dwellings. The proposal would result in a more efficient use of brownfield land, and falls within an existing urban area.

8.3 Policy 67 of the Cambridge Local Plan (2018) seeks to ensure that new development does not harm the character of, or result in the loss of, open space. The Protected Open space to the east of the site currently serves as a visual and physical break between the residential properties on the site and Campkin Road. The proposal would retain this area of open space, whilst not altering its character in a harmful way.



- 8.4 With the above in mind the principle of development is considered acceptable subject to the material considerations discussed below being satisfactorily met.

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

- 8.5 As discussed earlier in this report, the site sits within a predominantly residential area with some non-residential in close proximity.
- 8.6 The proposed development has been laid out with two part 3, part 4 storey blocks of flats creating a strong frontage to Campkin Road. These blocks would be three storeys in height at the points nearest to each other, and a short row of terraced 2 storey houses would be located in a set-back position from the rear of the shorter elements of these blocks. This would facilitate the creation of a communal garden which would be square in shape and screened to the front and rear to help to provide a sense of ownership to the residents. To the north-west of the site, a further block is proposed, three storeys in height and set back from the two larger blocks when viewed from Campkin Road.
- 8.7 The main vehicular access to the site would be from Hawkins Road with parking located to the rear of the site.
- 8.8 The changes in height across the site ensures that the development responds well to the adjoining properties and would have an acceptable impact on the wider area. Four storeys is the largest height of building in the near vicinity and this proposal respects this, with shorter elements provided to reduce the sense of scale and ensure the development would not be overly dominant.
- 8.9 The buildings have been designed to provide some visual interest with projecting balconies, undulating heights, and a variety of brick tones. It is recommended that, in the event of planning permission being granted a condition should be attached to secure samples and a schedule of all external materials so as to ensure an appropriate finish.

- 8.10 The scheme has been laid out in a logical manner with the street layout providing easy access to all properties, whilst being kept to a minimum to ensure that the development would not feel car dominated. The location of the residential parking is largely contained within three parking courts – two to the rear of the site and one fronting Campkin Road, although this is set-back from the road itself by the Protected Open Space. These locations further ensure that the development does not feel car dominated. The location of the disabled community centre car parking space is acceptable – in close proximity to the facility, and more importantly adjacent to the access ramp to the entrance.
- 8.11 The Council's Landscape Officer has been consulted on the proposal and they have confirmed that the scheme is satisfactory subject to the imposition of a number of conditions.
- 8.12 It is considered that the quantum and quality of open space proposed is of a sufficient scale for the development proposed.
- 8.13 It is considered that the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, and 59.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.14 The development has been designed with the context of neighbouring properties in mind. The proposed buildings would have separation distances from those nearby ranging between 16m and 43m, with the shorter measurement being a proposed blank flank wall facing an existing flank wall with windows.
- 8.15 There are properties located along Jackson Road and Kent Way which have distances from windows on block A of 21 and 16 metres respectively, with gardens significantly closer. The windows at ground floor level cause no concern from an amenity point of view as these look out onto a boundary treatment. The upper floors, however, have windows serving apartments. On each floor windows facing this garden would

serve kitchens and living rooms. These are all proposed to be obscure glazed and a condition can be attached to secure this. These windows are considered acceptable to be obscure glazed as the living room windows are secondary ones, while the kitchen windows serve kitchens that could not be considered habitable rooms due to their size.

- 8.16 Concerns have been raised by residents of Jackson Road with regard to a loss of privacy to their properties from the proposed apartments and houses. The proposed properties are in excess of 30m away from the windows of these properties and are, therefore, considered far enough away for there to be an unacceptable impact with regard to overlooking. It is acknowledged that the gardens of these properties are closer to the proposed windows although this distance is still approximately 15m away from the very end of their relatively sizeable gardens, and so any overlooking caused would not be significant.
- 8.17 The distance to all other properties is greater than the relationships described above, and are therefore considered acceptable.
- 8.18 The scale and mass of the buildings proposed, along with their proximity to neighbouring properties, ensures that the proposal does not adversely impact upon their sunlight and daylight, nor does it cause significant overshadowing. This view is supported by the daylight/sunlight and overshadowing assessment provided by the applicant in support of this application.
- 8.19 The new buildings would not appear overbearing when viewed from neighbouring properties, and there are no significant issues regarding overlooking or loss of privacy.
- 8.20 Officers have assessed the potential impact on the residential amenity of the surrounding occupiers in terms of sunlight, daylight, overlooking, overbearing sense of enclosure and overshadowing, and are satisfied that the proposal, due to its siting, layout and distance from existing dwellings and boundaries, would not have a significant adverse impact on the residential amenity of the neighbouring occupiers such that it would warrant refusal.

Wider area

- 8.21 As with any development of this nature, there could be some adverse impact during the construction phase – including noise, dust and disturbance. The Environmental Health Team have recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. These include, but are not limited to, noise during construction and construction hours. Officers have no reason to deviate from the advice given and have recommended these conditions accordingly.
- 8.22 Officers consider that 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

- 8.23 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All units proposed comply with, and most exceed, these standards. In this regard, Officers consider that all the new homes proposed would provide a high-quality internal living environment for the future occupants.
- 8.24 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space.
- 8.25 All of the proposed dwellings benefit from a private amenity area. These take the forms of gardens and balconies.
- 8.26 As well as the private amenity spaces, the development incorporates a shared communal garden and improvements to existing open areas.
- 8.27 It is considered that the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and, in this respect, it is compliant with Cambridge Local Plan (2018) policy 50.
- 8.28 The development has been assessed for compliance with Policy 51 and all dwellings comply with the requirements of Part M4 (2) of the Building Regulations. In addition, more than the required 5% of all units have been designed to M4 (3),

indicating that they are suitable for wheelchair users. In order to ensure the units are provided to these standards, a condition has been recommended to secure these requirements.

- 8.29 Subject to the imposition of a condition as suggested in the previous paragraph, Officers are content that the proposal complies with Cambridge Local Plan (2018) policies 50 and 51.

### **Refuse Arrangements**

- 8.30 The proposed refuse storage arrangements are shown to be of a logical layout, with external underground bin stores proposed for the flat blocks. A bin store would be located next to each block. The houses would have refuse stores in their back gardens which would be presented to the rear of the site on collection day. The applicant has provided calculations of storage provision and these demonstrate that the quantum of provision is in accordance with the required levels. The applicant has provided detailed tracking plans demonstrating how refuse vehicles would be able to negotiate the development safely when collecting refuse and recycling.
- 8.31 The Council's Refuse and Recycling Officer has been consulted on the application and no response has been received.
- 8.32 Drag distance would be broadly within ten metres and this would comply with the RECAP Waste Design Guide (2012).
- 8.33 Officers consider that the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

### **Highway Safety**

- 8.34 The application has been supported by a number of plans demonstrating how the development would be accessed and egressed. This includes swept path analysis which demonstrate that refuse trucks can operate safely within the site. The Highway Authority and Transport Assessment Team have been consulted as part of the application and, further to amendments to details within the Traffic Management Plan regarding hours of deliveries and waste collections, no objections exist. They have suggested that conditions be attached in the event of permission being granted and these feature at the end of this report.

8.35 Officers consider that the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

8.36 The Cambridge Local Plan (2018) seeks to support developments that incorporate sustainable forms of transport, including walking, cycling and public transport. This, however, does not negate the requirement for schemes to provide an appropriate level of car parking within a scheme.

#### Car Parking

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

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

- No more than a mean of 1.5 spaces per dwelling (up to 2 bedrooms)
- No less than a mean of 0.5 spaces per dwelling, upto a maximum of 2 spaces per dwelling (3 or more bedrooms)

8.39 The proposal affords 60 car parking spaces – 54 for the residential properties and 1 disabled bay for the community centre. This equates to 0.72 spaces per residential dwelling. Five additional spaces are provided which are for wider use on a first come, first serve basis.

8.40 All M4(3) homes would have wheelchair accessible parking spaces in close proximity.

8.41 The proposal includes provision of active charging points for each of the four houses, and for 10% of the unallocated parking for residents of the flats. The remaining spaces are proposed to have infrastructure put in place to allow for future connectivity for electric charging.

- 8.42 The Council's Environmental Health Officer has requested that there should be a provision of 50% active slow electric vehicle charge points with additional passive provision for the remainder of the spaces and has requested a condition to secure this.
- 8.43 The County Council's Transport Assessment Team have commented on the proposal and have noted that the development would unlikely increase trip generation to and from the site. Given that the parking standards are a maximum requirement, and the Local Plan seeks to encourage more sustainable methods of transport, the level of provision proposed is considered to be policy compliant. Officers have no reason to disagree with this conclusion.

#### Cycle Parking

- 8.44 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L of the same document.
- 8.45 The standards set out that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. All dwellings proposed are 1 or 2 bedrooms, and as such, the development is required to provide 109 cycle parking spaces.
- 8.46 The proposal provides 124 cycle parking spaces, exceeding the policy requirement of 109 spaces by 15 spaces.
- 8.47 All dwellings are compliant with the required standards outlined above. The flat block would have internal cycle stores with external access. All cycle stands would be Sheffield stands. Houses would have cycle stores in their rear gardens.
- 8.48 8 visitor spaces are proposed, and these are located to the north west of the site.
- 8.49 It is considered that the proposal promotes the prevalence of sustainable transport methods, and provides an acceptable balance between car and cycle parking. The proposal is considered to be compliant with Cambridge Local Plan (2018) policy 82.

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

- 8.50 The application has been supported by a Flood Risk and Drainage strategy.
- 8.51 The Local Lead Flood Authority (LLFA) have been consulted on the proposal and concerns were originally raised regarding the potential for ground floor properties to flood. Following a meeting between the applicant and the LLFA, additional information has been provided by the applicant and the LLFA have confirmed that their concerns have been overcome subject to conditions.
- 8.52 At the time of writing this report, the LLFA were in the process of drafting required conditions. These will be reported in the update report prior to planning committee.
- 8.53 The Council's Drainage Officer has been consulted on the application and they have commented that the application is acceptable from a drainage perspective subject to the imposition of conditions. A full suite of drainage conditions will be reported on the update report once the LLFA have provided their recommended conditions.
- 8.54 It is considered, the proposal is compliant with the paragraph 163 of the National Planning Policy Framework (2019) and policy 31 of the Cambridge Local Plan (2018).

## **Trees & Ecology**

### Trees

- 8.55 The application was accompanied by a tree survey, arboricultural impact assessment and tree protection plan.
- 8.56 The proposal identifies the loss of 8 category B and C trees (or groups), which is unfortunate. The Council's Tree Officer has been consulted on the proposal and no comments have been received.
- 8.57 The applicant has provided a landscape masterplan which indicates that there is room for significant replacement planting, and Officers consider that there is scope to provide more than the 8 lost species. The Landscape Officer has requested a



condition for a detailed landscape plan which would allow the further exploration, and securing, of the provision of replacement trees. The applicant has explored alternative layouts for the properties in order to reduce the loss of trees, and Officers are satisfied that the current proposal provides a level of public benefit that outweighs the loss of trees.

8.58 Officers are also of the opinion that the scheme could potentially provide more tree planting and this could be secured by way of the landscaping condition previously suggested.

8.59 Subject to the condition recommended, Officers consider the proposal is compliant with Cambridge Local Plan (2018) policy 71.

### Ecology

8.60 The Ecology officer has been consulted as part of the application, although no comment has been received.

8.61 Although no comment has been received from the Council's Ecological Officer, it is considered appropriate to attach a condition requiring a scheme for ecological enhancement to be provided.

8.62 The proposal would, subject to the condition suggested, be in accordance with Policy 70 of the Cambridge Local Plan (2018).

### **Energy and Sustainability**

8.63 The proposed development includes a series of renewable energy and sustainability measures to reduce carbon emissions and to save energy in accordance with Policy 28. These include the following:

- Green biodiverse/sedum roofs to apartment buildings
- Sustainable urban drainage integrated into hard landscaping including permeable paving
- Air Source Heat Pumps
- Fabric-first – thicker, denser insulation and wall construction to minimise heat loss and reduce residents' energy bills
- Mechanical Ventilation with Heat Recovery (MVHR) for all properties

- Electric vehicle charging points – provision made for both residents and the public car park
- Photovoltaic (PV) panels on the roofs of houses and apartments.

8.64 The Energy report demonstrates that the approach chosen would comfortably exceed the 19% reduction in carbon dioxide emissions target within Building Regulations Part L and would comply with policy 28. A comprehensive approach has been taken to sustainability and the measures proposed combine to form a highly sustainable development.

8.65 The Council's Sustainability Officer has been consulted on the proposal and has raised no objections subject to the imposition of conditions relating to complying with the energy statement submitted and water efficiency, as well as BREEAM certification.

8.66 Officers have no reason to consider the information submitted differently to the Sustainability Office and have recommended the suggested conditions accordingly.

### **Affordable Housing**

8.67 Policy 45 of the Cambridge Local Plan (2018) seeks to secure 40% affordable housing on schemes of 15 or more dwellings.

8.68 The proposed development is for a scheme of 75 dwellings with all of these being affordable for social rent. This equates to 100% of the total number of dwellings. Of these, 41 would be 1-bedroom units, and 34 would be 2-bedroom units.

8.69 The Council's Growth Officer has been consulted on the proposal and has raised no objections to the amount of affordable housing proposed, nor the breakdown of tenure.

8.70 Whilst Policy 45 requires a mix of intermediate and affordable rented housing, the development would deliver council rented housing only. In this case a very significant and un-met need has been found to exist for Council rented housing. The Council has identified that the significant levels of affordable rented need might otherwise go unmet without its own direct intervention. It is considered that the proposed tenure of

affordable housing is justified in this case, especially in light of the 100% affordable housing provision.

## **Public Art**

8.71 The applicant has provided a public art strategy and delivery plan as part of their submission. The applicant proposes an amount of J40,000 towards public art within the site. Officers consider that the sum proposed is acceptable given the number of additional dwellings being created, and in light of recent approvals, and is therefore compliant with Cambridge Local Plan (2018) policy 56 and the Public Art SPD 2010.

## **S106 Contributions**

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

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

8.73 In bringing forward these recommendations in relation to the Planning Obligation for this development Officers have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The Heads of Terms are summarised below. Financial contributions would be calculated using formulae based on the final housing mix agreed through reserved matters.

<b>Heads of Terms</b>	<b>Summary</b>
<b>City Council Infrastructure</b>	
Informal open space	J15,851.00 plus indexation towards the provision of and / or improvement of and /

	or access to Informal Open Space facilities at Nuns Way Recreation Ground.
Provision for children and teenagers	J1,264 plus indexation towards the provision of and / or improvement of the Childrens play area facilities at Nuns Way Play Area.
Indoor sports	J17,619.50 plus indexation towards the improvement of / provision of Scoreboard, PA, AV and displays to cater for indoor sports at North Cambridge Academy.
Outdoor sports	J15,589.00 plus indexation towards the provision of / and /or improvement of artificial cricket nets and wicket at North Cambridge Academy.
Community facilities	No contribution required
Affordable housing	100% provision on site.
<b>County Council – Education / Refuse</b>	
Early years	No contribution required
Primary School	No contribution required
Secondary School	No contribution required
Life Long Learning (Libraries)	No contribution required
Monitoring	J650
<b>Other</b>	
NHS	J10,400 towards Cambridge City PCN (Arbury Road Surgery and Nuffield Road Medical Centre)

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

### **Third Party Representations**

8.75 Some of the matters raised in the representations have been

addressed in this report already. Other issues are addressed in this section.

- 8.76 Concerns have been raised about the potential for criminal activity if sufficient lighting/layout consideration is given. The Police have been consulted on the proposal and have confirmed that the proposal would meet Secure By Design Gold standard, indicating an excellent level of safety.
- 8.77 Concerns have been raised with regard to increased noise as a result of the development. It is acknowledged that the inevitable increase in the number of people living at the site, along with the introduction of a community centre, would result in an increase in noise. Conditions have been suggested to minimise noise from the community centre, whilst the increase in residential dwellings is unlikely to generate a significant amount of noise.
- 8.78 In addition, there would be some noise during construction, which is inevitable with any construction project, although this would be time limited. In addition, conditions have been recommended to ensure these impacts are considered, monitored and minimised.

## **9.0 CONCLUSION**

- 9.1 The proposal is for the comprehensive redevelopment of the site involving the erection of 75 dwellings (100% for Council rent), open space provision, and associated works.
- 9.2 The proposed development has had extensive pre-application consultation with a variety of consultees prior to its submission. Nevertheless, the scheme has been amended post submission to address issues that were not satisfactorily resolved at the pre-application stage.
- 9.3 The proposal has been guided by the National Planning Policy Framework (NPPF) and Cambridge Local Plan (2018) which are material considerations.
- 9.4 The application has been considered against the relevant policies, and upon assessment, it is considered that the application complies with national and local policies, and should, therefore, be granted planning permission subject to appropriate planning conditions and a S106 legal agreement.

## 10.0 RECOMMENDATION

**APPROVE PLANNING PERMISSION** subject to (1) the prior completion of a S106 agreement to secure the planning obligations specified in paragraph 8.73 of this report, and (2) the following conditions:

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

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

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

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

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

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

4. Prior to the commencement of above ground works, a scheme for the provision of fire hydrants shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details. The approved scheme shall detail the implementation strategy for the fire hydrants (noting the hydrants may be installed in a phased manner across the site). No dwellings shall be occupied until the fire hydrants serving that part of the site have been implemented and installed in accordance with the approved Scheme.

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

5. Notwithstanding the plans hereby approved, 5% of all affordable dwellings shall be constructed to meet the requirements of Part M4(3) 'wheelchair user dwellings', and all dwellings 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, Policies 50 and 51).

6. The public art provision shall be fully implemented in accordance with the submitted Public Art Strategy and Delivery Plan dated November 2019, unless otherwise approved in writing by the Local Planning Authority.

Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

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

7. No development above ground level shall commence until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments, incorporating a method of dispersal for hedgehogs, to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter. Development shall be carried out in accordance with the approved details.

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

8. Details of the biodiverse (green) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works on the apartment block commencing. Details of the green roof(s) shall include means of access for maintenance, plans and sections showing the make-up of the sub-base to be used.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity. (Cambridge Local Plan 2018; Policy 31).

9. Prior to the commencement of above ground works, with the exception of demolition, a scheme for ecological enhancement including native planting, measures to allow dispersal of hedgehogs and in-built features for nesting birds, roosting bats and shall be provided to and agreed in writing by the Local Planning Authority. The measures shall be implemented in accordance with the agreed scheme.

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

10. Prior to first occupation, the manoeuvring and parking areas shall be provided as shown on the drawings hereby approved and retained free of obstruction.

Reason: In the interests of highway safety and to ensure an adequate level of parking provision is retained (Cambridge Local Plan 2018, Policies 81 and 82).



11. All windows above ground floor level serving residential properties on the north-west and south-west facing elevations of Block A shall be obscure glazed and non-opening to a height of 1.70m above finished floor level. The windows shall be retained as such thereafter.

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

## **ENV HEALTH**

12. 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).

13. 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).

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

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

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

15. 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.

16. 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).

17. The proposed sound insulation scheme as detailed in the submitted '67-97A Campkin Road, Cambridge - Noise Impact assessment – Revision B (Ref: SW/JEB/P19-1770/02 Revision B) - October 2019' produced by Create Consulting Engineers Ltd shall be fully implemented before the use hereby permitted is commenced and shall be maintained and retained thereafter

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

18. Prior to any superstructure works commencing on site for the community centre hereby approved, a noise impact assessment of the community centre use on neighbouring premises (to include existing residential premises in the area and the proposed habitable rooms of the development itself) and a noise insulation scheme or other noise control measures as appropriate, in order to minimise the level of noise emanating from the community centre uses and associated internal and external spaces having regard to but not exhaustively the following:

- Nature / type of uses and events to be held;
- Sound system setup with in-house fixed sound system incorporating noise limiting control / device set to the satisfaction of the Local Planning Authority;
- Noise egress, airborne, structural and flanking sound via building structural elements;
- Building fabric, glazing, openings and ventilation systems acoustic performance;
- Adequate alternative ventilation should be provided to ensure external doors and windows remain closed.
- Premises entrances / exits and any associated external spaces and patron noise;
- There should be a cut-out device fitted to external entrance / exit doors, so that if they are opened, the electrical supply to amplified music and the in-house fixed sound system is terminated / ceased;

shall be submitted in writing for approval by the Local Planning Authority.

The noise insulation / mitigation scheme as approved shall be fully constructed and implemented before the community centre uses hereby permitted are commenced and shall be retained thereafter.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

19. Before the community centre use hereby permitted is commenced a noise insulation scheme post construction completion, commissioning and testing report to include scheme sound performance testing and monitoring, shall be submitted to and approved in writing by the local planning authority.

The post construction completion, commissioning and testing report shall demonstrate compliance with the community centre use Noise Assessment / Insulation Scheme (as approved/required by conditions 17 and 18 respectively) and shall include airborne and structural acoustic / sound insulation and attenuation performance standard certification / reports for scheme elements, the consideration and checking of the standard and quality control of workmanship and detailing of the sound insulation scheme and any other noise control measures as approved. Full noise insulation scheme sound performance testing and monitoring including noise limiting control / limiter device level setting to the satisfaction of the LPA will be required.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

20. The community centre (D1 use) use hereby approved shall not operate outside the hours of 08:00 to 22:00 Monday to Thursday, 08:00 to 23:00 Fridays and Saturdays and 09:00 to 20:00 on Sundays.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

21. The external community centre garden shall not be used outside the hours of 08:00 – 20:00 Monday to Thursday, 08:00 – 20:00 Friday and Saturday and 09:00 - 20:00 on Sundays

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

22. In the event that amplification is used within the community centre for music and / or voice, all musical and sound generation equipment used within the community centre shall be connected to and played and channelled through an in-house limited amplification / fixed sound system. The use of any external third party independent amplification / sound systems is strictly prohibited.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

23. The use of unamplified / acoustic musical equipment and independent amplification / sound systems that are not connected to and fully played and channelled through / controlled by the in-house limited amplification / fixed sound system is prohibited or not permitted within the community centre.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

24. With the exception of requirements for access and egress through main front doors of the community centre, all external doors and windows serving the community centre shall remain closed during the playing of amplified music / voice.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

25. All service collections / dispatches from and deliveries to the approved development including refuse / recycling collections during the operational phase shall only be permitted between the hours of 07:00 to 23:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Service collections / dispatches from and deliveries to the approved development are not permitted at any time on Sundays or public holidays.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

26. If previously unidentified contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and the additional contamination has been fully assessed and an appropriate remediation and validation/reporting scheme agreed with the LPA. Remedial actions shall then be implemented in line with the agreed remediation scheme and a validation report will be provided to the LPA for consideration.

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

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

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

Reason: To protect the amenity of nearby properties. (National Planning Policy Framework, Feb 2019 - paragraph 180 c) and Cambridge Local Plan 2018 - policies 34 and 59).

28. The approved approach to meeting a 19% reduction in carbon emissions compared to Part L 2013 as set out in the Energy Statement (Create Consulting Engineers, November 2019, Ref: TH/CC/P19-1770-05) 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, specifications and data sheets for the proposed system 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).

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

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

30. 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 6 credits for Ene 01 and a minimum of 3 credits for Wat 01 (water consumption). Where the interim certificate shows a shortfall in credits for BREEAM 'very good', a statement shall be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

31. Prior to the occupation of the community facility, 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).

## **HIGHWAYS**

32. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance plan in perpetuity).

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.



33. Prior to the commencement of works, an amended traffic management plan 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: in the interests of highway safety (Cambridge Local Plan 2018, Policy 81).

34. 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; thresholds and boundary treatments; vehicle and pedestrian access and circulation areas; hard surfacing materials and specification; ancillary structures (e.g. refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground. 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).

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

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

## **Archaeology**

36. No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work which has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
- a) The statement of significance and research objectives;
  - b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
  - c) The timetable for the field investigation as part of the development programme;
  - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material

Reason To ensure that the significance of historic environment assets is conserved in line with NPPF section 12 (Cambridge Local Plan 2018; Policy 61).

**INFORMATIVE:** The noise and vibration report should include:

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

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

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

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

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

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

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

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

Tonal/impulsive 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.

**INFORMATIVE:** With respect of condition 36, partial discharge can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

**INFORMATIVE:** As the premises is intended to be run as a business the applicant is reminded of their duty under the Construction (Design and Management) Regulations 2007 to ensure that the that all significant risks related to the design and operation of the premises are minimised. Contact the Commercial Team at Cambridge City Council on telephone number (01223) 457890 for further information.

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

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

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

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

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

**INFORMATIVE:** It is required that any construction dust suppression measures / dust management plan should reference and 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 Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018)
- Control of dust and emissions during construction and demolition -supplementary planning guidance, (Greater London Authority, July 2014).

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

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

<b>Application Number</b>	19/1167/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	21st August 2019	<b>Officer</b>	Phil Mcintosh
<b>Target Date</b>	16th October 2019		
<b>Ward</b>	Newnham		
<b>Site</b>	Public Toilet Silver Street		
<b>Proposal</b>	Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure).		
<b>Applicant</b>	Mr Declan O Halloran Cambridge City Council, The Guildhall, Market Square		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal preserves the setting of adjacent listed buildings and enhances the character of the conservation area by providing a sustainable building within the public realm of Silver Street</p> <p>The proposal will provide enhanced public convenience facilities to the city of Cambridge to the benefit of residents and visitors</p> <p>The proposal will not harm pedestrian movement in the public highway</p> <p>The proposal will result in a biodiversity net gain through the provision of a bat box and insect hotel</p>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION AND LISTED BUILDING CONSENT</b>

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

- 1.1 The existing public conveniences have been provided and operated by Cambridge City Council since 1985. Separate segregated facilities for men and women are located underground (accessed via stairs) with one mobility impaired cubicle at street level (timber clad beneath a pitched tiled roof).
- 1.2 The facilities are located close to the drop off point for coach visitors to Cambridge on Queens Road and are heavily used by thousands of people each year. The toilets are well used but significantly outdated and therefore, they are in a poor state of repair. They are the source of regular complaint, particularly during the summer months, and give a poor first impression of Cambridge to visitors. Maintenance works have become increasingly regular sometimes resulting in their temporary closure.
- 1.3 The site is located adjacent to Silver Street bridge and Darwin College, both Grade II Listed buildings and is situated at a prominent intersection of the River Cam and Silver Street. Silver Street is a key route into the historic centre of Cambridge with the bridge itself designed by Sir Edward Lutyens in 1932 and built in 1958-59, replacing a cast-iron bridge dating back to the 1840's. To the south of the bridge is the Mill public house (Grade II Listed) and Mill Pond, which has historically been an important location for boating in Cambridge but today, is an extremely popular meeting point for students and tourist punting around the city. To the north of the site is Queens College with Grade I and II listed buildings and mathematical bridge (Grade II listed) which spans the River Cam. A variety of architecture surrounds the site ranging from the 14<sup>th</sup> to the 21<sup>st</sup> Centuries.
- 1.4 The site is located within the Central Conservation Area.
- 1.5 The site does not fall within the curtilage of a Listed Building. However, it does affect the setting of Darwin College and Silver Street bridge therefore, an application for listed building consent has also been submitted.

## **2.0 THE PROPOSAL**

- 2.1 The proposal seeks planning permission and listed building consent for the refurbishment of existing public conveniences to



the south-west of Silver Street bridge. The project consists of 2 main elements which is the refurbishment of existing toilets at basement level and demolition of the existing wheelchair accessible toilet and erection of a new wheelchair accessible toilet at street level. The Council held a design competition in 2016 and the winning proposal is now the subject of this application, being the preferred design solution for the replacement building.

2.2 The proposal at basement level consists of refurbished toilets which will include male, female and non-binary toilets, while at street level, the proposal will demolish the existing wheelchair accessible toilet and replace it with a new wheelchair accessible non-binary toilet, including baby changing facilities and kiosk. The proposal also includes new railings around the basement stairs and a two-way electronic access turnstile at the top of the basement steps.

2.3 The replacement building at street level will contain an accessible toilet and a small kiosk (gross internal area of 3.5m<sup>2</sup>). The building itself is 4m by 3.2m resulting in a total gross external area of approximately 13m<sup>2</sup>. The height of the building is 4.5m. The proposed public toilets take the form of a small, lightweight pavilion that sits lightly upon the edge of Silver Street bridge. The design has taken queues from the adjacent willow trees and metal railings of Queen's college opposite, by proposing a series of vertical metal fins. The sculptural element atop the building encloses a tank used to collect rainwater for use in the toilets and visually references the timber ventilation shaft on the adjacent Darwin College. At the base of the building will be a concrete plinth which draws reference from the moulded plinth of the bridge's balustrade.

### **3.0 SITE HISTORY**

3.1 None

### **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	<p>1 – Presumption in favour of sustainable development</p> <p>7 – The River Cam</p> <p>10 – The City Centre</p> <p>28 – Carbon reduction, sustainable design and construction and water use</p> <p>31 – Integrated water management and the water cycle</p> <p>32 – Flood Risk</p> <p>35 – Protection of human health from noise and vibration</p> <p>55 – Responding to Context</p> <p>56 – Creating successful places</p> <p>57 – Designing new buildings</p> <p>59 – Designing landscape and the public realm</p> <p>61 – Conservation and enhancement of Cambridge’s historic environment</p> <p>70 – Protection of priority species and habitats</p> <p>71 – Trees</p> <p>79 – Visitor Attractions</p> <p>81 – Mitigating the transport impact of</p>

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Practice Guidance Circular 11/95 (Annex A)
SPDs	Sustainable Design and Construction (Jan 2020)
Material Considerations	Cambridge Historic Core Conservation Area Appraisal (2017)

**6.0 CONSULTATIONS**

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

6.1 No objection subject to conditions regarding;

- Traffic Management Plan to be submitted and agreed
- Restriction on delivery of materials between 9:30am and 3:30pm 7 days a week
- Written design for the support of the public highway be submitted and agreed

**Environmental Health**

6.2 Acceptable subject to condition regarding construction hours

**Urban Design and Conservation Team**

6.3 Consider that subject to satisfactory conditions there would be no adverse impact on Listed Buildings, their settings or the conservation area.

## **Disability Consultative Panel (Meeting of 24 September 2019)**

Disappointed with the proposal due to lack of changing places toilet.

### **Access Officer**

A changing places standard toilet is needed. Both left and right hand transfer wheelchair accessible toilets are needed with toilet doors opening outwards.

Squat toilets are not suitable.

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

No objections.

Works to the tree is due to be carried out for arboricultural reasons following a recent and significant failure. Property services has requested management of the trees to limit their liability and there is a consultation in progress in accordance with the tree work protocol. The tree will be reduced to a pollard irrespective of the development.

Update: These works have now been carried out.

### **Head of Streets and Open Spaces (Nature Conservation Officer)**

Acknowledges bat survey which has identified a bat presence and therefore, a license, including proposed mitigation, will be required through Natural England prior to demolition.

### **Historic England**

Consider the proposals would not cause harm to the significance of the Grade II Listed Silver Street Bridge; to the setting of nearby listed buildings or to the character and appearance of the streetscene in this part of the Central Cambridge Conservation Area. We are of the view that the scale, massing and detailed design of the replacement toilets would be an enhancement on the existing situation and therefore have no objections on heritage grounds.

## **Environment Agency**

No objection subject to incorporation of flood resilience measures as set out in the flood risk assessment

## **Cambridge Past Present and Future**

No objection but have commented on the following matters;

- Seek assurance drainage and waste consultees are satisfied
- Variety of toilets is interesting but unclear if there is a real need
- Information booth should not spread onto pavement with signage, street clutter etc.
- Potential for bridge not fully realised with this application. Area is already cluttered by vendors, signs, bins, seating and needs to be addressed. Seek to ensure the draft Making Space for People SPD will address this area to improve the public realm.
- Punting access – relationship to punting access could be better articulated.
- Appreciate consideration of creative lighting solutions, inclusion of bee hotel and bat boxes and rainwater collection tank to conserve water usage

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 A Development Control Forum was held on 13 January 2020 as a result of a petition by Friends of Queens Green. Minutes of the meeting are provided at Appendix 1.

7.2 The following representations have been received and are summarised as follows:

Two objections received which raised the following concerns:

- Public conveniences are woefully inadequate for the 8.1 million annual visitors. Discrimination for many who cannot manage the steep stairs, dark, airless, dungeon like panic. Refurbishment just tinkers at the edges
- Considerable hazard regarding safe movement of people on the bridge due to presence of street furniture (bike racks), kiosks etc. which should be removed.
- The existing toilet is placed well out of the way yet conveniently accessible for disabled visitors
- Provision of a kiosk should be removed from the scheme. Clusters of people would overspill into the road, movement hampered, with a high risk of accidents.
- A number of other comments have been made regarding suggestions of other ways of managing tourism in Cambridge but these do not relate directly to the planning application

#### Neutral

- Use of the Silver Street bridge by all types of user (pedestrian, cyclists, vehicles) has risen greatly over the years since the existing toilet pavilion was built. Congestion is exacerbated by trade stalls and punt businesses. Increasingly safety seems to be an issue.
- It seems highly desirable in order to improve safety to reclaim as much of the pavement circulation space as possible. The proposed gap between the new pavilion and new turnstiles would not appear to serve any purpose. If this were eliminated and the turnstiles made to stand against the pavilion this would widen the footpath on the road side
- Consideration of nearby street furniture and permitted locations of trader stalls may also help improve circulation and safety.

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 an inspection of the site and the surroundings, the main issues are:

1. Principle of development
2. Design and impact on external spaces including heritage assets
3. Highway safety
4. Inclusive Access
5. Trees and Ecology
6. Sustainable Construction
7. Flood Risk
8. Third party representations
9. Other matters

### **Principle of Development**

8.2 The proposal is to improve existing public convenience facilities which will benefit residents of and visitors to Cambridge. As such the development is considered acceptable in principle subject to other material considerations set out below.

### **Design and impact on external spaces including heritage assets**

8.3 The site lies at an important juncture of Silver Street and the River Cam which lies within the Central Conservation Area. The local planning authority must therefore, pay special attention to the desirability of preserving or enhancing the character or appearance of the area. It is also adjacent to two listed buildings (Silver Street bridge and Darwin College) and opposite listed buildings within Queens College. Therefore, special regard must also be given to the desirability of preserving the listed building/s or their setting or any features of special architectural or historic interest. These are statutory requirements of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

8.4 This statutory requirement is supported by the NPPF and Cambridge Local Plan. The NPPF identifies protection and enhancement of the historic environment as an important element of sustainable development, as well as achieving good

design. Policy 61 of the Local Plan requires new proposals to preserve or enhance the City's heritage assets and policies 55 and 57 require proposals to respond appropriately to the local context with high quality design.

- 8.5 The Historic Core Conservation Area Appraisal (2017) identifies that Silver Street has a high historic and architectural significance. It notes, historically, Silver Street Bridge would have represented an important gateway to the town from the south-west, although, still does so today. Standing on the bridge provides dramatic views over the mill pond and weirs to the south, which also accommodates the distinctive feature of one of Cambridge's punting stations. The Appraisal does not make any direct reference to the public toilets nor do they influence or impact upon the identified views.
- 8.6 A Heritage Impact Assessment (HIA) was prepared in 2013 as part of a feasibility study for the Council. This notes with regard to the environs of Silver Street that *"the street and bridge are a busy gateway to the historic core of the city and the river marks the transition between the open spaces of Cambridge to the west and the tightly packed development of the former medieval constrained city centre. There is no typical building type, age, height and material palette used that defines the Conservation Area; the diversity in architectural styles creating a rich townscape and ultimately its special interest and character. The Silver Street Bridge and surrounding buildings and environs exemplify this characterisation."*
- 8.7 An addendum to the HIA was prepared in support of the planning and listed building consent applications. The HIA notes that the setting of Silver Street bridge is of high or very high significance however, the existing pavilion style building which houses a public lavatory is of no historic or architectural significance and has limited architectural merit and the proposed replacement building does not cause harm to character of the Conservation Area. It also states that if there is any perceived harm, this is outweighed by the public benefits of the scheme.
- 8.8 The proposal was chosen as the preferred option in a design competition held by the Council's project team. As part of the competition, a number of proposals were submitted and were subjected to scrutiny by the Design and Conservation Panel



(independent panel of experts) as well as input from stakeholders such as Historic England. The Council's project team has therefore, gone to significant lengths in identifying a scheme which is considered to respond successfully to this sensitive location.

- 8.9 As noted above, the diversity of architectural styles surrounding Silver Street has resulted in a contemporary building being proposed as the replacement structure at street level. The building has been designed as a lightweight structure which sits lightly on Silver Street and is described within the accompanying Design and Access Statement as a *“jewel-like sculptural object that draws inspiration from the work of the silversmiths that historically occupied the street”*.
- 8.10 The building line responds to that of Darwin House to the west and is angled to draw the eye along the continuous curve of the wall fronting Darwin College to the west. This same view demonstrates that the height of the main part of the structure responds to the height of the brick wall ensuring the structure does not appear as a dominant feature within the public realm. The transparent sculptural element atop the building reinforces the lightweight feel and encloses a tank used to collect rainwater for use in the toilets. It also draws visual reference to the timber ventilation shaft on the adjacent Darwin College. The structure sits above a concrete plinth which responds to the Portland Stone of Silver Street bridge, whilst the vertical metal fins take their visual cues from the canopy of the adjacent willow trees and perimeter fence of Queen's College. Replacement railings around the basement steps are also proposed as part of the refurbishment and will complement the design approach adopted for the new building.
- 8.11 The building's footprint has been reduced from that of the overall roof canopy of the existing structure, although is slightly larger than the existing toilet. The existing canopy currently has a footprint of 37m<sup>2</sup> of which the existing toilet is 7m<sup>2</sup>. Reducing the footprint of the proposed structure (13m<sup>2</sup>) enables the space between the northern wall of Darwin College and the proposed building to be opened up, improving accessibility to the basement toilets and punt station. The siting of the building away from the railing also prevents a dead end being formed and will allow pedestrian movement to flow around the building.

- 8.12 In terms of the proposed materials, the building will be constructed from reinforced concrete and a slender gold steel frame. The steel railings around the basement steps will be matched in gold. Materials have been carefully considered for their robustness, ease of maintenance, lifespan and appropriateness for the heritage context. However, it is proposed that a condition be imposed requiring materials to be submitted and agreed, prior to commencement of construction of the building. It is also considered appropriate to require further details of the electronic access turnstiles to be submitted and agreed prior to their installation.
- 8.13 Historic England consider the proposal will enhance the Conservation Area and no objections are raised by the Council's Conservation officer. It is acknowledged that the building is in a location of high sensitivity in terms of its historic and architectural interest. However, the proposal responds sensitively to this environment and is considered to enhance the character of the Conservation Area whilst also preserving the setting of adjacent listed buildings.
- 8.14 The proposal is therefore, compliant with the NPPF and policies 55, 56, 57 and 61 of the Cambridge Local Plan.

### **Highway Safety**

- 8.15 The proposal is located in an area of high pedestrian activity, particularly in the summer months when tourism is at its peak. The bridge also contains a significant element of street furniture (litter bins, benches, bike racks, lampposts) and 2 temporary kiosks which are licensed to operate on the bridge, all of which impact upon pedestrian movement on the bridge. The building is sited at the western end of the bridge, away from areas in the locality with the most prominent views of this part of the city. Although the new building contains a small kiosk and therefore, will attract the attention of passers-by, the desire line for pedestrians (particularly tourists) is the section of Silver Street bridge which spans the River Cam, offering views to the north and south. The proposed building is set back 3.5m from the carriageway which is on the same building line as the overhang of the existing canopy. It is also set away from the thoroughfare of pedestrian movement associated with the pedestrian crossing. Due to its small footprint and similar position to the existing structure, it will not materially impede pedestrian flow.

This is endorsed by the County Highways officer who has raised no objection to the proposal. The proposal is therefore, not considered to result in harm to pedestrian movement within the local highway network and therefore is compliant with the NPPF and policies 56,57 and 81 of the Cambridge Local Plan.

### **Inclusive Access**

- 8.16 Policies 56 and 57 of the Local Plan require new buildings to meet the principles of inclusive design, in particular to meet the needs of disabled people, the elderly and those with young children. The proposal seeks to improve the existing facilities by providing a refurbished wheelchair accessible toilet and baby changing facilities. As well as providing improved toilet facilities, the proposal now includes baby changing facilities which are not currently available. Squat toilets will also be introduced into the basement in recognition of cultural differences when using bathroom facilities. The comments from the Access Officer and Disability Consultative Panel are noted regarding provision of a standard changing places toilet however, owing to the visual sensitivities of the site, such a toilet would require a larger building than that proposed. A changing places toilet is available further into the city centre in the Grand Arcade.
- 8.17 The proposal is considered to meet the requirements of inclusive design and is therefore, compliant with policies 56 and 57 of the Cambridge Local Plan.

### **Trees and Ecology**

- 8.18 The applicant has undertaken a protected species scoping survey (July 2019) and a nocturnal bat survey (August 2019). Given the limited nature of habitats on site a desktop study was not deemed necessary to support the survey. The building was classified as low roosting potential however, a single nocturnal bat survey was undertaken, in accordance with best practice guidelines. The survey observed a soprano pipistrelle re-entering a roost underneath a missing tile. A Natural England derogation licence will be required to determine a mitigation strategy and avoid impacts upon this protected species. This will require further nocturnal surveys to be carried out. The ecological assessment recommends that no additional lighting should be installed post development, although bat friendly lighting can be designed to minimise impact upon bat roosting.

It is therefore, recommended that a proposal for any external lighting should be sought by condition.

- 8.19 No breeding bird activity was recorded however, the building roof and overhanging willows could theoretically support nesting birds. It is therefore, recommended that the timing of any vegetation or building clearance works be scheduled away from the breeding season for birds (clearance between September and February). If clearance is proposed within the bird breeding season, a qualified ecologist should be engaged to assess whether site clearance would impact upon any breeding birds. If the site was found to be supporting breeding birds, site clearance should be delayed until the completion of the bird breeding season.
- 8.20 The applicant proposes that the site will include a number of ecological enhancements including crevice dwelling habitat features for bat species (south facing), invertebrates and birds within the above ground building. Details of these enhancements can be sought by condition.
- 8.21 With regard to the relationship with existing trees, there are mature willow trees to the south of the application site. These trees have, until recently, had canopies which overhung the existing building. However, they have recently been pollarded as part of a health and safety assessment due to the collapse of an adjacent willow tree. These trees will be regularly monitored by the Council's arboriculturists and be subject to managed decline, until such time as their lifespan is completed. Therefore, it is not considered that the proposal will result in harm to these trees and their presence will not impact upon the proposed building.
- 8.22 Subject to conditions, the proposal is considered to comply with the NPPF and policies 70 and 71 of the Local Plan.

## **Sustainable Construction**

### *Energy Conservation*

- 8.23 The Design and Access Statement notes that the space in the proposed development will not be heated to comfort temperatures and thus is classed as a non-exempt building with a low energy demand for the purposes of Building Regulations.

Due to the relatively low degree of thermal control, a passive approach has been adopted to heating. The above and below ground spaces will be insulated to avoid internal cold surfaces and to minimise the risk of condensation forming. It is proposed that all services are given time-clock and presence controls such that lights, fans, hot water heater etc. can be disabled when not required. Low energy LED lighting will be used and operated on PIR (movement detecting) sensors, to ensure only the required amount of electricity is used.

- 8.24 The proposal is therefore, being designed to minimise the use of electricity in accordance with the NPPF, Policy 28 of the Local Plan and the Sustainable Design and Construction SPD (2020).

#### *Integrated water management*

- 8.25 Policy 31 requires new development to take a water sensitive approach recognising water should be re-used where practicable, offsetting potable water demand. The proposal includes a rainwater collection tank as part of its design which is featured as the sculptural element of the building. The water collected is proposed to be used to contribute to flushing toilets. The proposal also aims to reduce water consumption on the site by using low volume flushes. Taps are proposed to be low-flow taps with electronic movement sensors to monitor flows. The proposal has therefore, taken a practicable approach in minimising potable water usage in accordance with policy 31 of the Local Plan.

#### **Flood Risk**

- 8.26 The basement is located within flood zone 3 however, this has always been the case and therefore, the development does not pose any greater risk than currently exists in terms of fluvial flooding. The Environment Agency has raised no objection in this regard subject to inclusion of flood resilience measures. The key element of flood resilience in the basement is the existing water membrane. This is due to assessed as part of the refurbishment works to ensure it is fit for purpose. The internal refurbishment will also utilise water resilient materials.
- 8.27 The basement has been subjected to flooding during storm surges due to the adjacency and level of the Anglian Water foul water overflow system. It is therefore, proposed that a non-

return valve will be installed to the existing outlet of the foul water manhole and thus prevent surcharge waters rising up through gullies and appliances located within the basement. During surcharge conditions, the valve would close and thus prevent any foul water generated from the facility draining away. During these conditions there would be a requirement to temporarily close the facility. The provision of the non-return valve will improve the management of flooding of the basement and should minimise disruptions and closure caused by flooding. Operational status of the toilets is currently monitored several times on a daily basis by an attendant and this procedure will remain in place.

8.28 The applicant has 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.

### **Third Party Representations**

8.29 The main issues raised at the Development Control Forum (DCF) are summarised and commented upon below;

- Siting, scale, mass does not respond to context and is not well integrated with the immediate locality
- The new building and railings do not enhance the significance of the setting and views.
- Comment: This matter is addressed under Section 8 of this report
- Lacks consideration of the public realm as a whole. There is no rubbish bin plan, seating plan, cycle rack plan. No advertising plan.

Comment: The building's integration with the public realm is assessed within Section 8 of this report. The scope of rationalisation of street furniture is outside the scope of this project. Provision of litter bins within Cambridge is being considered by the Council as part of a wider strategy across Cambridge. Controls on advertisements are covered by the Advertisement Regulations and will be considered under separate applications where required.

- Impact upon the willow tree canopy.

Comment: This matter is addressed in Section 8 of this report

- Rainwater capture scheme is unlikely to function effectively under a canopy with leaf fall.

Comment: The trees are to be kept under a regular maintenance programme (As evidenced by the recent pollarding). Therefore, the tree canopies are unlikely to materially impact upon the rainwater capture facility.

- Embodied energy costs of removing and replacing railings are not evaluated

Comment: The railings are proposed to complement the proposed building and are of no historical significance. Any benefit of retention (eg: embodied energy) is considered to be outweighed by the visual improvements.

- Object to additional licensed retail trading kiosks

Comment: The existing temporary kiosks are managed under licensing through the Council and are therefore, outside the realms of planning legislation. Matters regarding the proposed kiosk are addressed in Section 8 this report.

8.30 Matters raised by other representations are also addressed in Section 8 of the report.

### **Other Matters**

8.31 The kiosk does not currently have a tenant agreed and no use has been proposed as part of the application. It is nevertheless recommended that the use class be restricted to A1, A2 or a mixed use of A1 and A2 only. It is also recommended that a condition be imposed to confine the display of goods for sale to the kiosk only in order to prevent items encroaching onto the footpath within the application site. The enhanced public facilities are required due to their current poor state of repair and will be a welcome enhancement to this highly patronised area of the city. The proposal has been carefully designed to respond to the sensitive context of the

locality which lies in the Central Conservation Area and amongst the setting of a number of listed buildings. Overall the proposal is considered to represent sustainable development which is compliant with the National Planning Policy Framework and Cambridge Local Plan.

## **9.0 RECOMMENDATION**

### **GRANT PLANNING PERMISSION AND LISTED BUILDING CONSENT** subject to the following conditions:

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

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

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

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

3. Prior to commencement of the construction of the building, samples of the external materials to be used in the construction of the building 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 and 61)

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. 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)

6. During the construction phase of the development, deliveries of materials and/or the removal of waste shall only take place between the hours of 09:30-15:30 seven days a week.

Reason: In the interests of highway safety in accordance with the NPPF and policy 81 of the Cambridge Local Plan

7. Prior to the installation of any external lighting, a lighting scheme shall be submitted to and agreed in writing by the local planning authority. The lighting scheme shall be implemented in accordance with the approved details.

Reason: To ensure appropriate lighting is implemented taking into account habitat and biodiversity considerations for roosting bats in accordance with policy 70 of the Cambridge Local Plan.

8. Prior to commencement of construction of the new building, details of biodiversity enhancements shall be submitted to and agreed in writing by the local planning authority. The biodiversity enhancements shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity associated with the development in accordance with the NPPF and policy 70 of the Cambridge Local Plan.

9. The kiosk within the development hereby approved shall only be used for purposes falling within Class A1, Class A2 or a mixed use of Class A1 and Class A2 only.

Reason: In the interests of controlling the commercial land use in this pedestrianised location in accordance with the NPPF and policies 56 and 59 of the Cambridge Local Plan.

10. The display of any goods for sale shall be restricted to within the kiosk of the building only.

Reason: To maintain the visual amenity of the locality in accordance with policies 55, 56 and 57 of the Cambridge Local Plan.

11. Demolition of the existing building shall only take place from January to February (inclusive) or September to December (inclusive) in any calendar year, which is outside the bird breeding season, unless a report prepared by an ecologist is submitted to and agreed by the local planning authority which demonstrates the demolition of the building will not impact upon breeding birds.

Reason: In the interests of protecting the biodiversity of the site in accordance with the NPPF and policy 70 of the Cambridge Local Plan.

12. Notwithstanding the approved plans, further details of the proposed electronic turnstiles shall be submitted to and agreed in writing by the local planning authority. The agreed turnstiles shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the area in accordance with the NPPF and policies 55, 56 and 61 of the Cambridge Local Plan.

**DEVELOPMENT CONTROL FORUM**

13 January 2020  
10.30 - 11.30 am

**Present**

**Planning Committee Members:** Councillors Porrer, Sargeant

**Ward Councillor:** Councillor Cantrill

**Officers:**

Principal Planner: Lorraine Casey  
Consultant Planner: Phil Macintosh  
Committee Manager: Sarah Steed

**For Applicant:**

Jay Gort (Architect)  
Declan O'Halloran (Engineer, Projects – Cambridge City Council)  
John Richards (Project Manager – Cambridge City Council)

**For Petitioners:**

Three representatives of the Friends of Queens Green Group

**FOR THE INFORMATION OF THE COUNCIL**

**20/25/DCF Opening remarks by Chair**

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

**20/26/DCF Apologies**

Apologies were received from Councillors Smart, Thornburrow and and Councillor Matthews as Ward Councillor.

**20/27/DCF Declarations of Interest**

Member	Item	Interest
Porrer	20/28/DCF	Was a City Councillor and this was a City Council application.

Sargeant	20/28/DCF	Was a City Councillor and this was a City Council application.
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### **20/28/DCF Application and Petition Details (19/1350/LBC / Public Toilet Silver Street Cambridge Cambridgeshire)**

Application No: 19/1350/LBC

Site Address: Public Toilet Silver Street Cambridge Cambridgeshire

Description: Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure).

Applicant: Declan O Halloran

Agent: Joseph Mac Mahon

Address: 55 Leroy Street London SE1 4SN

Lead Petitioner: Resident of Wilberforce Road

Case Officer: Phil Mcintosh

#### **Text of Petition:**

The grounds for asking for a Forum on this application are as follows:

#### **Policy 55. Responding to context.**

##### **Design & integration with the immediate locality**

The new footprint extends the current solid build-line to the line of the overhang canopy. The siting, massing, scale does not respond to the context.

It is not well integrated with the immediate locality.

This design presented in isolation, lacks consideration of the public realm gathering area as a whole. There is no rubbish bin plan, seating plan or cycle rack plan. No restriction of advertising plan.

#### **Policy 61: Conservation and enhancement of Cambridge's historic environment.**

Silver Street bridge is a Grade 2 listed Heritage Asset. The new kiosk /disabled toilet building and new railings do not enhance the significance of the setting and views. There is inadequate detailed analysis of the asset and proposal.

**Policy 59: Designing landscape and the public realm**

The proposal requires substantial undercutting the canopy of the willow tree to accommodate the height of the kiosk and water collecting tower. This harsh treatment of the tree is not acceptable. The tree is important for biodiversity, providing shade and shelter and is an existing feature that contributes positively to the quality and character of the area.

**Policy 63: Works to a heritage asset to address climate change**

The rain water capture scheme feature is unlikely to function effectively under a tree canopy with leaf fall. The embodied energy costs of removing and replacing the existing forged metal work railings are not considered. The design and condition of the railings are not evaluated.

**Trading**

Is the new Kiosk an additional licensed retail unit or is replacing one of the two existing units in this location? We object to any additional licensed retail units in this location.

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

Yes. If yes, please explain:

- Retain the Willow tree canopy's natural shape, allowing for normal pruning.
- The tree canopy should not be reduced by a third to accommodate the extra height of the new kiosk / toilet. The design of the roof tank should be modified instead.
- Reduce the foot print of build line so it does not extend into the busy pavement space area.
- Evaluate condition & design of existing railings and consider retaining them.
- Present a public realm improvement plan across the bridge area with a detailed analysis of the broader context. Views, river setting, bins, benches, racks and signage.
- We do not object to the new Kiosk if one or both current kiosks on the bridge were removed.
- Please note - We do accept the principles of refurbishment of the Public Toilets on and under Silver Street Bridge.

**Case by Applicant**

- 1) The Applicant was concerned about the heritage and how the development would sit within the existing location. The concept was to create a special building on Silver Street.
- 2) It had taken 3 and a half years to be able to get to the current position.
- 3) The footprint of the proposed building was smaller than the existing building; the scale and footprint had been carefully considered. The footprint would not come in front of the existing overhang of the building.
- 4) The design of the toilets responded to the angled building of Darwin College library and the Willow trees behind the toilets.
- 5) Wanted to open up the area which currently had a dark appearance.
- 6) Commented that the proposed building had a green tone but this could be changed to a warmer tone to match the bricks at Darwin College.
- 7) The building design did not preclude possible locations for other public realm elements such as bins and benches, but this was not part of the current application.
- 8) A smaller footprint was considered to give something back to the public realm.
- 9) The willow trees were fantastic assets but one of the willow trees had collapsed in August 2019 and had to be pollarded and replaced.
- 10) Noted that the railings were built as part of the last development of the Silver Street toilets in 1985.
- 11) The public toilets needed to be robust to withstand vandalism and be as sustainable as possible.
- 12) There is a kiosk within the building but there is no contract currently in place for a tenant although there has been interest expressed from Visit Cambridge and Beyond in occupying the space.

**Case by Petitioners**

- 1) Stated that the Friends of Queens Green Group comprised members of colleges as well as local residents.
- 2) Commented that there had not been much public consultation on this application.
- 3) Was pleased that the Making Space for People, Supplementary Planning Document (SPD) had been mentioned.
- 4) Was aware that this application was in an area of high importance.

- 5) The willow trees were an essential aspect for increasing biodiversity.  
The importance of the river spoke for itself.
- 6) Silver Street Bridge was an access point which could be enhanced.
- 7) Was aware of the pressure of tourism and this area needed to be good enough.
- 8) Not being able to look at this area as a whole was an issue.
- 9) Noted that the context of the application was subjective but appreciated the Applicants talking the Petitioners through the application.
- 10) The last building to have been built on Silver Street was the Porters Lodge and this was very sympathetically designed.
- 11) Silver Street bridge had been appropriated by businesses.
- 12) Two matters were being proposed which would impact on heritage a) the toilets and b) a kiosk, there had been no analysis undertaken to show how the kiosk would impact on the surrounding area.
- 13) Questioned if the benefits of the development outweighed the harm.  
Noted that there were benefits and negatives arising from this application for example this application could potentially add a lot more people (congestion) into the area.
- 14) The application was for a special building which must respond to the ambitions for a sustainable future.
- 15) Although the willow trees were due to be pruned, they provide a significant habitat, noted that the Design and Access Statement talked about how bugs etc would inhabit the new building.
- 16) Significant modification and maintenance would be required to maintain the trees as proposed.
- 17) The willow trees were an indicator for the river which would be lost as a result of the development. The trees required space to mature.
- 18) Questioned how effective the water tank would be. There needed to be much more detail about how water was going to be used more efficiently. Also questioned that given so much habitat was being sacrificed was it really worth it.
- 19) Silver Street bridge was a grade II listed building and was a key gateway into the historic city and was a key component of the public realm.
- 20) The petitioners showed the committee a picture taken in 2012 when the area was clear of bins, signs, parked cars and businesses and stated that without consideration of the public realm the council had a duty to

consider the impact on the Conservation Area as incremental changes had taken place.

- 21) Silver Street bridge was deeply congested all year round and with so much street furniture it was a safety concern for a number of pedestrians. The pedestrian crossing was originally introduced because of a fatality in the area.
- 22) The issue regarding the building line was to do with the canopy which was not a solid build line. This decreased the available prominent width to the road and the ability to see safely around the corner
- 23) Commented that the Head of Cambridge University Disability Resources Centre no longer felt able to direct disabled students across Silver Street bridge; this was largely to do with the number of pedestrians using the access and possibly pushing people onto the road.
- 24) Corrected a typographical error in the presentation which said that the Supplementary Planning Document (SPD) - Making Space for People was drafted in 2009, this should have read 2019.
- 25) Believed in the principle 'do no harm', or that any harm resulting from the development be minimal.
- 26) The subterranean development was necessary and of public benefit but the development above ground which reduced the size of the pavement did not benefit users; this was an opportunity to consider this area in a holistic way.
- 27) Summarised their points:
  - a) 'no public harm' was not a good enough justification for the application
  - b) there should be a special strategy to consider special considerations
  - c) the footprint was small but the positioning of the development was strange
  - d) suggested deferring the application for further consideration and consultation.

### **Case Officer's Comments:**

- 1) Two applications had been submitted, the full planning application 19/1167/FUL was submitted on 21 August 2019 and a listed building consent 19/1350/LBC was submitted on 30 September 2019; both applications had complied with the requisite consultation requirements.
- 2) Two representations had been received in addition to the petitioners' response, one as an objection and the other as a neutral response.



- 3) The objection response commented that public convenience provision was inadequate for the 8.1 million annual visitors. Also commented that subterranean provision was discriminatory for those who were unable to manage the underground access. The refurbishment of the toilets just tinkered at the edges.
- 4) The neutral response noted that the use of the Silver Street bridge by all types of users had increased since the existing toilet structure was built. Congestion was exacerbated by trade stalls and punt businesses and increasingly safety seemed to be an issue. It was desirable to reclaim as much of the pavement circulation space as possible for safety reasons. The proposed gap between the new pavilion and the turnstiles did not appear to serve any purpose. If this were eliminated and the turnstiles made to stand against the pavilion this would widen the footpath on the road side. The consideration of nearby street furniture and permitted locations of trader stalls may also help improve circulation and safety.
- 5) Historic England said the application would not cause harm to the Conservation Area and the scale, massing and design would enhance the area.
- 6) The Conservation Officer said subject to conditions there would be no adverse impact on the listed buildings, their settings or the Conservation Area.
- 7) The Highways Authority had raised no objections but asked for conditions regarding delivery times, and the submission of a traffic management plan.
- 8) The Streets and Open Spaces Team raised no concerns and commented that works to the trees would be carried out for arboricultural reasons irrespective of whether the development went ahead.
- 9) The Access Officer commented that a changing places standard toilet was needed and both left and right hand transfer wheelchair accessible toilets were needed with toilet doors opening outwards. Squat toilets were not suitable.
- 10) The Disability Panel were disappointed with the lack of changing places toilet provision.
- 11) Environmental Health had no objections but suggested conditions to do with construction hours.
- 12) Cambridge Past Present and Future had raised no objections but made the following comments, sought assurance that the waste and drainage

consultees had been satisfied. The variety of toilets was interesting but was unclear whether there was a need for these. The area was already cluttered and sought the Making Space for People SPD to address the area to improve the public realm.

- 13) The Environment Agency raised no objections subject to flood resilience set out in the flood risk assessment.

### **Case by Ward Councillor**

Councillor Cantrill spoke as a Ward Councillor on behalf of local residents. He made the following points:

- 1) There were three issues a) functionality b) flow of individuals / people movement and c) form.
- 2) This was a very important site contextually, the functionality of the building and the toilets in the subterranean part of the proposal is critical for visitors and residents.
- 3) The current toilets had an inability to perform the function it needed to perform, and the disabled access was continually having to be repaired because of vandalism.
- 4) A significant amount of money was being invested and the development needed to have a significant life span.
- 5) The flow of people on Silver Street had a big mixture of different types of movement. There was a significant tourist movement but also significant commuter traffic which lead to significant numbers of people on both sides of the street and people crossing the road.
- 6) This was a very important proposal as it formed a key component of the public space and whilst the proposal only moved the footprint of the development a small amount this still had a significant impact. This was a major missed opportunity given it did not look at the extensive public space of which it forms a part.
- 7) This structure predated the Darwin College Library which had been built in the mid 90s.
- 8) The building had been reversed engineered, form was important in terms of functionality. Instead of this being a jewel it will be tarnished.
- 9) This building needed to be robust enough to last for the next 30 to 40 years.
- 10) Once there has been consultation about the location, there should be a pause to consider the issues raised in the petition.

**Case by Executive Councillor**

Councillor Moore spoke as the Executive Councillor for Climate Change, Environment and City Centre. She made the following points:

- 1) Although interlinked could not expect the planning application plans for the toilets to resolve the issues of congestion in the area.
- 2) They were trying to control the number of coaches dropping off in the area but this was an issue with the County Council. She wanted the coaches to book in advance for drop off and pick up of customers, this was also why it was desirable for Visit Cambridge to be located in the new kiosk rather than a company for example selling ice creams.
- 3) Understood that it would be nice to try and resolve all the outstanding issues in one go however the toilets really needed updating now, the other solution would be to close the toilets.
- 4) Thanked the architect for the work which had been put into the planning application, wanted to get the best design and had taken careful notes about the bins and the traders but it was not something that could be considered as part of the planning application.

**Members' Questions and Comments:**

The Applicant made the following comments in response to Members' questions

- 1) They had spent considerable time observing how people used the area. There was a key desire line across the zebra crossing and there was also a constraint with the Thames Water sewer line. There was a desire to replace the footprint of the building to allow access to the subterranean level without having to go all the way around the building and also avoid creating a dead end. Could consider a slight change with the position of the building but the closer you got to the railings the closer you got to the trees.
- 2) He had spoken about the trees and it had been taken as a given not to extend beyond the existing building line.
- 3) He acknowledged that it was a good point that there wasn't a lot of rainfall but the water tank was a gesture towards sustainability.
- 4) The building needed to be robust and resilient for the next 20 to 30 years.

- 5) It was difficult to get light in the subterranean toilets because of the listed structure of the bridge.
- 6) The top structure was not essential in terms of providing water for functioning toilets but was integral to the overall design philosophy and in terms of enhancing sustainability credentials, through rainwater capture, had been developed following discussions with Councillors and Ward Councillors at the Environment and Community Scrutiny Committee. He would take on board the comments about grey water recycling. If they removed the water tank from the design this would preclude rainwater harvesting.
- 7) One of the Willow trees had failed but this was due to be replaced.

The Petitioners made the following comments in response to Members' questions:

- 1) Would welcome some movement to the proposed location of the toilets as the current structure had limitations however their concerns were not just about how far forward the building was but also about the proposed kiosk as this would mean that more tourists would stop there, block the pavement and caused congestion.
- 2) There was a risk that the project had been reverse engineered.
- 3) The nature of willow trees was that the more you pruned them the more they grew.
- 4) At night time the space behind the toilets was used for crime for example drug dealing.

### **Summing up by the Agent**

- 1) Would take forward robustness to how specify and design the building.
- 2) Noted questions which had been raised over form, agreed it was a special building and would do all he could to take forward.
- 3) The extra height of the building was not a retrofit idea the height came before the fit of the water tank.
- 4) Would look at the location of the building in relation to constraints.
- 5) Thought linking the alley to the turnstiles would make it more of a dead end down to the river.
- 6) Would look at the water strategy and grey water harvesting and would be happy to accept a condition if could come up with a credible solution.
- 7) Was willing to share samples of materials with the petitioners.

- 8) The city needed toilets and would be a modest construction.

### **Summing up Petitioners**

- 1) It was important to consider the safety and functionality of the space beyond the toilets for students, residents and communities.
- 2) The location was dark even when the trees would be pollarded.
- 3) Notion of kiosk just wondered if there was an alternative way of informing the public for example online or using QR codes.
- 4) Raised the issue of the impact of tourism and questioned who the development was for.

### **Final Comments of the Chair**

- 1) Summarised the main issues discussed:
  - a) siting of building and whether there was scope to reposition
  - b) the street scene and the building in context
  - c) comparative footprint based on canopy line rather than wall line
  - d) the inclusion of the kiosk and the impact of this
  - e) robustness of the building design and whether the building would be fit for purpose
  - f) choice of materials
  - g) Impact on the Willow trees although noted plans to pollard the trees in any event
  - h) water collection point on the roof and the efficiency of this and needs to see details of grey water harvesting and noted that the applicants would be happy to accept conditions
  - i) petitioners expressed concerns about the design of the railings and the agent said would be picked up.
- 2) Notes of the Development Control Forum would be made available to relevant parties.
- 3) Application to be considered at a future Planning Committee.

The meeting ended at 11.30 am

**CHAIR**

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<b>Application Number</b>	19/1350/LBC	<b>Agenda Item</b>	
<b>Date Received</b>	21st August 2019	<b>Officer</b>	Phil Mcintosh
<b>Target Date</b>	16th October 2019		
<b>Ward</b>	Newnham		
<b>Site</b>	Public Toilet Silver Street		
<b>Proposal</b>	Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure).		
<b>Applicant</b>	Mr Declan O Halloran Cambridge City Council, The Guildhall, Market Square		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal preserves the setting of adjacent listed buildings and enhances the character of the conservation area by providing a sustainable building within the public realm of Silver Street</p> <p>The proposal will provide enhanced public convenience facilities to the city of Cambridge to the benefit of residents and visitors</p> <p>The proposal will not harm pedestrian movement in the public highway</p> <p>The proposal will result in a biodiversity net gain through the provision of a bat box and insect hotel</p>
<b>RECOMMENDATION</b>	<b>GRANT PLANNING PERMISSION AND LISTED BUILDING CONSENT</b>

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

- 1.1 The existing public conveniences have been provided and operated by Cambridge City Council since 1985. Separate segregated facilities for men and women are located underground (accessed via stairs) with one mobility impaired cubicle at street level (timber clad beneath a pitched tiled roof).
- 1.2 The facilities are located close to the drop off point for coach visitors to Cambridge on Queens Road and are heavily used by thousands of people each year. The toilets are well used but significantly outdated and therefore, they are in a poor state of repair. They are the source of regular complaint, particularly during the summer months, and give a poor first impression of Cambridge to visitors. Maintenance works have become increasingly regular sometimes resulting in their temporary closure.
- 1.3 The site is located adjacent to Silver Street bridge and Darwin College, both Grade II Listed buildings and is situated at a prominent intersection of the River Cam and Silver Street. Silver Street is a key route into the historic centre of Cambridge with the bridge itself designed by Sir Edward Lutyens in 1932 and built in 1958-59, replacing a cast-iron bridge dating back to the 1840's. To the south of the bridge is the Mill public house (Grade II Listed) and Mill Pond, which has historically been an important location for boating in Cambridge but today, is an extremely popular meeting point for students and tourist punting around the city. To the north of the site is Queens College with Grade I and II listed buildings and mathematical bridge (Grade II listed) which spans the River Cam. A variety of architecture surrounds the site ranging from the 14<sup>th</sup> to the 21<sup>st</sup> Centuries.
- 1.4 The site is located within the Central Conservation Area.
- 1.5 The site does not fall within the curtilage of a Listed Building. However, it does affect the setting of Darwin College and Silver Street bridge therefore, an application for listed building consent has also been submitted.

## **2.0 THE PROPOSAL**

- 2.1 The proposal seeks planning permission and listed building consent for the refurbishment of existing public conveniences to



the south-west of Silver Street bridge. The project consists of 2 main elements which is the refurbishment of existing toilets at basement level and demolition of the existing wheelchair accessible toilet and erection of a new wheelchair accessible toilet at street level. The Council held a design competition in 2016 and the winning proposal is now the subject of this application, being the preferred design solution for the replacement building.

2.2 The proposal at basement level consists of refurbished toilets which will include male, female and non-binary toilets, while at street level, the proposal will demolish the existing wheelchair accessible toilet and replace it with a new wheelchair accessible non-binary toilet, including baby changing facilities and kiosk. The proposal also includes new railings around the basement stairs and a two-way electronic access turnstile at the top of the basement steps.

2.3 The replacement building at street level will contain an accessible toilet and a small kiosk (gross internal area of 3.5m<sup>2</sup>). The building itself is 4m by 3.2m resulting in a total gross external area of approximately 13m<sup>2</sup>. The height of the building is 4.5m. The proposed public toilets take the form of a small, lightweight pavilion that sits lightly upon the edge of Silver Street bridge. The design has taken queues from the adjacent willow trees and metal railings of Queen's college opposite, by proposing a series of vertical metal fins. The sculptural element atop the building encloses a tank used to collect rainwater for use in the toilets and visually references the timber ventilation shaft on the adjacent Darwin College. At the base of the building will be a concrete plinth which draws reference from the moulded plinth of the bridge's balustrade.

### **3.0 SITE HISTORY**

3.1 None

### **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	<p>1 – Presumption in favour of sustainable development</p> <p>7 – The River Cam</p> <p>10 – The City Centre</p> <p>28 – Carbon reduction, sustainable design and construction and water use</p> <p>31 – Integrated water management and the water cycle</p> <p>32 – Flood Risk</p> <p>35 – Protection of human health from noise and vibration</p> <p>55 – Responding to Context</p> <p>56 – Creating successful places</p> <p>57 – Designing new buildings</p> <p>59 – Designing landscape and the public realm</p> <p>61 – Conservation and enhancement of Cambridge’s historic environment</p> <p>70 – Protection of priority species and habitats</p> <p>71 – Trees</p> <p>79 – Visitor Attractions</p> <p>81 – Mitigating the transport impact of</p>

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Practice Guidance Circular 11/95 (Annex A)
SPDs	Sustainable Design and Construction (Jan 2020)
Material Considerations	Cambridge Historic Core Conservation Area Appraisal (2017)

**6.0 CONSULTATIONS**

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

6.1 No objection subject to conditions regarding;

- Traffic Management Plan to be submitted and agreed
- Restriction on delivery of materials between 9:30am and 3:30pm 7 days a week
- Written design for the support of the public highway be submitted and agreed

**Environmental Health**

6.2 Acceptable subject to condition regarding construction hours

**Urban Design and Conservation Team**

6.3 Consider that subject to satisfactory conditions there would be no adverse impact on Listed Buildings, their settings or the conservation area.

## **Disability Consultative Panel (Meeting of 24 September 2019)**

Disappointed with the proposal due to lack of changing places toilet.

### **Access Officer**

A changing places standard toilet is needed. Both left and right hand transfer wheelchair accessible toilets are needed with toilet doors opening outwards.

Squat toilets are not suitable.

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

No objections.

Works to the tree is due to be carried out for arboricultural reasons following a recent and significant failure. Property services has requested management of the trees to limit their liability and there is a consultation in progress in accordance with the tree work protocol. The tree will be reduced to a pollard irrespective of the development.

Update: These works have now been carried out.

### **Head of Streets and Open Spaces (Nature Conservation Officer)**

Acknowledges bat survey which has identified a bat presence and therefore, a license, including proposed mitigation, will be required through Natural England prior to demolition.

### **Historic England**

Consider the proposals would not cause harm to the significance of the Grade II Listed Silver Street Bridge; to the setting of nearby listed buildings or to the character and appearance of the streetscene in this part of the Central Cambridge Conservation Area. We are of the view that the scale, massing and detailed design of the replacement toilets would be an enhancement on the existing situation and therefore have no objections on heritage grounds.

## **Environment Agency**

No objection subject to incorporation of flood resilience measures as set out in the flood risk assessment

## **Cambridge Past Present and Future**

No objection but have commented on the following matters;

- Seek assurance drainage and waste consultees are satisfied
- Variety of toilets is interesting but unclear if there is a real need
- Information booth should not spread onto pavement with signage, street clutter etc.
- Potential for bridge not fully realised with this application. Area is already cluttered by vendors, signs, bins, seating and needs to be addressed. Seek to ensure the draft Making Space for People SPD will address this area to improve the public realm.
- Punting access – relationship to punting access could be better articulated.
- Appreciate consideration of creative lighting solutions, inclusion of bee hotel and bat boxes and rainwater collection tank to conserve water usage

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 A Development Control Forum was held on 13 January 2020 as a result of a petition by Friends of Queens Green. Minutes of the meeting are provided at Appendix 1.

7.2 The following representations have been received and are summarised as follows:

Two objections received which raised the following concerns:

- Public conveniences are woefully inadequate for the 8.1 million annual visitors. Discrimination for many who cannot manage the steep stairs, dark, airless, dungeon like panic. Refurbishment just tinkers at the edges
- Considerable hazard regarding safe movement of people on the bridge due to presence of street furniture (bike racks), kiosks etc. which should be removed.
- The existing toilet is placed well out of the way yet conveniently accessible for disabled visitors
- Provision of a kiosk should be removed from the scheme. Clusters of people would overspill into the road, movement hampered, with a high risk of accidents.
- A number of other comments have been made regarding suggestions of other ways of managing tourism in Cambridge but these do not relate directly to the planning application

#### Neutral

- Use of the Silver Street bridge by all types of user (pedestrian, cyclists, vehicles) has risen greatly over the years since the existing toilet pavilion was built. Congestion is exacerbated by trade stalls and punt businesses. Increasingly safety seems to be an issue.
- It seems highly desirable in order to improve safety to reclaim as much of the pavement circulation space as possible. The proposed gap between the new pavilion and new turnstiles would not appear to serve any purpose. If this were eliminated and the turnstiles made to stand against the pavilion this would widen the footpath on the road side
- Consideration of nearby street furniture and permitted locations of trader stalls may also help improve circulation and safety.

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 an inspection of the site and the surroundings, the main issues are:

1. Principle of development
2. Design and impact on external spaces including heritage assets
3. Highway safety
4. Inclusive Access
5. Trees and Ecology
6. Sustainable Construction
7. Flood Risk
8. Third party representations
9. Other matters

### **Principle of Development**

8.2 The proposal is to improve existing public convenience facilities which will benefit residents of and visitors to Cambridge. As such the development is considered acceptable in principle subject to other material considerations set out below.

### **Design and impact on external spaces including heritage assets**

8.3 The site lies at an important juncture of Silver Street and the River Cam which lies within the Central Conservation Area. The local planning authority must therefore, pay special attention to the desirability of preserving or enhancing the character or appearance of the area. It is also adjacent to two listed buildings (Silver Street bridge and Darwin College) and opposite listed buildings within Queens College. Therefore, special regard must also be given to the desirability of preserving the listed building/s or their setting or any features of special architectural or historic interest. These are statutory requirements of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

8.4 This statutory requirement is supported by the NPPF and Cambridge Local Plan. The NPPF identifies protection and enhancement of the historic environment as an important element of sustainable development, as well as achieving good

design. Policy 61 of the Local Plan requires new proposals to preserve or enhance the City's heritage assets and policies 55 and 57 require proposals to respond appropriately to the local context with high quality design.

- 8.5 The Historic Core Conservation Area Appraisal (2017) identifies that Silver Street has a high historic and architectural significance. It notes, historically, Silver Street Bridge would have represented an important gateway to the town from the south-west, although, still does so today. Standing on the bridge provides dramatic views over the mill pond and weirs to the south, which also accommodates the distinctive feature of one of Cambridge's punting stations. The Appraisal does not make any direct reference to the public toilets nor do they influence or impact upon the identified views.
- 8.6 A Heritage Impact Assessment (HIA) was prepared in 2013 as part of a feasibility study for the Council. This notes with regard to the environs of Silver Street that *"the street and bridge are a busy gateway to the historic core of the city and the river marks the transition between the open spaces of Cambridge to the west and the tightly packed development of the former medieval constrained city centre. There is no typical building type, age, height and material palette used that defines the Conservation Area; the diversity in architectural styles creating a rich townscape and ultimately its special interest and character. The Silver Street Bridge and surrounding buildings and environs exemplify this characterisation."*
- 8.7 An addendum to the HIA was prepared in support of the planning and listed building consent applications. The HIA notes that the setting of Silver Street bridge is of high or very high significance however, the existing pavilion style building which houses a public lavatory is of no historic or architectural significance and has limited architectural merit and the proposed replacement building does not cause harm to character of the Conservation Area. It also states that if there is any perceived harm, this is outweighed by the public benefits of the scheme.
- 8.8 The proposal was chosen as the preferred option in a design competition held by the Council's project team. As part of the competition, a number of proposals were submitted and were subjected to scrutiny by the Design and Conservation Panel



(independent panel of experts) as well as input from stakeholders such as Historic England. The Council's project team has therefore, gone to significant lengths in identifying a scheme which is considered to respond successfully to this sensitive location.

- 8.9 As noted above, the diversity of architectural styles surrounding Silver Street has resulted in a contemporary building being proposed as the replacement structure at street level. The building has been designed as a lightweight structure which sits lightly on Silver Street and is described within the accompanying Design and Access Statement as a *"jewel-like sculptural object that draws inspiration from the work of the silversmiths that historically occupied the street"*.
- 8.10 The building line responds to that of Darwin House to the west and is angled to draw the eye along the continuous curve of the wall fronting Darwin College to the west. This same view demonstrates that the height of the main part of the structure responds to the height of the brick wall ensuring the structure does not appear as a dominant feature within the public realm. The transparent sculptural element atop the building reinforces the lightweight feel and encloses a tank used to collect rainwater for use in the toilets. It also draws visual reference to the timber ventilation shaft on the adjacent Darwin College. The structure sits above a concrete plinth which responds to the Portland Stone of Silver Street bridge, whilst the vertical metal fins take their visual cues from the canopy of the adjacent willow trees and perimeter fence of Queen's College. Replacement railings around the basement steps are also proposed as part of the refurbishment and will complement the design approach adopted for the new building.
- 8.11 The building's footprint has been reduced from that of the overall roof canopy of the existing structure, although is slightly larger than the existing toilet. The existing canopy currently has a footprint of 37m<sup>2</sup> of which the existing toilet is 7m<sup>2</sup>. Reducing the footprint of the proposed structure (13m<sup>2</sup>) enables the space between the northern wall of Darwin College and the proposed building to be opened up, improving accessibility to the basement toilets and punt station. The siting of the building away from the railing also prevents a dead end being formed and will allow pedestrian movement to flow around the building.

- 8.12 In terms of the proposed materials, the building will be constructed from reinforced concrete and a slender gold steel frame. The steel railings around the basement steps will be matched in gold. Materials have been carefully considered for their robustness, ease of maintenance, lifespan and appropriateness for the heritage context. However, it is proposed that a condition be imposed requiring materials to be submitted and agreed, prior to commencement of construction of the building. It is also considered appropriate to require further details of the electronic access turnstiles to be submitted and agreed prior to their installation.
- 8.13 Historic England consider the proposal will enhance the Conservation Area and no objections are raised by the Council's Conservation officer. It is acknowledged that the building is in a location of high sensitivity in terms of its historic and architectural interest. However, the proposal responds sensitively to this environment and is considered to enhance the character of the Conservation Area whilst also preserving the setting of adjacent listed buildings.
- 8.14 The proposal is therefore, compliant with the NPPF and policies 55, 56, 57 and 61 of the Cambridge Local Plan.

### **Highway Safety**

- 8.15 The proposal is located in an area of high pedestrian activity, particularly in the summer months when tourism is at its peak. The bridge also contains a significant element of street furniture (litter bins, benches, bike racks, lampposts) and 2 temporary kiosks which are licensed to operate on the bridge, all of which impact upon pedestrian movement on the bridge. The building is sited at the western end of the bridge, away from areas in the locality with the most prominent views of this part of the city. Although the new building contains a small kiosk and therefore, will attract the attention of passers-by, the desire line for pedestrians (particularly tourists) is the section of Silver Street bridge which spans the River Cam, offering views to the north and south. The proposed building is set back 3.5m from the carriageway which is on the same building line as the overhang of the existing canopy. It is also set away from the thoroughfare of pedestrian movement associated with the pedestrian crossing. Due to its small footprint and similar position to the existing structure, it will not materially impede pedestrian flow.

This is endorsed by the County Highways officer who has raised no objection to the proposal. The proposal is therefore, not considered to result in harm to pedestrian movement within the local highway network and therefore is compliant with the NPPF and policies 56,57 and 81 of the Cambridge Local Plan.

### **Inclusive Access**

- 8.16 Policies 56 and 57 of the Local Plan require new buildings to meet the principles of inclusive design, in particular to meet the needs of disabled people, the elderly and those with young children. The proposal seeks to improve the existing facilities by providing a refurbished wheelchair accessible toilet and baby changing facilities. As well as providing improved toilet facilities, the proposal now includes baby changing facilities which are not currently available. Squat toilets will also be introduced into the basement in recognition of cultural differences when using bathroom facilities. The comments from the Access Officer and Disability Consultative Panel are noted regarding provision of a standard changing places toilet however, owing to the visual sensitivities of the site, such a toilet would require a larger building than that proposed. A changing places toilet is available further into the city centre in the Grand Arcade.
- 8.17 The proposal is considered to meet the requirements of inclusive design and is therefore, compliant with policies 56 and 57 of the Cambridge Local Plan.

### **Trees and Ecology**

- 8.18 The applicant has undertaken a protected species scoping survey (July 2019) and a nocturnal bat survey (August 2019). Given the limited nature of habitats on site a desktop study was not deemed necessary to support the survey. The building was classified as low roosting potential however, a single nocturnal bat survey was undertaken, in accordance with best practice guidelines. The survey observed a soprano pipistrelle re-entering a roost underneath a missing tile. A Natural England derogation licence will be required to determine a mitigation strategy and avoid impacts upon this protected species. This will require further nocturnal surveys to be carried out. The ecological assessment recommends that no additional lighting should be installed post development, although bat friendly lighting can be designed to minimise impact upon bat roosting.

It is therefore, recommended that a proposal for any external lighting should be sought by condition.

- 8.19 No breeding bird activity was recorded however, the building roof and overhanging willows could theoretically support nesting birds. It is therefore, recommended that the timing of any vegetation or building clearance works be scheduled away from the breeding season for birds (clearance between September and February). If clearance is proposed within the bird breeding season, a qualified ecologist should be engaged to assess whether site clearance would impact upon any breeding birds. If the site was found to be supporting breeding birds, site clearance should be delayed until the completion of the bird breeding season.
- 8.20 The applicant proposes that the site will include a number of ecological enhancements including crevice dwelling habitat features for bat species (south facing), invertebrates and birds within the above ground building. Details of these enhancements can be sought by condition.
- 8.21 With regard to the relationship with existing trees, there are mature willow trees to the south of the application site. These trees have, until recently, had canopies which overhung the existing building. However, they have recently been pollarded as part of a health and safety assessment due to the collapse of an adjacent willow tree. These trees will be regularly monitored by the Council's arboriculturists and be subject to managed decline, until such time as their lifespan is completed. Therefore, it is not considered that the proposal will result in harm to these trees and their presence will not impact upon the proposed building.
- 8.22 Subject to conditions, the proposal is considered to comply with the NPPF and policies 70 and 71 of the Local Plan.

## **Sustainable Construction**

### *Energy Conservation*

- 8.23 The Design and Access Statement notes that the space in the proposed development will not be heated to comfort temperatures and thus is classed as a non-exempt building with a low energy demand for the purposes of Building Regulations.

Due to the relatively low degree of thermal control, a passive approach has been adopted to heating. The above and below ground spaces will be insulated to avoid internal cold surfaces and to minimise the risk of condensation forming. It is proposed that all services are given time-clock and presence controls such that lights, fans, hot water heater etc. can be disabled when not required. Low energy LED lighting will be used and operated on PIR (movement detecting) sensors, to ensure only the required amount of electricity is used.

- 8.24 The proposal is therefore, being designed to minimise the use of electricity in accordance with the NPPF, Policy 28 of the Local Plan and the Sustainable Design and Construction SPD (2020).

#### *Integrated water management*

- 8.25 Policy 31 requires new development to take a water sensitive approach recognising water should be re-used where practicable, offsetting potable water demand. The proposal includes a rainwater collection tank as part of its design which is featured as the sculptural element of the building. The water collected is proposed to be used to contribute to flushing toilets. The proposal also aims to reduce water consumption on the site by using low volume flushes. Taps are proposed to be low-flow taps with electronic movement sensors to monitor flows. The proposal has therefore, taken a practicable approach in minimising potable water usage in accordance with policy 31 of the Local Plan.

#### **Flood Risk**

- 8.26 The basement is located within flood zone 3 however, this has always been the case and therefore, the development does not pose any greater risk than currently exists in terms of fluvial flooding. The Environment Agency has raised no objection in this regard subject to inclusion of flood resilience measures. The key element of flood resilience in the basement is the existing water membrane. This is due to assessed as part of the refurbishment works to ensure it is fit for purpose. The internal refurbishment will also utilise water resilient materials.
- 8.27 The basement has been subjected to flooding during storm surges due to the adjacency and level of the Anglian Water foul water overflow system. It is therefore, proposed that a non-

return valve will be installed to the existing outlet of the foul water manhole and thus prevent surcharge waters rising up through gullies and appliances located within the basement. During surcharge conditions, the valve would close and thus prevent any foul water generated from the facility draining away. During these conditions there would be a requirement to temporarily close the facility. The provision of the non-return valve will improve the management of flooding of the basement and should minimise disruptions and closure caused by flooding. Operational status of the toilets is currently monitored several times on a daily basis by an attendant and this procedure will remain in place.

8.28 The applicant has 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.

### **Third Party Representations**

8.29 The main issues raised at the Development Control Forum (DCF) are summarised and commented upon below;

- Siting, scale, mass does not respond to context and is not well integrated with the immediate locality
- The new building and railings do not enhance the significance of the setting and views.
- Comment: This matter is addressed under Section 8 of this report
- Lacks consideration of the public realm as a whole. There is no rubbish bin plan, seating plan, cycle rack plan. No advertising plan.

Comment: The building's integration with the public realm is assessed within Section 8 of this report. The scope of rationalisation of street furniture is outside the scope of this project. Provision of litter bins within Cambridge is being considered by the Council as part of a wider strategy across Cambridge. Controls on advertisements are covered by the Advertisement Regulations and will be considered under separate applications where required.

- Impact upon the willow tree canopy.

Comment: This matter is addressed in Section 8 of this report

- Rainwater capture scheme is unlikely to function effectively under a canopy with leaf fall.

Comment: The trees are to be kept under a regular maintenance programme (As evidenced by the recent pollarding). Therefore, the tree canopies are unlikely to materially impact upon the rainwater capture facility.

- Embodied energy costs of removing and replacing railings are not evaluated

Comment: The railings are proposed to complement the proposed building and are of no historical significance. Any benefit of retention (eg: embodied energy) is considered to be outweighed by the visual improvements.

- Object to additional licensed retail trading kiosks

Comment: The existing temporary kiosks are managed under licensing through the Council and are therefore, outside the realms of planning legislation. Matters regarding the proposed kiosk are addressed in Section 8 this report.

8.30 Matters raised by other representations are also addressed in Section 8 of the report.

### **Other Matters**

8.31 The kiosk does not currently have a tenant agreed and no use has been proposed as part of the application. It is nevertheless recommended that the use class be restricted to A1, A2 or a mixed use of A1 and A2 only. It is also recommended that a condition be imposed to confine the display of goods for sale to the kiosk only in order to prevent items encroaching onto the footpath within the application site. The enhanced public facilities are required due to their current poor state of repair and will be a welcome enhancement to this highly patronised area of the city. The proposal has been carefully designed to respond to the sensitive context of the

locality which lies in the Central Conservation Area and amongst the setting of a number of listed buildings. Overall the proposal is considered to represent sustainable development which is compliant with the National Planning Policy Framework and Cambridge Local Plan.

## **9.0 RECOMMENDATION**

### **GRANT PLANNING PERMISSION AND LISTED BUILDING CONSENT** subject to the following conditions:

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

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

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

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

3. Prior to commencement of the construction of the building, samples of the external materials to be used in the construction of the building 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 and 61)

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. 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)

6. During the construction phase of the development, deliveries of materials and/or the removal of waste shall only take place between the hours of 09:30-15:30 seven days a week.

Reason: In the interests of highway safety in accordance with the NPPF and policy 81 of the Cambridge Local Plan

7. Prior to the installation of any external lighting, a lighting scheme shall be submitted to and agreed in writing by the local planning authority. The lighting scheme shall be implemented in accordance with the approved details.

Reason: To ensure appropriate lighting is implemented taking into account habitat and biodiversity considerations for roosting bats in accordance with policy 70 of the Cambridge Local Plan.

8. Prior to commencement of construction of the new building, details of biodiversity enhancements shall be submitted to and agreed in writing by the local planning authority. The biodiversity enhancements shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity associated with the development in accordance with the NPPF and policy 70 of the Cambridge Local Plan.

9. The kiosk within the development hereby approved shall only be used for purposes falling within Class A1, Class A2 or a mixed use of Class A1 and Class A2 only.

Reason: In the interests of controlling the commercial land use in this pedestrianised location in accordance with the NPPF and policies 56 and 59 of the Cambridge Local Plan.

10. The display of any goods for sale shall be restricted to within the kiosk of the building only.

Reason: To maintain the visual amenity of the locality in accordance with policies 55, 56 and 57 of the Cambridge Local Plan.

11. Demolition of the existing building shall only take place from January to February (inclusive) or September to December (inclusive) in any calendar year, which is outside the bird breeding season, unless a report prepared by an ecologist is submitted to and agreed by the local planning authority which demonstrates the demolition of the building will not impact upon breeding birds.

Reason: In the interests of protecting the biodiversity of the site in accordance with the NPPF and policy 70 of the Cambridge Local Plan.

12. Notwithstanding the approved plans, further details of the proposed electronic turnstiles shall be submitted to and agreed in writing by the local planning authority. The agreed turnstiles shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the area in accordance with the NPPF and policies 55, 56 and 61 of the Cambridge Local Plan.

<b>Application Number</b>	18/1890/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	4th December 2018	<b>Officer</b>	Lewis Tomlinson
<b>Target Date</b>	29th January 2019		
<b>Ward</b>	Coleridge		
<b>Site</b>	Family Centre, Malta Road		
<b>Proposal</b>	Erection of nine residential units comprising a terrace of 4 x three bedroom houses, 4 x two bedroom flats and 1 x one bedroom flat with access, car parking, and associated landscaping, following the demolition of the existing building on site, at Malta Road.		
<b>Applicant</b>	Mr David Bethell 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 design and scale of the proposed development would not have an adverse impact on the character of the surrounding area;</li> <li>- The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers;</li> <li>- The proposed development would provide a high quality living environment for the future occupiers;</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is located to the east of Malta Road, north of Sedley Court student accommodation/nursery and south of the rear gardens of properties fronting Marmora Road. There are a large

number of trees on the site. During the application, a group Tree Preservation Order was placed upon the site.

## 2.0 THE PROPOSAL

2.1 The proposal is for the demolition of the existing single storey building on the site and for the erection of 4 dwellinghouses a block of 5 flats. This includes cycle parking, car parking and waste provision. In brief, the development includes:

Block of flats:

- 4 x 2 bed flats
- 1 x 1 bed flats

Dwellinghouses

- 4 x 3 bed houses

2.2 The proposal has been amended since submission to address concerns raised by officers.

## 3.0 SITE HISTORY

3.1 None relevant

## 4.0 PUBLICITY

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 3, 28, 29, 31, 32, 34, 35, 36, 41, 45, 50, 51, 55, 56, 57, 59, 61, 70, 71, 80, 81, 82, 85

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Management)

6.1 No objection subject to a traffic management plan.

#### Ecology Officer

6.2 No objection subject to conditions regarding a bat licence and a biodiversity enhancement scheme.

#### Environmental Health Officer

6.3 Object on the grounds that there are habitable rooms and external amenity spaces in close proximity to the existing nursery. If officers are minded to grant approval, the following conditions are recommended: construction hours, collections during construction, construction demolition noise vibration

piling, contaminated land, alternative ventilation scheme, electric vehicle charging points and low NOx boilers.

### **Tree Officer**

- 6.4 There are no objections to the loss of T1, T9 and T10. The loss of T11 will have a significant impact on the value of the north boundary. Trees in the southeast corner of the site having been given the same value grading, B. This would suggest that their contribution to amenity is similar however the trees of value in this area are the two Birch that make up G1 and the single Birch trees, T4 and T5. The retentions proposed do not mitigate the loss of G2 and realistic retention of T4 is questionable. For the reasons above I do not support the application. Provided replacement planting could be accommodated however I do not believe that the negative impact of the development on trees alone is sufficient to justify a recommendation for refusal. However, the proposal will have a negative impact on arboricultural amenity and this should be recorded for consideration.
- 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 objections:
- 39 Coleridge Road
  - 2 Marmora Road
  - 14 Marmora Road
  - 70 Suez Road
  - 72 Suez Road
  - 74 Suez Road
  - 76 Suez Road
- 7.2 The representations can be summarised as follows:
- The noise from the development will have an adverse impact
  - The potential noise hasn't been assessed correctly

- There will be water run off into the Suez Road properties as the land on the site is higher.
- Out of keeping with character of surrounding two storey buildings with the exception of Sedley Court.
- Loss of light to gardens of Suez Road properties
- Overlooking of gardens and rear elevations of Suez Road properties
- Overdevelopment
- Removal of trees will reduce privacy for Suez Road properties
- Malta Road, and the surrounding roads, are over-parked and the development will not provide enough car parking.
- Road access is not adequate for the amount of traffic
- Highway safety concerns due to the additional traffic generation
- A loss of biodiversity
- Disturbance during construction

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, it is considered that the main issues are:

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

## **Principle of Development**

- 8.2 As the site contains an existing building, the site is classed as brownfield land. Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. The principle is therefore considered to be acceptable subject to the material planning considerations discussed below.

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

- 8.3 The site comprises a single storey building. The development would consist of 4 dwelling houses along the northern boundary. These would be three storey in height which would be broken down into a two storey buff brick flat roof building with a smaller third storey element in zinc. The ridge height of the two storey element would be similar to the eaves height of the properties along Marmora Road. A three storey apartment block would be sited in the eastern section of the site. This would also have a similar design to the dwellinghouses, consisting of a two storey buff brick with third storey zinc element set in. To accommodate the lift in order to comply with policy 51, there is a lift overhang but this would be zinc which would soften its impact. Access would be from Malta Road with the dwellinghouses fronting the street within the development.
- 8.4 The site is surrounded by two storey residential properties and a 3/4 storey building at Sedley Taylor Court. While the design will vary from the surrounding residential properties, it will provide a transition from the Sedley Taylor Court 3/4 storey building adjacent. The proposed buildings have been designed to keep the overall height and massing down. The proposed materials and detailing on the dwellings and block of flats will also provide a high quality finish.
- 8.5 The form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 & 59.



## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.6 The site is surrounded by residential properties. To the north is Marmora Road, to the west is Coleridge Road, to the south is the Sedley Court student accommodation and to the east is Suez Road.

#### *Properties on Marmora Road*

- 8.7 Units 1 to 4 would be situated circa 19m to the rear (south) of the rear elevations of the properties on Marmora Road. The nearest built form to the common boundary would be single storey. The ridge height of the two storey element would be similar to the eaves height of the properties on Marmora Road and the third storey element would be sloped away from the properties on Marmora Road. There would also be gaps set between units 1 and 2, and also units 2 and 3 which would help to break up the massing when viewed from the Marmora Road properties. The screen on the first floor terraces of units 1 to 3 would also be sloped away. There would be windows on the rear elevations of units 1 to 4, but these would serve landings/bathrooms. A condition is recommended to obscure glaze these windows. Taking the above points into account, units 1 to 4 have been designed carefully to minimise the impact upon the Marmora Road properties in terms of overlooking and overbearing. Given the siting of the proposed units to the south of the properties on Marmora Road, there would be a degree of overshadowing. Given the scale, design and siting of the dwellings, this overshadowing would be limited to the rear of the gardens of the properties on Marmora Road. It is considered that the impact upon the Marmora Road properties would be acceptable.

#### *Properties on Suez Road*

- 8.8 The apartment block would be circa 35m away from the rear (west facing) elevations of the properties on Suez Road. The apartment block would be a two storey buff brick design with the third storey stepped in with a zinc finish. 35m is considered an acceptable distance in order to not have a significant overbearing impact upon these properties. No fenestration is proposed on the east facing elevation of the 2<sup>nd</sup> floor. There are

kitchen windows proposed on the east facing elevation of the 1<sup>st</sup> floor. However, given the distance, overlooking would be limited to rear of the gardens. It is to be noted that there are a number of trees being retained on the section of the site. To protect the amenity of the properties on Suez Road, a condition is recommended requesting that the timber screening on the north facing elevation of the first floor balcony of unit 7 would also be placed on the east facing elevation of the same balcony and also the east facing elevation of the first floor balcony serving unit 8 would also be fitted with the same timber screening.

#### *Sedley Court/ Properties on Coleridge Road*

- 8.9 Sedley Court is student accommodation development located to the south of the site. Given its scale and close relationship with the site, there would be a degree of interlooking. This impact is not considered significant enough to warrant a refusal of the application. The rear elevations of the properties on Coleridge Road would be circa 35m away from unit 1. Given this distance, the proposal would not have an adverse impact upon these properties.
- 8.10 The potential impact on the residential amenity of the surrounding occupiers has been assessed in terms of overlooking, overbearing sense of enclosure and overshadowing. Neighbours have raised concern about the potential of noise from the new development. Given its proposed residential use and its siting within an urban area, officers do not consider that it would warrant a refusal of the application.

#### *Wider area*

- 8.11 Neighbours have raised concerns regarding the impact of noise, dust and reverberation during the construction phase. The Environmental Health Team has recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. The conditions are recommended accordingly. The impact of additional demand for car parking spaces on residential amenity in the 'car parking' section below. The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

### Amenity for future occupiers of the site

8.12 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All the proposed units comply/exceed and the majority slightly exceed the standards. In this regard, the units would provide a high quality internal living environment for the future occupants in my opinion. The gross internal floor space measurements for units in this application are shown in the table below:

#### *Houses*

<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	3	5	3	99	111	+12
2	3	5	3	99	111	+12
3	3	5	3	99	111	+12
4	3	5	3	99	111	+12

#### *Block of flats*

<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>
5	2	3	1	61	62	+1
6	1	2	1	50	54	+4
7	2	3	1	61	62	+1
8	1	2	1	50	54	+4
9	2	4	1	70	78	+8

8.13 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. All the proposed units will have direct access to an area of private amenity space. Units 1 to 3 would all have private courtyards on the ground floor and first floor terraces. Unit 4 would have a private courtyard and a garden. Units 5 & 6 within the apartment block are on the ground floor and benefit from acceptable size gardens. Units 7 and 8 would have a balcony serving each of them. Unit 8 would

have a large roof terrace. It is also to be noted, that the proposal will also provide a shared amenity area for all the occupants of the flats to enjoy. The details of the landscaping can be secured through condition.

- 8.14 To ensure that adequate private amenity space is retained for units 1 to 4, it is recommended that permitted developments rights are removed for extensions and outbuildings. The proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, it is compliant with Cambridge Local Plan (2018) policy 50.

#### *Potential noise impacts*

- 8.15 There is a nursery located south west of the site. The Environmental Health Team have objected to the application that the existing nursery will have a significant adverse impact upon the future occupiers of the development, and that the proposed mitigation is not acceptable. A nursery, similar to a school, is considered to be a use that is compatible with residential uses. Opening hours of a nursery do not usually fall outside of sociable hours. Likewise, the use of outdoor play areas would most likely fall within the hours of late morning, midday and early afternoon. The applicant has proposed an acoustic timber fence along the common boundary to provide a form of mitigation. Taking all the above into account, officers consider that the proposed development should be compatible with the nursery use, and therefore on balance the proposal is considered acceptable in terms of noise.

#### Accessible homes

- 8.16 The development has been assessed for compliance with Policy 51 in relation to the all the new units. The agent amended the internal layout of the block of flats to ensure the proposal complies with the requirements of Part M4 (2) of the Building Regulations. A condition is recommended to secure this requirement.

#### **Refuse Arrangements**

- 8.17 There is an existing access which would provide rear access to unit 1 to 4. Bins would be stored in the private courtyards for these properties. There would be a bin store located to the west

of the apartment block which would serve units 5 to 9. The proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

### **Highway Safety**

- 8.18 Neighbours have raised concern about whether the access road is suitable for the additional dwellings and also raised concerns about the additional traffic generation that will be result of the development. The Highway Authority was consulted as part of the application and does not consider there would be any adverse impact upon highway safety as no objection has been raised. While officers acknowledge residents' concerns, the advice from the Highway Authority is accepted. Neighbours have also raised concerns about construction traffic, a traffic management plan condition is recommended which would address the logistics of construction. The proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

#### Car Parking

- 8.19 Neighbours have raised concerns that there is no capacity in the surrounding streets and the proposal will increase demand for parking, adversely impacting their amenity. The definition of parking stress is contained within the supporting text of Policy 53 (Flat conversions) of the Cambridge Local Plan (2018). It states that parking stress is defined as occurring in those streets where surveys show that there is less than 10 per cent free notional parking capacity. The Cambridge On-Street Residential Parking Study November 2016 shows that Marmora Road is at 80% car parking at 5.30am, Malta Road is at 61% car parking at 5.30am and Suez Road is at 30% car parking at 5.30am. This means that there is not less than 10 per cent free parking capacity within these streets and subsequently no overnight car parking stress on these streets.
- 8.20 Notwithstanding the above, the proposed development would include 7 car parking spaces. Malta Road is located in a very sustainable location off Mill Road and in walking/cycling distance to shops and Cambridge Train Station. This level of provision is acceptable particularly having regard to the identified available capacity in surrounding streets. Officers

consider the proposal would not increase parking pressures on nearby streets to an unacceptable degree and would not therefore be detrimental to the amenity of nearby residents.

### Cycle Parking

- 8.21 Cycle parking is provided within the garages for units 1 to 3, and for units 4 to 9 cycle parking is provided in two stores. The proposal is compliant with Cambridge Local Plan (2018) policy 82.

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

- 8.22 Comments are being sought from the Drainage Officer and an update will be provided on the amendment sheet.

### **Trees & Ecology**

#### Trees

- 8.23 There are a large number of trees on the site and surrounding the site. At the time of the submission of the application, the site didn't not fall within a conservation area and there were no Tree Preservation Orders (TPO) on any trees on the site or on any of the trees surrounding the site. During the application, a group TPO was placed on site.
- 8.24 The proposal would result in 4 trees being removed from the northern boundary and 1 tree being removed from the southern boundary. The Tree Officer doesn't object to the loss of 3 (T1, T9 and T10) of the northern trees being removed. However, the Tree Officer has the view that the loss of T11 will have a significant impact on the value of the north boundary and the loss of G2 would not be mitigated by additional planting. While the Tree Officer does not support the application, the Tree Officer states that the negative impact of the development on trees alone is not sufficient to justify a recommendation for refusal as long as replacement planting is provided. The application proposes the planting of 3 replacement trees which will be secured through a landscaping condition. In consideration of the above, on balance the proposal would be in accordance with Policy 71 of the Cambridge Local Plan 2018.

## Ecology

- 8.25 While the proposal would result in a loss of wildlife habitat, the applicant has submitted a comprehensive ecology report. The Ecology officer has been consulted as part of the application and raised no objections subject to a condition regarding a bat licence and a biodiversity enhancement scheme. The proposal would therefore be in accordance with Policy 70 of the Cambridge Local Plan (2018).

## **Affordable Housing**

- 8.26 The proposed development is for a scheme of 9 units. Policy 45 of the Cambridge Local Plan (2018) states that affordable housing provision should be calculated on the basis that the thresholds are to be considered against the net increase in the number of units on the site. As the proposed net increase of units on the site would be below the threshold of 10 units, there is no policy basis to require affordable housing provision as part of this application. The proposal is compliant with policy 45 of the Cambridge Local Plan (2018).

## **Third Party Representations**

- 8.27 The third party representations have been addressed in the preceding paragraphs.

## **9.0 CONCLUSION**

- 9.1 The proposal is of a high quality design and would not result in an adverse impact upon neighbouring properties and would also provide an acceptable level of amenity for future occupiers. It is also considered that the proposal will provide an acceptable level of car parking that would not result in significant additional parking pressures on surrounding streets. While the proposal would result in a loss of trees, it is considered on balance that the proposal is acceptable subject to the planting of additional trees.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

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

(a) Desk study to include:

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

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

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

10. 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)

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

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

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

12. Prior to the commencement of development/construction, details of an alternative ventilation scheme for the habitable rooms to negate / replace the need to open windows, in order to protect future occupiers from external noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system.

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

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

13. Electric Vehicle (EV) Charge Points - Residential Developments  
Prior to the installation of any electrical services, an electric vehicle charge point scheme demonstrating that at least one operational active electric vehicle charge point will be installed to each allocated parking space for each of the proposed residential units, shall be submitted to and approved in writing by the Local Planning Authority.

The active electric vehicle charge point scheme as approved shall be fully installed prior to first occupation and maintained and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF, 2019) paragraphs 105, 110, 170 and 181, Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

14. **LOW NOx - Low NOx boilers condition**  
Prior to the installation of any gas fired combustion appliances, technical details and information demonstrating the use of low Nitrogen Oxide (NOx) combustion boilers, i.e., individual gas fired boilers that meet a dry NOx emission rating of  $\leq 540\text{mg/kWh}$ , to minimise emissions from the development that may impact on air quality, shall be submitted to and approved in writing by the local planning authority. The details shall include a manufacturers Nitrogen Oxides (NOx) emission test certificate or other evidence to demonstrate that every boiler installed meets the emissions standard above.

The scheme details as approved shall be fully installed and operational before first occupation and shall be maintained and retained thereafter.

Reason: 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 and in accordance with the requirements of the National Planning Policy Framework (NPPF, 2019) paragraphs 170 and 181, policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan 2018 and Cambridge City Councils adopted Air Quality Action Plan (2018).

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

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

16. Demolition of the Family Centre shall not in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
  - b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the protection and appropriate mitigation for the proposed loss of the identified Brown Long Eared Bat day roost within the Family Centre. (Local Plan Policy 70)

17. No development shall commence until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of the hedgehog house, internal and / or external bird and bat boxes on the new buildings, retained trees and proposed pole (specifically proposed as bat roost mitigation). The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: to provide mitigation and ecological enhancements for protected species on the site. (Cambridge Local Plan 2018 policy 70)

18. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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)

19. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

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

20. Prior to the occupation of units 1, 2, 3 and 4, and notwithstanding the approved plans, the following windows shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be non-opening unless the part of the window, door or opening is more than 1.7m above the finished floor level of the room in which it is installed. For the avoidance of doubt, these windows are:
- The first floor window serving the bathroom on the north facing elevation of units 1, 2, 3 and 4
  - The first floor window serving the landing on the north facing elevation of units 1, 2, 3 and 4
- The development shall be retained as such thereafter.

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

21. Prior to the occupation of units 7 and 8 within the apartment block, the timber screen shown on the north facing elevation of unit 7's first floor balcony shall also be erected on the east facing elevation of units 7 and 8's first floor balconies. The development shall thereafter be retained and maintained.

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

22. For the hereby approved dwellings (Units 1, 2, 3 and 4), notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses, including insertion of new windows; and the provision within the curtilage of the dwellinghouses of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling (Cambridge Local Plan 2018 policies 50 and 57)

23. The approved tree protection methodology shown within the submitted Arboricultural Impact Assessment AGB Environmental dated 25th April 2019 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.

24. 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)

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<b>Application Number</b>	19/1389/TDAMIN	<b>Agenda Item</b>	
<b>Date Received</b>	8th November 2019	<b>Officer</b>	Mr Aaron Coe
<b>Target Date</b>	13th December 2019		
<b>Ward</b>	Romsey		
<b>Site</b>	Cambridge and Huntingdon Health Authority 18 Vinery Road		
<b>Proposal</b>	Technical details consent for construction of 9 dwellings and means of access, following demolition of redundant Health Authority offices (pursuant to grant of 19/0769/PIP for Permission in Principle for residential development of 9 dwellings).		
<b>Applicant</b>	Mr Oliver Lines 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 facility is considered to be no longer required and its loss is considered acceptable.</li> <li>- The principle of 9 residential units on site is considered to be acceptable.</li> <li>- The proposal is well integrated with the character and appearance of the surrounding residential development.</li> <li>- The proposal would provide an acceptable living environment for future occupants.</li> <li>- The proposal would not harm the amenities of neighbouring properties.</li> </ul>
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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site lies on the south eastern side of Vinery Road. Vinery Road is a predominantly residential street to the north of the eastern end of Mill Road. The existing building on site has been vacant since 2014 but was last used as primary care support by the NHS. The existing building is part two storey and part single storey with some car parking around and an access point from Vinery Road.
- 1.2 To the south of the site are three semi-detached houses which are set back from the street with garages to the side and either hard standing or small gardens to the front which are bounded by low walls and fences. A number have hedges and planting to the front. The opposite side of the road is within the Conservation Area. This comprises two storey brick properties with ground floor bay windows. These buildings are only marginally set back from the street with dwarf walls to the front. Further south, the site is bounded by the site of Cambridge Mosque. Part of the Brookfields site is to the north and east of the site.
- 1.3 The site itself is outside of the Conservation Area but the boundary of the Mill Road Conservation Area is the other side of the street so the site will be visible from within the Conservation Area. The site lies within the Mill Road Opportunity Area. There are six TPOs on site. The site is within close proximity to the Mill Road East District Centre.

## **2.0 THE PROPOSAL**

- 2.1 Permission in principle for the residential development of 9 dwellings on the application site was granted permission at Planning Committee on 7<sup>th</sup> August 2019. This application follows the permission in principle approval.
- 2.2 Permission in principle is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first

stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This application seeks to secure permission for the technical details approval for the 9 dwellings.

- 2.3 The scheme proposes a mix of terrace and semi-detached properties.

#### Eastern Block

This block of terrace properties to the east of the site includes 4 units (1x 2 bedroom unit and 3 x 3 bedroom units). This block also includes 3 integrated garages.

#### North West Block

The block to the north west proposes three terrace properties which are proposed to be set back from the Vinery Road frontage. The proposal involves 3 x 3 bedroom units.

#### South West Block

The block to the south west proposes a pair of semi-detached properties. Both of the units are proposed to have 3 bedrooms.

- 2.4 The vehicular access to the development is proposed to be situated as existing from Vinery Road.
- 2.5 All of the units are provided with an area of private external amenity space.
- 2.6 The parking proposals within the application are 1 car parking space per unit. Overall, 9 car parking spaces are being provided. The proposals also include 5 electric vehicle charging points.
- 2.7 A total of 36 cycle parking spaces are proposed. It is proposed that each of the units will have a covered cycle store within their rear garden.

### **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
19/0769/PIP	Residential development of 9 dwellings.	PERMITTED
19/0051/PIP	Residential development of 9	WITHDRAWN

dwellings.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

##### 5.1 Cambridge Local Plan 2018

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 24 28 31 32 33 34 35 36 50 51 52 55 56 57 59 61 70 71 73 81 82

##### 5.2 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 consideration)
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<p>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
	<p>Mill Road Area Conservation Area Appraisal (2011)</p>

## 6.0 CONSULTATIONS

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

6.1 Acceptable subject to conditions.

### **Urban Design and Conservation team**

6.2 The proposal will preserve or enhance the character or appearance of the Mill Road Conservation Area and will comply with Local Plan policy 61. The proposed development is acceptable subject to conditions.

### **City Council Environmental Health team**

6.3 Acceptable subject to conditions relating to the following:

- Construction hours
- Collection during construction
- Dust
- Vibration/ Piling
- EV charging points
- Land contamination
- Materials management
- Low NOx Boilers

### **City Council Sustainable Drainage Engineer**

#### *As submitted*

6.4 The following information is required to determine if the proposals are acceptable.

1. Calculations to support the proposals.
2. Details of the long-term management and maintenance of the system.

#### *As Amended*

6.5 Details of the management company to be provided.

### **City Council Arboricultural officer**

6.6 Acceptable subject to conditions.



## **City Council Landscape officer**

6.7 Concerned by the amount of hard landscaping within the rear courtyard.

Recommends conditions in respect of the following:

- Hard and soft landscaping
- Landscape management and maintenance

## **City Council Nature Conservation officer**

6.8 Acceptable subject to conditions.

## **7.0 REPRESENTATIONS**

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

- 17 Romsey Road
- 45 Vinery Road
- Camcycle

7.2 The representations received can be summarised as follows:

- The quality of the development in terms of materials (including brickwork and window types) should be high in order to compliment the surrounding area.
- Loss of on street parking due to an additional drop kerb being required for the development.
- Concerned by the impact of the development during construction. Particularly concerned by the impact of construction vehicles parking on surrounding roads and the addition of debris/ mud on roads.
- Concerned by the loss of trees and the replacement trees not being maintained appropriately.
- Please ensure the cycle parking details are secured via a prior to first occupation condition.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received and from the inspection of the site and the surroundings, it is considered that the main issues to be assessed are:

1. Context of site, design and external spaces

2. Impact on the Conservation Area
3. Residential amenity
4. Car and cycle parking
5. Arboricultural impact
6. Ecology
7. Refuse Arrangements
8. Third party representations

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

- 8.2 The key design issue is the design and appearance of the proposed new residential properties in its setting. The immediate surrounding residential character of Vinery Road consists of semi-detached properties directly to the south of the site and a row of traditional terraces adjacent to the west.
- 8.3 The development proposes two blocks of terrace properties and one block of semi-detached properties. Along the Vinery Road frontage a total of 5 properties are proposed, three properties within a row of terraces to the North West of the site and one set of semi-detached properties to the South West. The semi-detached properties would maintain the existing building line with No. 16 Vinery Road and the terrace properties on the north eastern side will be set back approximately 10 metres from the highway. Officers consider the proposed development would have a subservient appearance to surrounding development in terms of its scale, roof form and layout. Therefore, the proposed development would appear to be in accordance with the immediate surrounding character.
- 8.4 The details of materials will be secured through conditions (20, 21 and 24) to ensure that the development is of high quality and in accordance with the character of the site and its immediate context of residential properties.
- 8.5 The Central Mosque on Mill Road abuts the south east of the application site. It is acknowledged that the proposed development will obscure views of the mosque from Vinery Road, however, given that there is an existing building on site which already partly blocks the view of the mosque and also as the key viewpoint of the mosque building is from the Mill Road frontage, the proposed siting of the dwellings on the application site are therefore considered to be acceptable. Overall, it is considered that the design and scale of the proposed

development would sit comfortably within its context and would enhance the character and appearance of the area.

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

### **Impact on the Conservation Area**

- 8.7 This site is adjacent to the Mill Road Conservation Area. The proposed properties along the Vinery Road frontage (plots 1-5) have been designed to reflect the scale and massing of the adjacent Victorian villas situated on the opposite side of Vinery Road.
- 8.8 The proposed units at the rear of the application site have also been appropriately designed in terms of scale and massing but have introduced a more contemporary approach to the details of the windows and doors. The conservation team has assessed the proposals and considers the development to enhance the character and appearance of the Mill Road conservation area subject to further details being secured via conditions. This view is supported by officers and the proposals are considered to be compliant with Cambridge Local Plan 2018 policy 61.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers:

- 8.9 In respect on residential amenity the property that would most affected by the proposed development is No. 16 Vinery Road. In relation to overlooking and loss of privacy, the elements to be assessed are the windows on the west elevation of plot 9 and the balcony on the south elevation of plot 8.
- 8.10 There are two windows on the first floor, west elevation of plot 9 and these serve a bedroom and an en-suite. A 45 degree test has been conducted from the centre of the proposed window serving bedroom 3 at the first floor level of plot 9. The results of this test reveal that due to the orientation of the proposed dwelling there would only be oblique views into the rear garden space of No 16 Vinery Road and there will not be any direct views into the habitable rooms at the rear of No. 16 Vinery Road. Moreover, there is a distance of approximately 25 metres

from the window of the habitable room and No 16 Vinery Road. Given the distance and orientation the proposal is considered to be acceptable in this regard. In respect of the en-suite window on the west elevation, it will be conditioned (condition no. 34) that this window will be obscure glazed in order to protect the amenity of neighbouring properties and future occupiers.

- 8.11 Juliet balconies are proposed on the south elevation of plot 8, these features are situated directly adjacent to the Mosque to the south east of the application site. The Juliet balconies are both located over 25 metres from the rear elevation of No 16 Vinery Road and neither of these balconies would have direct views into the rear garden or habitable rooms of No 16 and it is therefore considered that the proposals respect the residential amenity of this property.
- 8.12 Overall it is considered that the scheme has been appropriately designed such that opportunities of views into the rear gardens/houses of others are very limited. It is therefore considered that the proposed development is in accordance with Cambridge Local Plan 2018 policies 55 and 56.
- 8.13 A concern that has also been raised relates to the increase in number of vehicles as a result of the development. Undoubtedly, the development involves an intensification in the use of Vinery Road, however, officers consider that the addition of nine vehicles each of which have an allocated private car parking space, will not have a detrimental impact on the amenity of residents. The County Highway Authority has assessed the application and is satisfied by the proposal in terms of impact on the highway. Another concern raised relates to construction traffic on the existing residents. The impact of construction noise and traffic on neighbouring properties will be controlled through relevant conditions including a traffic management plan and conditions to control construction/ delivery/ collection hours as recommended by the City Council Environmental health team. The proposal is considered to be in accordance with Cambridge Local Plan 2018 policy 35.

### Amenity for future occupiers

8.14 The residential amenity of the prospective occupiers must also be considered in terms of the quality of the living environment and provision of adequate amenity space.

8.15 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All of the proposed the units meet the space standards. In this regard, the units would provide a high quality internal living environment for the future occupants. The floor space of the proposed units is presented in the table below against the requirements of policy 50.

The table below shows the proposed internal sizes of the units exceeds the policy size requirements.

<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	3	6	3	108	132.5	+ 24.5
2	3	6	3	108	132.5	+ 24.5
3	3	6	3	108	132.5	+ 24.5
4	3	6	3	108	132.5	+ 24.5
5	3	6	3	108	132.5	+ 24.5
6	2	3	2	70	76.5	+ 6.5
7	3	4	2	84	100	+ 16
8	3	4	2	84	100	+ 16
9	3	4	2	84	100	+ 16

8.16 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. All of the units are provided with garden spaces of adequate sizes.

8.17 It is considered that the proposal adequately respects the residential amenity of existing neighbouring properties and the amenity of future occupiers. It is considered the proposals are compliant with Cambridge Local Plan Policies 50, 55 and 56.

## **Car Parking and Cycle Parking**

- 8.18 The car parking proposals are 1 space per dwelling which is in accordance with the Cambridge Local Plan policy 82. 1 out of the 9 proposed car parking spaces meet the size and dimension requirements for a disabled car parking space. The proposal involves the addition of a dropped kerb to the frontage of the application site which will result in the loss of one on street car parking space, the impact of the loss of this one space is not considered to be significant and is acceptable.
- 8.19 Each residential unit is proposed to have access to 3 covered cycle parking spaces within their private external amenity space. Each unit is also proposed to have access to a visitor cycle parking space. The provision of cycle parking within the scheme is in accordance with the cycle parking standards set out within Appendix L of the Cambridge Local Plan 2018. The full details of both the private and visitor cycle parking provisions will be secured via a condition which requires the details prior to the occupation of the development.
- 8.20 The proposal is considered to be compliant with policy 82 of the Cambridge Local Plan (2018).

## **Arboricultural Impact**

- 8.21 The development proposes the removal of two trees. One is a Category B, early mature hornbeam that is in good condition and the other is Category U downy birch that is in a poor condition. However, a number of trees are proposed to be retained and an additional 5 trees will be planted. The City Council Arboricultural officer has assessed the Arboricultural Impact Assessment submitted to support the application and has considered the proposals to be acceptable subject to conditions. This view is supported by officers and the proposals are considered to be acceptable and in accordance with Cambridge Local Plan policy 71.

## **Ecology**

- 8.22 An ecological survey has been assessed as part of this application by the City Council Nature Conservation officer and the proposals are considered to be in accordance with Cambridge Local Plan 2018 policy 70 subject to a condition

ensuring the boundary treatments are permeable for hedgehogs. This requirement is supported by officers and the details of the boundary treatments are secured via condition.

### **Refuse Arrangements**

- 8.23 The proposals indicate that the residents will have space for refuse storage within their private rear gardens. The refuse collection is approximately 18 metres from the highway and is situated at an acceptable distance from each of the properties.
- 8.24 The proposed location of the bin collection point will not create any noise and disturbance issues for neighbouring properties or the potential future occupiers of the proposed development.
- 8.25 The proposals are considered to be in accordance with the RECAP waste guidelines. It is considered that the proposal is compliant with Cambridge Local Plan (2018) policy 57.

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

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

### **Affordable Housing**

- 8.27 The proposal would result in a net increase of 9 dwellings on the application site. As the proposed net increase of units on the site would be below the threshold, there is no policy basis to require affordable housing provision as part of this application.

## Third Party Representations

8.28 I will address any matters raised by the third party representations which have not been covered in the body of my report in the table below.

Representation	Response
The quality of the development in terms of materials should be high in order to compliment the surrounding area.	The details of materials will be secured via condition.
Loss of on street parking due to an additional drop kerb being required for the development.	I have assessed this impact at paragraph 8.16.
Concerned by the impact of the development during construction. Particularly concerned by the impact of construction vehicles parking on surrounding roads and the addition of debris/ mud on roads.	I have assessed impact on residential amenity at paragraph 8.11
Concerned by the loss of trees and the replacement trees not being maintained appropriately.	I have assessed impact on residential amenity at paragraph 8.19.
Details of cycle parking	I have assessed impact on residential amenity at paragraph 8.17 and confirm details will be secured via condition.

## Conclusion

9.0 The proposed development will fit in with the surrounding residential character along Vinery Road. The application site is in a sustainable location and the proposed design of the scheme will be in keeping with the street scene which will make a positive contribution to the character of the area.



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

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

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

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

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

7. Prior to the installation of any gas fired combustion appliances, technical details and information demonstrating the use of low Nitrogen Oxide (NO<sub>x</sub>) combustion boilers, i.e., individual gas fired boilers that meet a dry NO<sub>x</sub> emission rating of  $\leq 540\text{mg/kWh}$ , to minimise emissions from the development that may impact on air quality, shall be submitted to and approved in writing by the local planning authority. The details shall include a manufacturers Nitrogen Oxides (NO<sub>x</sub>) emission test certificate or other evidence to demonstrate that every boiler installed meets the emissions standard above.

The scheme details as approved shall be fully installed and operational before first occupation and shall be maintained and retained thereafter.

Reason: 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 and in accordance with the requirements of the National Planning Policy Framework (NPPF, 2019) paragraphs 170 and 181, policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan 2018 and Cambridge City Councils adopted Air Quality Action Plan (2018).

8. Prior to the installation of any electrical services, a dedicated electric vehicle charge point scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that:

1. One active electric vehicle charge point will be designed and installed on site with a minimum power rating output of 7kW for each residential unit with allocated on site parking

2. 50% provision of active electric vehicle charge points will be designed and installed on site with a minimum power rating output of 7kW to communal/courtyard and on street parking spaces. Additional passive electric vehicle charge provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for all remaining car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required.

3. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or as superseded.

The electric vehicle charge point scheme as approved shall be fully installed prior to the first occupation and maintained and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF) paragraph 105, 110, 170 and 181, Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan (2018) and with Cambridge City Council's adopted Air Quality Action Plan (2018).

9. Prior to the commencement of the development (or phase of), and in accordance with Report on Initial Intrusive Investigation by Prior Associates (ref: 14351, dated 15th August 2019), a proposed remediation strategy which includes a specification for gas protection to be incorporated into the building design (to prevent build-up of potentially asphyxiating gases) given the proposed end use of the site, shall be submitted and approved in writing by the local planning authority

The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented. The development shall be carried out in accordance with the approved details.

Reason: in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018, policies 33 and 35).

10. If unexpected land contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and the contamination has been fully assessed and a remediation strategy has been submitted to, and approved by, the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

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, policies 33 and 35).

11. Prior to the first occupation of the development or (or each phase of the development where phased) the contamination remediation strategy approved by Condition 9 and Condition 10 shall be fully implemented on site following the agreed schedule of works.

Reason: in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018, policies 33 and 35.

12. 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: in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018, policies 33 and 35).

13. 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 9 and Condition 10, and implemented under Condition 11, 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 (as required by Condition 12) 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: in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018, policies 33 and 35.

14. Prior to completion of the first gas membrane installation on site and for all gas membrane installations on site thereafter the following shall apply:
- (a) Environmental Quality and Growth team officers shall be notified to undertake gas membrane inspections.
  - (b) Environmental Quality and Growth team officers shall be given a minimum of 72 working hours notice, for all gas membrane inspections, to attend the site.
  - (c) Gas membranes shall not be covered before they are inspected without written agreement by the Local Planning Authority.

Reason: in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018, policies 33 and 35.

15. No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
- i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway)
  - ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on street car parking.
  - iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
  - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway .

Reason: in the interests of highway safety (Cambridge Local Plan Policy 81 and 82)

16. The two pedestrian visibility splays of 2m x 2m splays as shown on drawing number 19/03/200 J be maintained, in perpetuity free from obstruction exceeding 0.6m above the level of the adopted public highway.

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

17. The proposed access 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.

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

18. The vehicular access shall be constructed using a bound material for at least the first five metres into the site from the boundary of the adopted public highway to prevent debris spreading onto the adopted public highway.

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

19. Notwithstanding the provisions of Schedule 2, Part 1, Class F 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 hard surfacing of front gardens shall not be carried out.

Reason: In the interests of visual amenity ensuring that front gardens are retained and in the interest of preventing the creation of additional car parking spaces along the Vinery Road frontage (Cambridge Local Plan 2018 policies 55 and 82).

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

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 57 and 61)

21. 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).

22. All new joinery (window, door frames etc) shall be recessed at least 50 / 75mm back from the face of the wall / façade. The means of finishing of the 'reveal' is to be submitted to and approved in writing by the Local Planning Authority prior to installation of new joinery. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

23. No new windows shall be constructed in the existing building, nor existing windows altered until drawings at a scale of 1:10 of details of new or altered sills, lintels, jambs, transoms, and mullions have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

24. Full details, in terms of materials, fixing, surface finish & colour, of all new / altered metalwork [stairs, balustrades, grilles, railings, brackets, window frames, columns, etc.] are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)



25. No building hereby permitted shall be occupied until the surface water drainage scheme for the site has been completed in accordance with the submitted details. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan (SuDs maintenance plan 2395- MTC engineering) for the lifetime of the development.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with Cambridge Local Plan 2018 policies 32 and 85 and the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

26. 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.

27. 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.

28. 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.

29. 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.

30. Prior to the first occupation the full details of all cycle parking facilities shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and cycle parking provision. (Cambridge Local Plan 2018 policies 55 and 82).

31. Prior to first occupation for the use hereby permitted, further information on the location and design of the proposed photovoltaic panels shall be submitted to and approved in writing by the local planning authority. The photovoltaic panels shall be installed in accordance with this information and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted 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 29).

32. Hard and soft landscaping: No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; boundary treatments; hard surfacing materials; refuse and cycle storage units; proposed and existing functional services above and below ground. 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)

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

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

34. Prior to the occupation of the development, hereby permitted, the window serving the first floor en-suite of plot 9 shall be installed with obscure glazing 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 and 57).

35. The development 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)

36. Prior to first occupation a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the boundary treatments are permeable for hedgehogs. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2018 policies 55,57, 59 and 70)

37. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works
38. 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).

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<b>Application Number</b>	19/1506/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	31st October 2019	<b>Officer</b>	Lewis Tomlinson
<b>Target Date</b>	26th December 2019		
<b>Ward</b>	Castle		
<b>Site</b>	4 Huntingdon Road		
<b>Proposal</b>	Change of use from 9 bedroom guest house (Use C1) to 9 bedroom House in Multiple Occupation (Use Sui Generis).		
<b>Applicant</b>	Mr Gwyn Stubbings 20 Henslow Mews		

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 not have any significant adverse impact on the residential amenity of the neighbouring occupiers;</li> <li>- The proposed development would provide a high quality living environment for the future occupiers;</li> <li>- The proposed development would not result in a significant increase in overnight parking pressures on surrounding streets</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is a mid-terrace three storey over basement brick building which is in use as a Guest house (Class C1). The

site lies within the Castle and Victoria Road Conservation Area. The site lies within the Controlled Parking Zone.

## 2.0 THE PROPOSAL

2.1 The proposal seeks planning permission to change the use of the property from a guest house, use class C1 to a 9 bed HMO (sui generis). The proposal includes 9 cycle parking spaces and waste storage/collection strategy. No car parking is proposed.

2.2 The application is accompanied by the following supporting information:

1. Design and access statement
2. Drawings
3. Additional information

## 3.0 SITE HISTORY

3.1 19/0830/FUL - Provision of one additional bedroom to existing guest house (Use C1) and associated refurbishment works including:- installation of roof lights, replacement canopy, installation of railings and dwarf wall to front elevation and cycling parking. (permitted)

## 4.0 PUBLICITY

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

## 5.0 POLICY

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

### 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 3 28, 35 48, 50, 55, 56, 57, 59 , 61



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

Central Government Guidance	National Planning Policy Framework 2019  Planning Practice Guidance 2019  Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Supplementary Planning Guidance	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 No Objection: The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application

## **Conservation team**

- 6.2 No Objection: The proposals for the cycle hoop and railings at this property are considered to be acceptable as they would have minimal impact on the character or appearance of the conservation area.

## **Environmental Health team**

- 6.3 The Environmental Health Team requested further information regarding traffic noise / occupant noise impact. Any additional comments will be reported on the amendment sheet or orally at Committee.

## **Waste team**

- 6.4 No Objection: Refuse and recycling will be collected via a private collection company on pre-arranged days. As its going to be collected by a private company and not the City Council, no need to comment on the arrangements.
- 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 owner / occupier of the following address has made a representation:

- o 2 Huntingdon Road

- 7.2 The representation can be summarised as follows:

- o Overdevelopment
- o Poor amenity for future occupiers in regard to bathrooms
- o The attic bedrooms would be 4 storeys away from the kitchen
- o Overspill into the garden area due to the amount of bedrooms and facilities
- o Potential issues for foul drainage
- o Concerns over whether it would comply with HMO regulations

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

## **8.0 ASSESSMENT**

### **Principle of development**

8.1 Policy 78 (redevelopment or loss of visitor accommodation) states that development will not be permitted which would result in the loss of existing visitor accommodation unless the use is no longer viable. Applications for change of use will need to demonstrate that:

a) all reasonable efforts have been to preserve the facility but it has been proven that it would not be economically viable to retain the visitor accommodation in its current form; and

b) the property or site has been appropriately marketed for at least 12 months in order to confirm that there is no interest in the property or site for visitor accommodation use.

8.2 The applicant has provided a detailed case with the submitted Design and Access Statement of why the application complies with the requirements of Policy 78. The applicant was granted planning permission under ref 19/0830/FUL to refurbish the property as a guest house. These works were commenced but stopped following a review of the viability of the project. In order to obtain a licence extensive works were required such as new electrics, replacement windows, asbestos removal, roof tiles, new pipework, damp, plaster, lathes/plaster ceilings, existing commercial kitchen, fire protection, plumbing, water supply, drainage, insulation, ventilation, boundary treatment and redecoration. The costs of these works on top of the purchase costs, resulted in the refurbishment of the property as guest accommodation being unviable. It is considered that the applicant has satisfied part a) of Policy 78.

8.3 The applicant has submitted evidence documenting that the property has been marketed for over 12 months with no interest in the property for visitor accommodation use. It is considered that the applicant has satisfied part b) of Policy 78.

- 8.4 Policy 48 states that proposals for large houses in multiple occupation (sui generis) 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 outbuildings) 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.
- 8.5 The proposal adheres to the above criteria and this will be discussed in the proceeding paragraphs of the report.

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

- 8.6 The site benefits from being located in a sustainable location on Huntingdon Road, within walking distance to local amenities and a bus stop providing access to the city centre, railway station and various other services within the bounds of the city. The road network surrounding the site and connecting the site to the city centre are also cyclist friendly creating a choice of transport modes to access a wide range of amenities. The bins would be stored in the basement and collected by a private company. Sheffield cycle hoops would be sited at the front of the property. They would not be covered to ensure minimal impact upon the conservation area. The proposal is compliant with Cambridge Local Plan (2018) policies 48, 55, 56, 59 and 61.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers/future occupiers

- 8.7 The application site is a terraced property with a long garden to the rear. This application seeks planning permission for a 9 person HMO.
- 8.8 All of the proposed bedrooms are of a size which exceed the National Internal Space Standards for a single bedspace and

these bedrooms would be served by large windows with an attractive outlook. 8 of the bedrooms would have ensuite bathrooms with the other 1 bedroom having its own bathroom. The proposal would provide a large kitchen/breakfast room as well as a large living room. The gross internal floor space measurements for units in this application are shown in the table below:

<b>Bedroom</b>	<b>Number of bed spaces (persons)</b>	<b>Policy Size requirement (m<sup>2</sup>)</b>	<b>Proposed size of bedroom</b>	<b>Difference in size</b>
1	1	7.5	20.5	+13
2	1	7.5	17.5	+10
3	1	7.5	15	+7.5
4	1	7.5	10	+2.5
5	1	7.5	16	+8.5
6	1	7.5	16	+8.5
7	1	7.5	12	+4.5
8	1	7.5	10	+2.5
9	1	7.5	17	+9.5

8.9 Given the large size of the bedrooms, internal communal areas and the garden area, it is not considered that the proposal would result in a 'spill out' of occupiers into the garden and therefore would not result in an adverse impact upon the amenity of the neighbouring properties. The use of the property would be residential which would be compatible with other residential uses such as family housing in the area. Notwithstanding that, the garden is of a large size. Comings and goings to the property would not necessarily increase and the proposal would not create excessive noise and disturbance to surrounding residents. Whether the proposal results in an impact of noise and disturbance is a question of who is in occupation and how well the property is managed. The Council acting as the local planning authority cannot control who occupies the building and for what length of time, but there are means to report nuisance through the Council's Environmental Health team as necessary and for action to be taken as appropriate. A condition restricting the occupancy of the property to 9 persons is recommended.

- 8.10 The Environmental Health Team requested further information regarding traffic noise/occupant noise impact. Additional information has been provided by the applicant. A traffic noise survey has also been submitted which concluded that subject to appropriate mitigation the proposed development can be designed to meet acceptable internal sound levels. Replacement windows will improve the situation and the front windows will need to remain closed while a mechanical ventilation system will be provided to ensure these rooms remain well ventilated. Updated comments from the Environmental Health Team will be provided on the amendment sheet.
- 8.11 As the proposal does not include any expansion in built form, the proposal would not result in an overbearing, overshadowing or overlooking impact to neighbouring occupiers. The proposal adequately respects the residential amenity of its neighbours and would provide an acceptable living environment for the future occupiers and is compliant with Cambridge Local Plan (2018) policies 35, 48 and 56.

### **Car and Cycle Parking**

#### Car parking

- 8.12 The Highway Authority has commented that the number of occupants could have a consequent impact on parking pressure in the surrounding uncontrolled residential streets. Neighbours have also raised concern about increased parking pressures on surrounding streets. The proposal includes no car parking. As outlined above, the property is located within a sustainable location. As the site also falls within the controlled parking zone, it is considered that the proposal would not result in a significant increased pressure on existing on-street car parking capacity that would warrant a refusal of the application.

#### Cycle parking

- 8.13 The proposed cycle parking would be provided to the front of the property in the form of 9 Sheffield hoops as there is no external access to the rear garden. This would not be a covered cycle store because this would result in an unacceptable impact upon the Conservation Area. Whilst the arrangement is not secure and the cycle parking uncovered, it

reflects the constraints of the site and the applicants could not respond by any other means. The supporting text to the cycle parking standards at appendix L (L.18) allows for flexibility in cases of change of use within the historic core area of the city. The proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **Waste**

- 8.14 A waste and recycling storage area will be provided at the front of the property at basement level underneath the existing steps leading to the front entrance. The storage area is vented and will be accessed via a secure door. The applicant has submitted a waste strategy. A compliance condition is recommended.

## **Third Party Representations**

- 8.15 The majority of third party comments are addressed in the preceding paragraphs. Neighbours have raised concerns about whether it would comply with HMO regulations, this is not a planning issue and would be assessed under the application for a license. Foul drainage connection will be a building regulations matter.

## **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 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 property within the site edged red, known as 4 Huntingdon Road Cambridge CB3 0HH, shall be occupied by no more than 9 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. The waste strategy contained with the document dated 10th February 2020 and shown on Drawing No: 19030-210-G shall be implemented in full upon the change of use and maintained as such thereafter.

To ensure adequate waste storage and collection in accordance with Policy 48 of the Cambridge Local Plan 2018.



<b>Application Number</b>	19/1409/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	11th October 2019	<b>Officer</b>	Lewis Tomlinson
<b>Target Date</b>	6th December 2019		
<b>Ward</b>	East Chesterton		
<b>Site</b>	38 Pakenham Close		
<b>Proposal</b>	Retrospective application:- Change of use from 6 bedroom HMO (use Class C4) to 7 bedroom HMO (Sui generis)		
<b>Applicant</b>	Mr Graham Hughes C/O Agent		

<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 residential amenity of the neighbouring occupiers;</li> <li>- The proposed development would provide a high quality living environment for the future occupiers;</li> <li>- The proposed development would not result in a significant increase in overnight parking pressures on surrounding streets</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 38 Pakenham Close is a two-storey terraced dwelling on the north-western side of Pakenham Close, north-east of the city centre. Pakenham Close is a predominantly residential area characterised by two storey properties. The application site falls outside the conservation area and controlled parking zone and the site does not contain any TPOs.

## 2.0 THE PROPOSAL

- 2.1 The proposal seeks retrospective planning permission to change the use of the property from a 6 bed house of multiple occupation (HMO), use class C4 to a 7 bed HMO (Sui Generis). The proposal includes 1 car parking space and bins at the front of the property and cycle parking to the rear of the property.
- 2.2 The application is accompanied by the following supporting information:
1. Design and access statement
  2. Drawings

## 3.0 SITE HISTORY

- 3.1 None relevant.

## 4.0 PUBLICITY

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

## 5.0 POLICY

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

### 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge	Local	1, 3
Plan 2018		28, 35
		48, 50, 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  Planning Practice Guidance 2019  Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Supplementary Planning Guidance	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 No Objection: Advises that the streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application

## **Environmental Health team**

- 6.2 No Objection: Confirm that the property was licenced by Environmental Health on 18th September 2019 and achieves the required standards for a HMO occupied by up to 7-persons. No recommended conditions / objections to make regarding this application.
- 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:
- 3 Pakenham Close
  - 6 Pakenham Close
  - 10 Pakenham Close
  - 19 Pakenham Close
  - 23 Pakenham Close
  - 37 Pakenham Close
  - 39 Pakenham Close
  - 40 Pakenham Close
- 7.2 The representations can be summarised as follows:
- Overdevelopment of a small terraced property
  - Inadequate amount of car parking
  - Increase parking stress on nearby streets
  - Noise and disturbance from the HMO
  - The front garden along with a tree was replaced by a gravel driveway
  - Turns the property into Airbnb/mini hotel
  - Out of keeping with surrounding properties
  - Inflation of housing costs, application is for profit, precedent
- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

### **Principle of development**

- 8.1 Policy 48 states that proposals for large houses in multiple occupation (sui generis) 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 outbuildings) 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.
- 8.2 The proposal adheres to the above criteria and this will be discussed in the proceeding paragraphs of the report.

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

- 8.3 No external changes are proposed as part of the application. The site benefits from being located in a sustainable location just off Milton Road, within walking distance to local amenities and a bus stop providing access to the city centre, railway station and various other services within the bounds of the city. The road network surrounding the site and connecting the site to the city centre are also cyclist friendly creating a choice of transport modes to access a wide range of amenities. The bins are sited in the front garden. This appears to be a common feature for properties along this street. The proposal is compliant with Cambridge Local Plan (2018) policies 48, 55 and 56.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers / future occupiers

- 8.4 The application site is a terraced property with a reasonable sized garden to the rear. Under permitted development, the property can operate within use class C4 (small size HMO),

which allows accommodation for up to 6 individuals without the need for planning permission. This application seeks planning permission for a 7 person HMO. Given the fallback position afforded to the applicants under their permitted development rights, it is reasonable to assess the application on the basis of the impact of one additional person.

- 8.5 All of the proposed bedrooms are of a size which exceed the National Internal Space Standards for a single bed-space and these bedrooms are served by large windows with an attractive outlook. Five of the bedrooms would have en-suite bathrooms with the other two bedrooms sharing a bathroom. The proposal would provide a large kitchen/breakfast room. The gross internal floor space measurements for units in this application are shown in the table below:

<b>Bedroom</b>	<b>Number of bed spaces (persons)</b>	<b>Policy Size requirement (m<sup>2</sup>)</b>	<b>Proposed size of bedroom</b>	<b>Difference in size</b>
1	1	7.5	9.6	+2.1
2	1	7.5	12	+4.5
3	1	7.5	9.2	+1.7
4	1	7.5	9.4	+1.9
5	1	7.5	8.7	+1.2
6	1	7.5	9.6	+2.1
7	1	7.5	13	+5.5

- 8.6 Given the acceptable size of the bedrooms and the large garden area, the overall amenity provided for occupiers is acceptable. Whilst comings and goings may have increased by virtue of the change of use, this is only a minimal increase and could not amount to a reason for refusal. The use of the property remains residential and this is compatible with other residential uses such as family housing in the area. The proposed use is neither more nor less likely to create noise and disturbance to surrounding residents than other residential uses; it is a question of who is in occupation and how well the property is managed. The Council acting as the local planning authority cannot control who occupies the building and for what length of time, but there are means to report nuisance through

the Council's Environmental Health team as necessary and for action to be taken as appropriate. A condition restricting the occupancy of the property to 7 persons is recommended.

- 8.7 As the proposal does not include any expansion in built form, the proposal does not result in an overbearing, overshadowing or overlooking impact to neighbouring occupiers.
- 8.8 The proposal adequately respects the residential amenity of its neighbours and provides an acceptable living environment for its occupiers and is compliant with Cambridge Local Plan (2018) policies 35, 48 and 56.

### **Car and Cycle Parking**

#### Car parking

- 8.9 The Highway Authority has highlighted that there may be increased parking competition in the surrounding uncontrolled residential streets. Neighbours have also raised concern about increased parking pressures. The proposal includes one car parking space to front of the property. From the officer site visit, it is noted that most properties along this street within the vicinity of the application site have their own private car parking bays in front of their houses similar to the application site and this arrangement is not altered by the proposal.
- 8.10 As outlined above, the property is located within a sustainable location. The site benefits from being located just off Milton Road, within walking distance to local amenities and a bus stop providing access to the city centre, railway station and various other services within the bounds of the city. The road network surrounding the site and connecting the site to the city centre is also cyclist friendly creating a choice of transport modes to access a wide range of amenities. It is to be noted that the proposal would mean an increase in the number of occupants by one compared to the permitted development fallback of a small HMO and adequate cycle parking would also be required to be provided by condition. In consideration of all these points, it is considered that the proposal would not result in a significant increased pressure on existing on street car parking capacity that would warrant a refusal of the application.

## Cycle parking

- 8.11 The proposed cycle storage would be provided to the rear. A condition is recommended requesting further details of this. The proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **Third Party Representations**

- 8.12 The majority of third party comments are addressed in the preceding paragraphs. Neighbours have also raised concerns about the removal of a tree in the front garden being changed to a driveway. This does not form part of the application and appears to have been carried prior to the submission of the application.
- 8.13 Third parties have also raised concerns regarding the property being changed into an Airbnb / mini hotel. These uses are not what is being applied for and separate permission would be needed for these.
- 8.14 Matters of profit and inflation of housing costs are not material planning considerations. Issues of precedent have also been raised, but each application is assessed on its own merits and this is not a reason to refuse the proposal.
- 8.15 Third party representations have referenced the use of the front of the property for the parking of two vehicles and the loss of the garage when the house was originally occupied as a 4-bedroom dwelling. All such changes and uses were within the permitted development rights of the applicants and have been beyond the control of the local planning authority. If parking on the roadway creates blockages impacting on emergency services vehicles, this is a matter for the police to address and / or residents to instigate the implementation of a controlled parking zone. This appears to be an existing problem.



## 9.0 RECOMMENDATION

**APPROVE**, subject to the following conditions:

1. 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.

2. The property within the site edged red, known as 38 Pakenham Close Cambridge CB4 1PW, shall be occupied by no more than 7 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).

3. Within three months of the date of this permission details of facilities for the covered, secured parking of bicycles in the rear garden, for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The cycle facilities shall be provided in accordance with the approved details and retained as such thereafter within 4 months of the date of this permission.

Reason: To ensure appropriate provision for the secure storage of bicycles and appropriate storage of bins. (Cambridge Local Plan 2018 policies 48, 55, 56, and 82)

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<b>Application Number</b>	19/1301/FUL	Agenda Item	
<b>Date Received</b>	20th September 2019	<b>Officer</b>	Andy White
<b>Target Date</b>	15th November 2019		
<b>Ward</b>	West Chesterton		
<b>Site</b>	23 Garden Walk		
<b>Proposal</b>	2x new build one bed semi-detached incidental garden style properties to the rear of 23 Garden Walk		
<b>Applicant</b>	Mr Laurie Betts TRM Group Brygann Way North Lynn Industrial Estate Kings Lynn PE30 2HZ		

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 detract from the character of the area</li> <li>- The proposal would not have any significant adverse impact on the amenity of surrounding residents</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The site is to the rear of No.23 Garden Walk on the west side of the street. No.23 is a detached property which has been subdivided into 9 flats and is on rising land above the level of the road. There are three terraced properties (Nos 23a to 23c) in a single storey block to the rear of the original dwelling with a gravelled parking and turning area and separate store building in the south-west corner of the site.

1.2 The site is located within a primarily residential area within the Cambridge Local Plan (2018). The site falls within Castle and

Victoria Road Conservation Area and is within a controlled parking zone.

## 2.0 THE PROPOSAL

- 2.1 The application proposes two one-bedroom semi-detached incidental garden style properties to the rear of No. 23 Garden Walk and to the side of Nos 23a to 23c. The proposed building would occupy the western end of the curtilage.
- 2.2 The application was amended in the course of the consideration of the application and the revised details are as follows. The semi-detached dwellings would be one-and-a-half storey (with bedrooms within the roof space) would be within a structure with ridge height of 5.5m, 2.6m eaves height, 10.4m width and 7.5m depth. It would accommodate 6 roof light windows to air and light the bedroom. Bin stores and covered cycle racks are located opposite the new dwellings and amenity area and would provide storage for the site.
- 2.3 The proposal will be a car free development. There is currently vehicular access to the side of the building but it is intended this would cease and the kerb modified to provide cycle access only.
- 2.4 The application is accompanied by the following supporting information:
1. Design Aid
  2. Arboricultural Report
  3. Plans

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/69/0623	Erection of two toilets one above the other at back of house,	Granted Permission
C/71/0346	Extension to existing house and erection of 7 garages at rear of property	Refused Permission 18.10.1971
14/423/TTCA	Mulberry tree in back garden - to fell,	No object 12.11.2014

15/0400/FUL	Extension to 23 Garden Walk, incorporating 3 new dwellings of 1.5 storey high, cycle store and amenity area.	Granted 16.09.2015
16/2109/CLUED	Application for a Certificate of Lawfulness under section 191 for loft conversion.	

#### 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 Cambridge Local Plan 2018

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 35 36 50 51 52 55 56 57 59 61 71 80 81 82

Central Government	National Planning Policy Framework 2019 National Planning Policy Framework –
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Guidance	<p>Planning Practice Guidance from 3 March 2014 onwards</p> <p>Circular 11/95 (Annex A)</p>
Supplementary Planning Documents	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
Area Guidelines	<p>Castle and Victoria Road Conservation Area Appraisal (2012)</p>

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Control)

- 6.1 The Highway Authority did not object to the proposal and suggested conditions relating to alteration to the existing

dropped kerb to reduce its length to provide cycle access only (two number taper kerbs one dropped kerb)

### **Conservation team**

- 6.2 The principle of the development is acceptable; however some of the details, such as bin and cycle storage arrangements, need clarification. The proposal includes a lot of hard surfacing, and a softer approach would be more appropriate. The Mulberry tree is supported as it would help to soften the site.

### **Streets and Open Spaces (Trees)**

- 6.3 As the proposed development could impact on trees with significant value the applicant needs to submit an arboricultural impact assessment prior to determination. The Tree report was subsequently provided and a condition to protect trees within and adjacent the site is recommended.

### **Streets and Open Spaces (Landscape)**

- 6.4 The proposal to add further residential accommodation to the rear of 23 Garden Walk is capable of being accommodated, although there is concern regarding the displacement of the existing parking. Given that vehicles are being excluded from the site, it is a concern that more amenity space is not being provided. The proposal to plant a Mulberry tree within the grounds is supported. On the positive side there is benefit from excluding vehicles because the current vehicle access is causing compaction to the tree roots. The tree roots will require protection during construction should the application gain planning permission.
- The hard surfacing should be permeable resin-bound rather than resin-bonded surfacing. Cycle and bin storage details are acceptable although it is unclear whether the amount of bin storage provided is adequate. A Condition is suggested regarding hard and soft landscaping.

### **Environmental Health**

- 6.5 The scheme is acceptable subject to conditions relating to construction hours and piling.

## **Waste and Recycling**

- 6.6 The waste and recycling officer advised that the 2 new properties should have 140 litre bins. The 9 flats in the original dwelling should be served by 1 x 1100 black, and 1 x 1100 blue, the bins retained at front of property but screened from footpath. The occupiers of the two new dwellings and Nos 23a to C should have 1x 140 bins stored in the wooden bin sheds as located on the plan and moved to collection point on collection day.
- 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 Four representations have been received following public consultation from the occupiers of Nos 19, 24, 27 and 29 Garden Walk
- 7.2 The representations can be summarised as follows:
- 7.3 Two are supportive of the proposal as it is considered to be aesthetically pleasing although one of the supporters is concerned about noise during construction.
- 7.4 The objectors are concerned about the following:

The development will occupy a parking area which is utilised by existing residents. Garden Walk is part of the Victoria Area residents only parking scheme with reduced space available for on-street parking. The occupiers of each flat/house could apply for a resident's parking permit as well as those for visitors and tradesmen. Any increase in on-road parking will exacerbate the parking situation to an unacceptable level, causing stress.

The retention of the location of 6 black bins against the front boundary wall is a concern. There are two blue bins against the front wall of the house to serve all 12 flats/houses, there are no green bins contrary to the Site Plan for 15/0400/FUL of 24 July 2015 showing a dedicated storage area for 16 bins, which was never built, at the rear of the property and the applicant's Design and Access Statement of 24 July 2015 which stated ".....



In addition we will move the bins to the rear ...". Consequently the 6 black bins, unconcealed by the low wall, are an eyesore on a road which is part of the Conservation Area and detrimental to the external appearance of the property. They have also recently been subjected to vandalism, being pushed over by passers-by and the contents spilt. In addition to being visually unsightly they are also a hazard - see my letter 15/0400/FUL dated 20th April 2015.

The proposal represents an overdevelopment of the site with the unacceptable additional pressure on on-road parking spaces that would be created I believe this application should be rejected.

- 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**

### **Context of site, design and external spaces & Impact on the Conservation Area**

- 8.1 The application proposes additional residential development within a predominantly residential area where it is acceptable in principle. The proposal also subdivides the former garden area of No.23 and as such Policy 52 is of relevance to the consideration of the proposal. Having regard to Policy 52 (a) it is considered that the scale and appearance of the two dwellings is consistent with the form of the three existing dwellings to the rear of the property. The other elements of Policy 52 will be assessed later under amenity and parking.
- 8.2 The dwellings have been designed to be in keeping with the design and appearance of the three additional dwellings already constructed at the site. The proposal is entirely to the rear of the dwelling and to the west of the three additional dwellings already constructed. Consequently the proposal would not impact on the character and appearance of the street scene. The bin stores will be seen from the front of the dwelling in glimpsed views but they are modest and as such the proposal is not considered to harm the character or appearance of the conservation area.

- 8.3 It is considered that the proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57, 59 and 61.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.4 The design and location of the properties is such that as the proposal will be car free there is not considered to be a significant impact on the amenity of any adjoining property. The provision of roof-lights to serve bedrooms is acceptable providing they are at least 1.7m above the floor level of the bedroom. The rear area of the neighbouring dwelling No. 25, to the north, contains garages in proximity to the shared side boundary and as such the scale of the proposals and the relationship to nearby buildings does not give any cause for concern in relation to residential amenity.
- 8.5 As such, it is considered that the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and that it is compliant with Cambridge Local Plan (2018) policies 52, 56 and 35.

Amenity of future occupiers

- 8.6 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	1.5	58	60	+2
2	1	2	1.5	58	60	+2

Size of external amenity space:

- 8.7 The proposal provides shared amenity space between No.23c and No.23d. This is considered to offer an adequate level of residential amenity for future occupiers and is not out of keeping with immediately neighbouring dwellings. The site will accommodate 14 dwellings in total if the proposal is allowed. None of these would be sufficient to accommodate a family. The former dwelling has been used as single person

accommodation for many years. The rear part of the property is at present a pea shingle area with only a small amount of usable amenity space. In the consideration of the application 15/0400/FUL the proximity to public open spaces at Jesus Green and Alexandra Gardens was considered to compensate for this limitation. The present scheme retains the areas of amenity space from the earlier scheme and provides additional space to the north of the proposed dwellings. The provision of this formal area of amenity space with tables and chairs will ensure that there is scope for outdoor relaxation at the site. Nonetheless the proximity to the areas of open space identified in the previous application remains for the existing and future residents. The proposal is considered to be compliant with Cambridge Local Plan (2018) policies 50, 51, 52 and 56.

### **Highway Safety**

- 8.8 The comments of the Highways Authority suggest a condition to reduce the access to the property to cycle parking only. Garden Walk is now included within the Controlled Parking Zone and consequently new properties will not be able to access on-street parking permits. The proposal is therefore car-free and there will be no impact upon highway safety through additional car movements. The alteration of the dropped kerb to cycle access to the properties will assist in achieving this and a condition is included at the request of the Highway Authority to ensure that this alteration takes place prior to occupation.
- 8.9 As a consequence of the above the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

### **Car and Cycle Parking**

- 8.10 As stated in the preceding paragraphs the proposal is car-free - consequently no parking provision is made on site and there is no access to parking permits to enable parking within the controlled parking zone on Garden Walk. This will ensure that the occupants will have little incentive to be car owners. The Highway Authority does not include new properties in parking permit schemes for controlled parking zones. Consequently, the proposed development is car free.
- 8.11 Cycle parking provision for all of the residential units is intended to be made within the south-western part of the site. The

location has access to public transport in addition to the ability to store cycles securely. A condition is suggested to require details of the cycle storage and that the cycle parking provision is available prior to occupation of the new dwellings.

- 8.12 Vehicles associated with the construction phase of the proposal will not be able to park legally on-street. The enforcement of unauthorised parking is not a planning matter and it is anticipated that the relevant bodies would prevent this becoming an issue should it occur and be brought to parking enforcements attention. However, a Traffic Management Plan for the construction phase is proposed amongst the conditions.
- 8.13 The proposal is considered to be compliant with Cambridge Local Plan (2018) policy 82.

### **Bin storage**

- 8.14 The comments of the Waste and Recycling Officer on the amended proposals suggested that the storage should be in two locations which would be accessible by the future and existing residents. The applicant has agreed to provide a plan with separate areas shown and with screening of the front facility to address the concern of the resident living opposite. A condition is recommended to require the submission of further details.

### **Third Party Representations**

- 8.15 It is considered that the majority of comments made in third party representation have been addressed above. However, in relation to concerns over noise and disturbance relating to the construction phase a condition is proposed to limit the hours when construction work can take place.

## **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 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. Unless otherwise agreed in writing by the Local Planning Authority, the development, hereby permitted, shall be constructed in accordance with the materials specified within application form & approved drawings

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))

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; boundaries and thresholds; vehicle and pedestrian access and circulation areas; communal/amenity space, 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. 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)

6. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, 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.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with BS 5837:2012 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To protect the visual amenity of the area and to ensure the retention of trees on site. (Cambridge Local Plan 2018 policies 55, 57, 59 and 71)

7. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

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

8. Prior to the occupation of the new dwellings the existing dropped kerb that provides motor vehicular access to the rear of the existing property shall be reduced in width to provide cycle access only (two number taper kerbs one dropped kerb) and the remaining width of the dropped kerb shall be removed and the footway returned to a full face kerb. The access shall thereafter be retained as such and no car parking shall thereafter be provided on site.

Reason: To ensure the development would be car-free, in the interests of the safe and effective operation of the highway (Cambridge Local Plan Policy 81)

9. Notwithstanding the provisions of Schedule 2, Part 1, Class C 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 alterations to the roof of the dwellings hereby approved, shall be undertaken 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).

10. Notwithstanding the details shown on the approved drawings the cill of the rooflight windows shown to light and air the bedroom of the new dwellings hereby approved shall be located at a distance of 1.7m above the floor level of the 1st floor accommodation of the dwellings.

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

11. Prior to first occupation of the development hereby permitted, details of cycle parking and bin storage facilities to serve the new dwellings and the existing properties shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking and bin storage areas shall be provided prior to first occupation of the development and retained in accordance with the approved details thereafter.

Reason: To ensure appropriate provision for the secure storage of bins and bicycles. (Cambridge Local Plan 2018 policies 57 and 82)

12. 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)

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

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



14. 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)

**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers-by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).

**INFORMATIVE:** Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer. The developer will not be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection. No window or door will be allowed to open over a highway and no foundation or footing for the structure will be allowed to encroach under the public highway.

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**PLANNING COMMITTEE**

**4th March 2020**

<b>Application Number</b>	19/1290/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	22nd October 2019	<b>Officer</b>	Alice Young
<b>Target Date</b>	17th December 2019		
<b>Ward</b>	West Chesterton		
<b>Site</b>	32 Arbury Road		
<b>Proposal</b>	Change of use of the ground floor for the existing Veterinary Practice to expand into, and first floor to remain residential.		
<b>Applicant</b>	Mr James Dawson CVS House Owen Road Diss IP22 4ER Norfolk		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal demonstrates exceptional circumstances to justify the reduction in scale of the existing residential dwelling</li> <li>- The proposal would allow expansion of a local business in a sustainable location</li> <li>- The proposal would provide a good quality of amenity for future occupiers</li> <li>- The proposal would not result in a material increase in on street parking stress to the surrounding area</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 32 Arbury Road is a two-storey detached building, set within a large plot, on the north-eastern side of Arbury Road, sited

between Marfield and Twickenham Court residences. The building has previously been incrementally extended over time. The premises are currently occupied by a veterinary practice which operates within part of the ground floor. The remainder of the premises is occupied by a single dwelling which comprises living accommodation at ground floor and 4 bedrooms at first floor. The application site falls outside of the conservation area and the controlled parking zone.

## **2.0 THE PROPOSAL**

2.1 The proposal seeks permission for the material change of use of the ground floor to expand the existing veterinary practice. The first floor would then be converted into a 3 bedroom self-contained flat.

2.2 The expansion of the veterinary practice would provide a waiting area adjacent to the existing reception area, a staff room/kitchen, office, consulting room and storage area. The first floor flat would contain a living room, kitchen, shower room and three bedrooms, one of which would have an en-suite bathroom.

2.3 The application is accompanied by the following supporting information:

1. Drawings
2. Design and Access Statement

## **3.0 SITE HISTORY**

3.1 The property has been extended incrementally although there is no recent planning history which is relevant to this application.

## **4.0 PUBLICITY**

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

## 5.0 POLICY

5.1 See Appendix 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 35 50, 53, 58 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 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.

### Environmental Health

6.2 *Initial Comments*

Clarification is required on the following information to establish the potential noise impact of the vets upon the first-floor residential use:

Will animals be housed overnight on site?

Ground floor plan possibly indicates external use area – kennels?

Opening hours of vets?

The annotated ground floor drawings are not clear and seem to suggest a proposed new vet at ground floor (highlighted in purple) but also the same new vets as a “internal change of use to residence” at ground floor (highlighted text in purple). This requires clarification.

### 6.3 *Further Comments*

The applicant has responded via email to the planning officer dated 27<sup>th</sup> November 2019 confirming that no animals will be kept on site overnight and there is no change to the external use area. The opening hours of the vets has also been confirmed within the email as 0830–1900hrs Mondays to Friday and 0830–1200hrs Saturday, which is as per the current arrangements. The submitted information is acceptable. From an enforcement perspective in the event the above arrangements change, it may be suitable for the planning officer to impose a compliance condition regarding the submitted information from the applicant.

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

## 7.0 REPRESENTATIONS

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

- 24 Arbury Road (neutral)
- 45 Arbury Road (objection)

7.2 The representations can be summarised as follows:

- The proposed change from residential use of the ground floor to business use will extend areas of business, increasing the number of people attending the practice and thus impacting upon traffic, parking pressure and noise and disturbance to neighbours.
- There is no additional car parking on site and the proposal is likely to increase parking issues. Could the large rear garden be used?

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

## **8.0 ASSESSMENT**

### **Principle of development**

8.1 The proposal would include the material change of use of the premises to a mix used veterinary clinic and residential dwelling and thus policy 3 would apply. Policy 3 states that in order to maintain housing provision, planning permission to change housing or land in housing use to other uses will only be supported in exceptional circumstances.

8.2 The proposal would not result in the loss of a residential dwelling but would see a reduction in scale of the residential premises from a 4 bedroomed house to a 3 bedroomed flat. Policy 3 is intended to maintain housing provision and whilst the proposal would decrease the size of the existing residential dwelling, it would still retain a good quality residential unit on site. Furthermore, the current business is struggling for enough space to operate successfully. The expansion of the vets into the remainder of the grounds floor would allow the business to rationalise its operations through improvements to its facilities (eg: larger waiting area, staff room/kitchen, additional office space, storage and consulting facilities) making it more efficient and effective. The sustainable location, in a predominately residential area, allows the business to serve the surrounding community. Therefore, the expansion provides an opportunity for the local business to remain in the community, contributing to the vitality of the area, rather than having to seek alternative

accommodation further afield. By virtue of the above, it is considered that the benefits of the proposal outweigh the reduction in scale of residential accommodation. Therefore, the proposal is considered to satisfy the requirements of policy 3 and the principle of development is acceptable.

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

- 8.3 The external appearance of the property would be retained as existing and therefore the townscape or character of the area would not be adversely impacted by the development.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.4 The application site is surrounded by residential properties, however, the majority are sited a significant distance from the application site. Marfield Court flats are located a minimum of 10 metres to the north-west of the application site; Twickenham Court flats over 70 metres to the north-east, no. 24 Arbury Road over 23 metres to the south-east and the residential terrace opposite (no. 41-47 Arbury Road) over 35 metres away.
- 8.5 The proposed expansion of the veterinary practice will include an additional consulting room although the applicant has indicated that the expansion will not result in an increase in the number of staff. Nevertheless, an additional consulting room may result in a small increase in the comings and goings to and from the application site, including vehicle movements. Whilst the application site is situated in a sustainable location accessible via bus and cycle links, it is acknowledged that the most common mode of transport for customers is by private vehicle. The current on-site parking provision would remain as existing which provides more than adequate provision for at least 10 vehicles. However, the extent of increased comings and goings would not be significant given the addition of one consulting room (no additional staff) and the opening hours would not be extended and remain as existing (08:30-19:00 Monday to Friday; 08:30-12:00 Saturday; closed Sunday). The expansion would not result in animals being housed overnight and therefore, overnight noise and disturbance would remain unchanged. The proposed expansion would mainly provide enhanced staff facilities consisting of a staff room kitchen area,



office and storage area, decreasing the likelihood of staff socializing externally. Furthermore, the surrounding residential properties are located significant distances away, which further mitigates against noise and disturbances impacting their amenity. The Environmental Health Officer has raised no concerns in relation to noise and disturbance as a result of the proposal. Taking the above into account, it is considered that the proposal would not result in a material increase in noise and disturbance from the premises to the detriment of the amenity of surrounding residential properties.

- 8.6 The proposal would not result in any external alterations and therefore, the proposal would not give rise to any overbearing, overshadowing or overlooking impacts to neighbouring occupiers.
- 8.7 The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and it is considered compliant with Cambridge Local Plan (2018) policies 35, 53 and 58.

Amenity of future occupiers and provision of external amenity space:

- 8.8 The proposed first floor flat has been amended to a two-bedroom flat served by a separate kitchen and living room and two bathrooms. The proposed flat would have a gross internal floor area of approximately 110m<sup>2</sup>. The minimum gross internal floor area for a 3 bedroom (6 person) single level residential dwelling, as stipulated in policy 50 of the Cambridge Local Plan, is 95m<sup>2</sup>. The proposed self-contained flat would exceed this requirement and therefore, would provide an appropriate standard of internal accommodation.
- 8.9 Policy 50 notes that new homes created through conversions should aim to seek to meet or exceed the standards where practicable. With regard to external amenity space, the existing dwelling has direct access to the garden area to the rear of the building. As a result of the expansion of the veterinary clinic across the entire ground floor, the proposed first floor flat would not have direct access to the garden. However, the applicant has confirmed that there is a side access to the rear garden which can be made available for future occupiers of the first floor flat. The garden provides a generous space and although it

would not be directly accessible, it is considered a useable and attractive amenity area for future residents.

- 8.10 On balance, the proposal provides a good level of residential amenity for future occupiers and it is compliant with Cambridge Local Plan (2018) policies 50 and 53.

### **Car and Cycle Parking**

- 8.11 The proposed car parking provision remains as existing, with the potential to cater for approximately 6 on site car parking spaces. Some on street parking is also available in the vicinity of the site. The car parking standards are maximum standards which, for clinics, require 1 space for every professional member of staff, plus 2 spaces per consulting room. Although the veterinary practice is increasing in size, there is only 1 additional consulting room proposed which would result in a total of 3 consulting rooms in the practice. No additional staff are proposed and therefore, given the additional requirement is a maximum of 2 car parking spaces, it is considered that the existing on-site car parking provision is acceptable for the veterinary clinic. Cycle parking would also be unchanged with facilities for four cycles to be accommodated. Again, this is considered acceptable.
- 8.12 It is unclear whether there is currently a designated on site car parking space for the existing dwelling. However, given a residential dwelling is retained on site, the parking arrangements remain unaltered from the current situation and therefore, the proposal cannot be considered unacceptable on the grounds of parking provision for the proposed dwelling. Provision of cycle parking for the existing dwelling is also unclear therefore, a condition is recommended to require safe, secure and covered cycle parking for the first floor residential dwelling.
- 8.13 The proposal is compliant with Cambridge Local Plan (2018) policy 82.

### **Third Party Representations**

- 8.14 Third party objectors have raised concerns regarding noise and disturbance to surrounding residential properties which have been addressed in the residential amenity section of this report.

Concerns were also voiced in relation to the application resulting in an increase in parking pressure for the surrounding residential streets and this is addressed within the car parking section of the report.

## **9.0 RECOMMENDATION**

**APPROVE**, subject to the following conditions:

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

Reason: In accordance with the requirements of Section 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 first occupation of the first floor flat, hereby permitted, full details of facilities for the covered, secure parking of bicycles for use in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or the use commences and shall be retained in accordance with the approved details thereafter.

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

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**PLANNING COMMITTEE**

**4th March 2020**

<b>Application Number</b>	19/0763/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	12th June 2019	<b>Officer</b>	Lorraine Casey
<b>Target Date</b>	7th August 2019		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	305 Hills Road		
<b>Proposal</b>	Demolition of existing dwelling and erection of a single dwelling together with access and landscaping.		
<b>Applicant</b>	Robinson 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 design and scale of the proposed development would not have an adverse impact on the character of the area</li> <li>- The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers</li> <li>- The proposed development would provide a high quality living environment for the future occupiers</li> <li>- The proposed development would retain trees of amenity value</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 No.305 Hills Road is a detached 3-bedroom two-storey dwelling located on the east side of Hills Road just to the north of the Addenbrookes roundabout. The property occupies a sizeable

plot and is set well back from the road, from where the land slopes gently downwards to the property. The front boundary is mainly defined by mature trees, whilst the rear garden area also includes a number of mature trees and hedgerows.

- 1.2 There are large detached dwellings to both sides of the site, each of which are set a comparable distance back from the road frontage, whilst to the rear, the site backs onto the rear garden of No. 1 Fendon Road, beyond which lie the gardens of properties in Fendon Close (Nos. 2 & 3).
- 1.3 Following the submission of the application, Tree Preservation Orders have been served on the site to protect a group of 6 birch trees and a maple tree to the front of the property, and a walnut tree within the rear garden. There are no other specific site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes the demolition of the existing property and erection of a replacement 2.5 storey 6-bedroom dwelling on the site. The replacement dwelling would be a substantial property based upon the 'Queen Anne' architectural style. Its front elevation would be in a similar position to the existing (set approximately 16 metres back from the front boundary) and would have a rectangular plan form measuring approximately 22m wide x 12m deep. The dwelling would include an attached double garage that would project forward of the principal elevation towards the road.
- 2.2 The scheme has been amended since submission to reduce the garage from a three-bay to two-bay structure (3.3m reduction in depth), to remove a cleaner's flat originally proposed over the garage (0.7m reduction in height) and to retain trees protected subsequent to the original application.
- 2.3 In addition to the application form and plans, the application is accompanied by the following supporting information:
  - Design & Access Statement
  - Shadow Study
  - Arboricultural Impact Assessment

### 3.0 SITE HISTORY

3.1 C/87/0167 – Erection of front porch to existing dwellinghouse – 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 Plan 2018	Local	1, 3 31, 35, 36 50, 51, 52, 55, 56, 57, 59 71 81, 82

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

Central Government Guidance	National Planning Policy Framework February 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning	Sustainable Design and Construction (May 2007)

## **6.0 CONSULTATIONS**

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

- 6.1 No objections subject to a traffic management plan condition and a condition restricting the hours of delivery of materials and removal of waste to 9.30am-3.30pm daily.

#### **Drainage Officer**

- 6.2 No objections subject to conditions requiring surface water drainage and maintenance details.

#### **Environmental Health**

- 6.3 No objection subject to the inclusion of conditions regarding construction hours, collection during construction, piling, dust, acoustic/noise insulation specification of windows facing Hills Road, alternative ventilation scheme for habitable windows facing Hills Road, and requirement for EV charging point.

#### **Streets and Open Spaces (Trees)**

- 6.4 Following the submission of additional and revised information, no objections subject to tree protection and replacement planting conditions.

#### **Landscape Design**

- 6.5 No objections to the scheme, as amended, subject to hard and soft landscaping condition.
- 6.6 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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



- 303 Hills Road
- 2 Fendon Close

7.2 The objections can be summarised as follows:

- Boundary between 303 and 305 Hills Road incorrectly drawn and also shown on 303's land within Arboricultural Impact Assessment.
- Proposals show the removal of the boundary hedge between Nos. 303 and 305.
- The shadow study is inaccurate as it shows the sun in the wrong place at 1pm for the Summer Solstice. The proposal could therefore have a significant impact upon sunlight to No.303.
- Object to felling of trees to rear of property given their environmental and wildlife value, and resultant loss of privacy to occupiers of neighbours at 2 Fendon Close.

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 the inspection of the site and the surroundings, the main issues are:

1. Principle of development
2. Context of site, design and external spaces, including impact on landscaping and trees
3. Residential amenity
4. Surface water drainage and flood risk
5. Refuse and cycle storage
6. Highway safety
7. Third party representations

### **Principle of Development**

8.2 This application relates to the erection of a replacement dwelling which is compliant in principle with Policies 1 and 3 of the Cambridge Local Plan 2018.

## **Context of site, design and external spaces, including impact on landscaping and trees**

- 8.3 The application proposes a replacement dwelling that would occupy a larger footprint and also be higher than the existing property, increasing the ridge height from 7.7m to 9.7m and eaves height from 5.1m to 6.1m. The principal elevation of the dwelling would be set well back from the road, in approximately the same position as the existing property. A single-storey, 5m high, double garage would project forwards of, and perpendicular to, the front elevation of the house to a position approximately 8m back from the front of the site.
- 8.4 This part of Hills Road is characterised by large detached dwellings sited within substantial plots and set well back from the road. This includes the adjacent property at No.307 Hills Road which, pursuant to a 2016 permission, has been substantially extended to the side and rear to form a large 2.5 storey dwelling. The age and form of these surrounding dwellings is very varied and there is therefore no single defining architectural style that needs to be adhered to. As shown within the street scene elevations and within the Design and Access Statement, the height and scale of the dwelling would relate well to surrounding properties, and its siting at a lower level than the road level ensures the additional scale and massing can be accommodated on the site without detriment to the street scene. Although the forward projecting garage means that the built form would be significantly closer to the road than the existing house, there are a number of properties on this side of the road that have either attached or detached garages projecting forward of the main elevation, and this element is not therefore an uncharacteristic feature in this locality.
- 8.5 The front boundary of the site is defined by mature trees. The application originally proposed to remove all the screening to the front of the property in order to accommodate the footprint of the proposed dwelling. Both the Trees and Landscape Officers objected to the loss of existing trees/screening considered to be of amenity value and importance to the street scape and, in response to the proposal, a TPO was served upon the group of birch trees and a maple tree to the front, as well as a walnut tree to the rear. The scheme was subsequently amended to reduce the depth of the garage thereby ensuring the retention of the protected trees and boundary screening to

the front of the dwelling. The Trees and Landscape Officers have confirmed the revisions address their original concerns, and landscaping and tree protection conditions are recommended to ensure the development would not have an unacceptable adverse impact upon the character of the area.

- 8.6 The design of the proposal is considered to be acceptable and in accordance with Cambridge Local Plan (2018) policies 52, 55, 56, 57, 59 and 71.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.7 The site is adjoined by No.303 Hills Road to the north-west, No.307 Hills Road to the south east, and No.1 Fendon Road to the rear/north-east.
- 8.8 With regards to the impact on No.303 Hills Road, the front elevation of this property has a ground floor habitable room window close to the common boundary with No.305. The 2.5 storey element of the replacement dwelling would project approximately 5m forward of this window but, given that it would be set off the boundary by 3.5m and around 5m away from the centre of this window, it is considered that there would not be an unacceptable enclosing impact on the outlook from this neighbouring property.
- 8.9 The application has been accompanied by a shadow study which demonstrates that the development would not result in an unacceptable loss of sunlight to No.303. The owner of this adjacent property has questioned the accuracy of the study, but the applicant's agent has confirmed the study is correct and that the shadow information provided by the neighbour relates to a shadow cast by an existing building within their curtilage. Officers have no reason to dispute the findings of the study and concur with its conclusions that the development would not give rise to an unacceptable loss of daylight to any of the neighbouring properties.
- 8.10 Concerns have been raised regarding the loss of trees within the rear garden and consequent overlooking of neighbouring properties. The application does propose the removal of a number of smaller trees within the south-eastern part of the rear

garden but the protected walnut and group of trees within the north-eastern part of the garden would be retained thereby ensuring the retention of the most significant boundary screening. Notwithstanding this, there is a distance of 25m between the rear elevation of the property and rear boundary with the bottom of No.1 Fendon Road's rear garden, which extends to a depth of in excess of 65m. The garden of No.2 Fendon Close, the owner of which has objected to the proposal, is situated a further 13m away. In view of these distances, Officers consider the development would not give rise to an unacceptable degree of overlooking of residential gardens to the rear.

8.11 No.307 Hills Road to the south has, in recent years, been extended towards the boundary with No.305. There are no windows serving habitable rooms within the side elevation facing the site and the development would not therefore give rise to any undue loss of light or outlook to this property.

8.12 The replacement dwelling incorporates two first floor windows in each of the side elevations. These all serve en-suite bathrooms and are shown as being obscure glazed. In order to prevent any overlooking of the neighbouring properties, a condition is recommended to require these windows to be both obscure glazed and fixed up to at least 1.7m above the internal finished first floor level.

Amenity for future occupiers of the site

8.13 The dwelling would clearly comply with the space standards set out within Policy 50 of the Local Plan, whilst the Design and Access Statement confirms it would meet the requirements of Part M4(2) of the Building Regulations, thereby complying with Local Plan Policy 51. This can be secured by condition. The gross internal floor space measurements for the unit in this application is shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	6	12	3	138	590	+452

- 8.14 The Environmental Health Officer has recommended a number of conditions. Officers consider that all conditions designed to protect the amenities of neighbours are reasonable. However, the conditions relating to the amenities of future occupiers (noise insulation/ventilation of front facing habitable room windows) and requirement for EV charging are not considered reasonable or necessary given that the application is not proposing to increase the number of units on the site.
- 8.15 The proposal provides an acceptable living environment and an appropriate standard of residential amenity for future occupiers in accordance with Cambridge Local Plan (2018) policies 50 and 51.

### **Surface water drainage and flood risk**

- 8.16 The Drainage Officer has not raised any objections and considers that the surface water drainage implications of the additional footprint of the property can be adequately controlled by way of planning condition.

### **Refuse and cycle storage**

- 8.17 Bin and cycle stores are proposed to the rear/north-west side of the garage. The proposal is therefore compliant in this respect with Cambridge Local Plan (2018) policies 57 and 82.

### **Highway Safety**

- 8.18 The Highway Authority has been consulted as part of the application and is satisfied there would not be any adverse impact upon highway safety. The proposal is therefore compliant with Cambridge Local Plan (2018) policy 81.

### **Third party representations**

- 8.19 The owner of the adjacent property at No.303 Hills Road raised concerns regarding the accuracy of the boundary position denoted within the Arboricultural Impact Assessment and potential loss of the boundary hedge. In response to this, the AIA was amended to show the retention of the boundary hedge and addition of protection barrier during construction.

## **9.0 CONCLUSION**

- 9.1 The proposed development would not have an adverse impact upon the character of the area, the amenity of neighbouring properties or upon trees of amenity value.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

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

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

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

3. No development 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 and 57)

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

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

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

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

6. 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)

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 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.

9. 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)

10. All deliveries of materials or removal of waste from the site shall be undertaken solely between the hours of 09.30hrs -15.30hrs seven days a week.

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

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

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



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

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

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

12. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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)

13. 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.

14. 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.

15. 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.

16. 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.

17. Prior to the occupation of the development, hereby permitted, the first floor side 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 non-opening to a minimum height of 1.7m above the internal finished first floor level. 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).

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## PLANNING COMMITTEE

4th March 2020

<b>Application Number</b>	19/0724/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	23rd May 2019	<b>Officer</b>	Sophia Dudding
<b>Target Date</b>	18th July 2019		
<b>Ward</b>	Coleridge		
<b>Site</b>	184 Perne Road		
<b>Proposal</b>	Hip to gable roof extension with rear box dormer and Juliet balcony. Single storey side and rear extension. Subdivision of house to form 2 flats.		
<b>Applicant</b>	Ms M Pearl 255 Hills 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 not give rise a significant adverse impact on the appearance of the existing building and the character of the surrounding area;</li> <li>○ The proposed development would not give rise to a significant adverse impact on the residential amenity of the neighbouring properties;</li> <li>○ The proposed development would provide satisfactory living conditions for future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 184 Perne Road is a residential semi-detached house located on the east side of Perne Road adjacent to the roundabout connecting with Radegund Road. The building is a typical 1930s property which is finished in tile and red brick under a hipped roof with a two storey front bay windows. It has a small

front garden and a spacious rear garden which can be accessed from the side entrance.

- 1.2 The surrounding area predominantly comprises of pairs of residential semi-detached houses of which most properties have been altered by side and rear extensions and roof extensions. The application site falls outside of Conservation Areas and has no other constraints.

## **2.1 THE PROPOSAL**

- 2.2 Planning permission is sought for a roof extension, single storey side and rear extension, and conversion of the existing dwelling into 2 no. flats. During the course of the planning application the original proposal has been revised in order to satisfy the internal and external space standards for the new flats, and to include satisfactory bin and cycle storage.
- 2.3 The proposed roof extension would include hip to gable roof extension with rear box dormer and Juliet balcony. During the planning application, the width of the Juliet balcony has been reduced to address a neighbour's comments.
- 2.4 The proposed single storey rear extension would be 'L' shaped and would project a maximum of 8.4m to the rear of the existing property. The extension would be dual pitched with the section closest to the rear wall being 3.7m high and 3.5m deep. This element would be built up the common boundary with no. 182. The second element would step in the same common boundary by 2.6m and project a further 4.9m and would be constructed under a pitched roof 3.2m high.
- 2.5 The existing dwelling would be converted to two 2-bed flats. Flat 1 would be at the ground floor accessed from the entrance at the side elevation, whilst Flat 2 would be spread over the first & second floors with an entrance at the front leading to a private staircase. The original garden would be subdivided with Flat 1 having direct access to a private garden. Flat 2 would access its private garden through the side entrance.
- 2.6 The revised site plan shows that the bin storage would be located close to the front elevation screened by planting, cycle sheds would be provided for each flat in its private garden.

2.7 The application is accompanied by the following supporting information:

1. Design & Access Statement
2. Drawings

### 3.0 SITE HISTORY

The application site does not contain formal planning history.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 3 35 50, 52, 53, 55, 56, 58, 59 80, 81, 82

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

Central Government Guidance	National Planning Policy Framework February 2019  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
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SPD	Sustainable Design and Construction (Jan 2020)
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## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Control)

#### First comments

- 6.1 Objection- Given there is a mature tree within the highway verge immediately outside the property, it is not clear how these spaces would be independently accessible of each other for the two households proposed. This would have resulted in unnecessary manoeuvring within the adopted public highway or have led to a situation where irregular parking may have occurred which could have blocked the footway.

#### Final comments after revision

- 6.2 Support- Following a revision of the proposal to provide only one car parking space it overcomes the original concerns.
- 6.3 A condition and an informative have been suggested to any permission is minded to issue:
- No drain water to the highway
  - Highway disruption permission (informative)

#### **Environment Health team**

- 6.4 The development is acceptable subject to 3 condition:
- Construction hours
  - Piling
  - Unexpected contamination
- 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:

- 182 Perne Road

7.2 The representations can be summarised as follows:

- Loss of family home;
- Detrimental impact on the character of the area;
- Potential harm to the highway safety;
- Construction disturbance;
- Noise disturbance due to the internal layout;
- Overbearing and overlooking impacts on adjacent neighbours;
- Loss of garden space and nature habitat;
- Juliet balcony would be out of keeping with the building;
- No good standards of amenity provided for future occupiers;

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 and cycle parking
5. Highway safety and car parking
6. Third party representations

### **Principle of development**

8.2 Policy 3 regarding strategy for the location of residential development, requires that the majority of new development is focused in and around the urban area of Cambridge, making the most effective use of previously developed land. The

proposed development is within the urban area and on a previously developed land. Therefore, the proposal accords with policy 3.

- 8.3 The proposal involves the extension and conversion of the existing dwelling into 2 self-contained flats and therefore, policy 53 of the Local Plan is relevant to the principle of development. Policy 53(a) requires the proposed development (including acceptable extensions and roof conversions) has an internal gross floor area of at least 120m<sup>2</sup>. After the proposed extensions and roof enlargement, the submitted plan shows the total internal gross floor space of the building would be approx. 136m<sup>2</sup>, thus the proposed development would satisfy the required internal space standard for flat conversions. Policy 53(c) requires a family unit (two bedroom plus) to be included at the ground or lower ground floor. This requirement is met by the proposal.
- 8.4 Subject to further assessment in the following parts, the principal of the proposed development is considered acceptable.

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

- 8.5 Extensions should be subservient in scale to the host building and be designed to complement its scale, form and appearance. The single storey extension projects significantly beyond the main rear wall however, it would be broken up into two parts through stepping of the building line and roof height. Therefore, on balance, it would be viewed as a subservient addition to the original building given its moderate height. Furthermore, there would be limited impact within the public realm, although it would project slightly beyond the flank wall. There are also similar scale extensions within the vicinity of the application site. As such, it is not considered the extensions would give rise to significant adverse visual impacts on the character of the existing building or the surrounding area.
- 8.6 The proposed roof extension would include a hip to gable-end conversion with a box dormer to the rear. Appendix E of the Local Plan provides guidance on roof extensions and states they should relate well to the proportions, roof form and massing of the existing house and neighbouring properties. In this instance, the existing dwelling does not benefit from any

existing roof extensions and therefore, could erect a box dormer and hip to gable roof extension under permitted development. There are a number of properties in the locality with significant roof extensions. The box dormer, whilst filling the majority of the roof space, would be set down from the ridgeline and set in from the flank elevation. Therefore, whilst it is recognized that the proposed roof extension is significant, on balance, taking into account the local context and the limited impact within the public realm, it is considered that the roof extension would not be materially harmful to the character and appearance of the existing building or the surrounding area.

- 8.7 The neighbour, No.182, has objected to the Juliet balcony on the box dormer suggesting that it would be out of keeping with the original building. Now the size of Juliet balcony has been reduced significantly and would be equivalent to a large window, it is considered acceptable.
- 8.8 The proposal is considered to be appropriate in terms of its design and relationship with the main building and therefore, will not result in a significant adverse impact on the appearance of the building or the character of the area. The proposal is therefore considered to be compliant with Cambridge Local Plan (2018) policies 55, 56, and 58.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.9 No.182 is the neighbor situated to the south of the application site. The single storey rear extension would be built up to the common boundary and extend 3.5m along this boundary to a maximum height of 3.7m. The extension then steps away from the boundary by 2.6m and projects a further 4.9m with a maximum height of 3.2m. The scale of the extension is such that it projects a limited depth along the common boundary, then steps away from no.182 and down in height. The stepped building line combined with the moderate eaves height (2.7m) and overall ridge height means that, on balance, it is not considered the extension will cause a sense of enclosure or overbearing relationship which is detrimental to the amenity of this property. Due to the orientation of the extension, which is due north of No.182, means it will not give rise to significant adverse overshadowing impacts on the neighbour. Matters

regarding internal noise transference are controlled by Building Regulations however, it is not considered this would be materially different as a result of the conversion of the property into 2 self-contained flats.

- 8.10 No.186 is the unattached neighbour which is located due north of the application site. The current relationship with this property is influenced by the presence of a detached garage (approximately 13m long), within the application site, along the side boundary. This garage would be removed as part of the proposal and the proposed single storey extension would have a separation distance of approx. 4m to this neighbour. Given this separation distance and the moderate height of the proposed extension, it is not considered the proposal would give rise to a significant change to the relationship with this dwelling in terms of overshadowing or overbearing impacts.
- 8.11 No.182 points out that due to the large scale and location of the proposed roof extension, it would give rise to overshadowing and overbearing impacts on their small roof dormers. Given the orientation and siting of the box dormer, it is not considered the impacts on the neighbour's dormers would be significant. Furthermore, a box dormer of the scale proposed could be erected under the Permitted Development rights.
- 8.12 On balance, the proposal is not considered to result in material harm to the living conditions of adjacent residents. The proposal is therefore compliant with policies 35, 53 and 58 of the Cambridge Local Plan.

Amenity of future occupiers

*Internal habitable space*

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	4	1	70	70.5	+9.5
2	2	3	2	70	63	-7

- 8.13 Flat 1 (ground floor) would satisfy the required minimum internal space standards. The submitted section and floor plans also show this flat would provide satisfactory headroom and enough space for bedrooms and storage in accordance with policy 50.
- 8.14 Policy 50 requires a 2-bed flat occupied over two floor levels should have a minimum internal space of 70m<sup>2</sup>. However, the supporting text of the policy recognises that, in relation to flat conversions, the aim should be to meet the space standards where practicable. In this instance, the conversion will provide 2 good size bedrooms as well appropriate internal living space. It is therefore considered that the internal space associated with the upper floor flat will provide a good standard of accommodation, despite not meeting the space standards set out in policy 50.

Size of external amenity space:

- 8.15 In order to comply with the external space standards of Policy 50, a private garden is proposed for the ground floor flat with direct access, whilst the upper floor flat will also have a private rear garden set behind the garden of the ground floor flat, accessed from the side entrance. Both gardens are of a generous size and considered to provide useable space for future occupiers, although the upper floor flat will not have direct access.
- 8.16 The proposal provides an appropriate level of residential amenity for future occupiers and I consider that it is compliant with Cambridge Local Plan (2018) policies 50, 52 and 53.

### **Refuse arrangement and cycle parking**

- 8.17 The revised site plan shows that the refuse storage would be arranged at the side entrance next to the building. Planting is proposed to screen the bins from the public view. I consider the location of the refuse storage is acceptable. A condition would be attached to require further details of the refuse storage facility.
- 8.18 Bike storage facilities are proposed to be provided for each flat in a communal storage facility to the side of the building. The location is acceptable and therefore, a condition would be

attached to require further details of the appearance of the proposed storage facility.

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

### **Highway Safety and car parking arrangement**

- 8.20 The original proposal was for two parking spaces in the front garden. The Highway Authority (HA) objected to the proposal giving the reasons that due a large tree in front of the garden, it would give rise to unnecessary maneuvering risk to the public highway and irregular parking to block footway. Now the proposal has been revised to retain only one car parking space. The previous concern of the HA is now addressed, the proposal is considered not to give rise a significant impact on highway safety.
- 8.21 Given that the site is located where there is good walkable and cyclable access to local services (supermarket, primary school) and easy access to public transport within Perne Road, it is considered that one off-street car parking space would be sufficient car parking arrangement for the development and accords with the relevant car parking arrangement standards.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 82.

### **Third Party Representations**

Loss of a family home	In Cambridge Local Plan there are relevant policies to allow conversation of family homes into flats subject to assessment. Given the above assessment of the proposal, the conversion of the family home is considered to meet the relevant standards of the policies. The Planning Authority therefore cannot reject the loss of a family home without adequate planning reasons.
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Detrimental impact on the character of the area;	This is addressed in section <b>8.6-8.10</b>
Potential harm to the highway safety	This is addressed in section <b>8.23</b>
Construction disturbance	A condition would be attached to the planning permission to require the constructions only happen at reasonable time (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) to avoid unnecessary disturbance.
Noise disturbance due to internal layout	This is addressed in section <b>8.11</b>
Overbearing and Overlooking impacts on neighbours;	This is addressed in section <b>8.11-8.13</b>
No good standards of amenity provided for future occupiers;	The site plan shows the arrangement of waste and cycle storage. The standards of both storages are assessed in section <b>8.20- 8.21</b>
Loss of garden space for nature habitat;	The application site has a very spacious garden space (35m deep). Given only moderate amount of space would be covered by the proposed extension, I consider sufficient garden space would be retained and it would not give rise to a significant harm to nature habitat within the area;
Juliet balcony would be out of keeping with the building;	This is addressed in section <b>8.8</b>

## 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 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. Unless otherwise agreed in writing by the Local Planning Authority, the extension(s) hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension(s) is(are) in keeping with the existing building. (Cambridge Local Plan 2018 policies 55 and 58)

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. 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)

6. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

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

7. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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)

8. 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)

9. If unexpected land contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and the contamination has been fully assessed and a remediation strategy has been submitted to, and approved by the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

Reason: to avoid adverse health impacts to future occupiers from ground contamination. (Cambridge Local Plan 2018 policy 33)

10. The dwellings hereby approved shall not be occupied until details of facilities for the covered, secured parking of bicycles and the storage of bins for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before dwellings are occupied.

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

**INFORMATIVE:** The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

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<b>Application Number</b>	19/0866/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th June 2019	<b>Officer</b>	Sophia Dudding
<b>Target Date</b>	22nd August 2019		
<b>Ward</b>	Coleridge		
<b>Site</b>	67 Perne Road		
<b>Proposal</b>	Proposed rear extensions to include loft extension to convert 3 bedroom dwelling into 3 no. flats.		
<b>Applicant</b>	Ms Krizia Gallone 67, Perne 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 proposed development would not give rise a significant adverse impact on the appearance of the existing building and the character of the surrounding area;</li> <li>○ The proposed development would not give rise to a significant adverse impact on the residential amenity of the neighbouring properties;</li> <li>○ The proposed development would provide satisfactory living conditions for future occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 67 Perne Road is a residential semi-detached house located on the west side of Perne Road adjacent to the roundabout connecting with Cherry Hinton Road. The building is a typical 1930s property which is finished in tile and red brick under a hipped roof. It has a small front garden and a spacious rear garden which can be accessed from the side entrance. The

Dumpling Tree Bar & Restaurant is located south of the site and Perne Avenue is situated north of the application site.

- 1.2 The surrounding area predominantly comprises of pairs of residential semi-detached houses of which most properties have been altered by side and rear extensions. The application site falls outside of Conservation Areas and has no other constraints.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for side/rear extensions and roof enlargement and conversion of the existing dwelling into 3 no. flats. During the course of the planning application the original proposal has been revised in order to satisfy the internal and external space standards for the new flats, and to include satisfactory bin and cycle storage.
- 2.2 The proposed side/ rear extensions include a two-storey side extension, part single and part two storey rear extension. The proposed two storey side extension would project slightly under the existing roof ridge line attaining a gable-end roof. it would have a span approx. 2.15m and a full depth of the existing house leaving a side access (1.2m wide) to the rear garden.
- 2.3 The proposed rear extensions consist of a single storey rear extension which would have a similar physical massing to the existing rear element and expand further beyond the proposed side extension into the rear garden approx. 3.67m, and a first floor extension which would project behind the proposed side extension.
- 2.4 The proposed roof extension would incorporate a large box dormer over both the existing building and the proposed side extension. The element over the existing building would project further than that over the side extension to attain a terrace area.
- 2.5 The dwelling would be converted to a 3-storey building with a 2-bed flat at the ground floor and two 1-bed flats at upper floors. All 3 flats would be accessed from a communal entrance at the front. The ground floor flat would be provided with a private garden through a direct access and both upper floor flats would be provided with private balconies and communal area at the rear of the garden.

2.6 The application is accompanied by the following supporting information:

1. Design & Access Statement
2. Drawings

### 3.0 SITE HISTORY

No formal planning history

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 3  50, 52, 53, 55, 56, 58, 59  80, 81, 82

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

Central Government Guidance	National Planning Policy Framework February 2019  National Planning Policy Framework – Planning Practice Guidance March  Circular 11/95 (Annex A)
Supplementary	Sustainable Design and Construction (Jan

Planning Guidance	2020)
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## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Control)

6.1 The Highway Authority supports removal of the existing off-street car parking arrangement as it will remove any potential for unnecessary manoeuvring of motor vehicles within the adopted public highway.

6.2 The following conditions and informative have been suggested to any permission;

Restore grass verge (1)

Render the existing parking space inaccessible (2)

Delivery time (3)

No disturbance to the public highway (Informative)

#### Drainage

6.2 The development is acceptable subject to a condition to require flood resilient /resistant construction scheme (4).

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:

- 1 Perne Avenue
- 6 Downhams Lane (one of the owners of 69 Perne Road)

7.2 The representations can be summarised as follows:

- No evidence that the original building has the minimum internal gross floor area 120 sqm for flat conversion;



- Lacking car parking facilities would give rise to negative impact on the amenity of the area and highway safety;
- Negative impact on the character of the area;
- No good standard of amenity provided for occupiers;
- Increase surface water flood risk;
- Negative impact on neighbour's privacy;
- No waste and cycle storage provided
- No suitable soakaway is provided;
- Loss of a quality family home

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 an inspection of the site and the surroundings, the main issues are:

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

### **Principle of development**

8.2 Policy 3 of the Cambridge Local Plan regarding the strategy for the location of residential development, requires that the majority of new development is focused in and around the urban area of Cambridge, making the most effective use of previously developed land. The proposed development is within the urban area and on previously developed land. Therefore, the proposal accords with policy 3.

8.3 The proposal involves the extension and conversion of the existing dwelling into 3 self-contained flats and therefore, policy 53 of the Local Plan is relevant to the principle of development. Policy 53(a) requires the proposed development (including acceptable extensions and roof conversions) to have an internal gross floor area of at least 120m<sup>2</sup>. After the proposed extensions and roof enlargement, the submitted plan shows the

total internal gross floor space of the building would be approx. 157m<sup>2</sup>, thus the proposed development would satisfy the required internal space standard for flat conversions. Policy 53(c) requires a family unit (two bedroom plus) to be included at the ground or lower ground floor. This requirement is met by the proposal.

- 8.4 Subject to further assessment, the principal of the proposed development is considered acceptable.

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

- 8.5 The proposed side extension is considered a subservient design to the original building given it would be set below the original roof line and set back from the front building line. The extension would also be set in from the flank boundary by 1.2m thus maintaining a reasonable separation distance between the adjacent property. The side extension would include a gable ended roof form in order to accommodate the enlarged accommodation in the roof void. Whilst this does increase the scale and mass of the building at roof level, there are a number of similar examples of extended roofs within Perne Road. Given the mixed urban form within Perne Road which is characterised by extended properties of varying scale and design, on balance, the development is considered acceptable and would not harm the character and appearance of the existing building or the surrounding area.
- 8.6 To the rear of the property, the proposal includes a flat roof two storey projection beyond the rear of the side extension. Above this, within the roof space, is a large box dormer which projects across the width of the property and, in part, over the flat roof two storey rear projection. The two storey rear projection is set in from the flank wall of the side extension and by virtue of the flat roof, appears as a subservient element to the main dwelling and gable ended side extension.
- 8.7 Appendix E of the Local Plan provides guidance on roof extensions and states they should relate well to the proportions, roof form and massing of the existing house and neighbouring properties. In this instance, the existing dwelling does not benefit from any existing roof extensions and therefore, could erect a box dormer and hip to gable roof extension under permitted development. There are also a number of properties

in the locality with significant roof extensions. The box dormer, whilst filling the majority of the roofspace, would be set down from the ridgeline and set in from the flank elevation of the proposed side extension. Therefore, whilst it is recognized that the proposed roof extension is a large addition, on balance, taking into account the local context and the limited impact within the public realm, it is considered that the roof extension would not be materially harmful to the character and appearance of the existing building or the surrounding area. There is no objection to the single storey flat roof extension.

- 8.8 The proposed flats would be accessed from a communal entrance at the front and a side access would be retained for access to the rear amenity space. Thus the proposal would largely retain the appearance of an extended single dwelling from the public realm and respect the character of the streetscene in this regard.
- 8.9 Whilst the proposal seeks to significantly extend the existing dwelling, the proposed extensions are not considered materially harmful to the character of the area and therefore, are considered compliant with the NPPF and policies 53, 55 and 58 of the Cambridge Local Plan.

## **Residential Amenity**

### Impact on amenity of neighbouring properties

#### *The impact on the neighbor No.65*

- 8.10 No.65 is the neighbor situated to the south of the application site. The proposed two storey extension would be added to the southern part of the house adjacent to No.65. Currently there is a gap between the existing building and the dwelling at No.65. The extension would result in the narrowing of the gap between the properties, although a separation distance of 3.4m would be retained between the buildings. Given this separation, it is considered the proposal would not give rise to adverse overbearing impacts on No.65. The orientation that the proposed extensions would be due north of No.65, it is not considered the proposal would give rise to significant adverse overshadowing impact on the amenity of No 65. A window for the staircase is proposed at first floor level and this can be conditioned to be obscure glazed. At ground floor level a

bathroom and a bedroom window are proposed which would be afforded privacy and prevent the overlooking of the neighbouring property with fencing along the shared boundary.

#### *The impact on the neighbor No.69*

- 8.11 No.69 is the attached neighbor due north of the application site. The relationship with the property at No.69 has been taken into consideration by the applicant, which shows in the two storey elements of the proposal being set away from No.69 by 4.9m. There would be a 2.85m high flat-roofed single storey extension between the two storey element and No.69, which would replace the existing single storey element with similar massing. Given the relationship of the proposed extensions and the building of No.69, it is considered that the proposal would not give rise to significant overshadowing and overbearing impacts on No.69.

#### *Overlooking impacts from upper floor the terraces*

- 8.12 Terrace areas would be provided for upper floor flats 2&3. In order to avoid overlooking from these areas to neighbouring gardens, 1.7m high obscured screens are proposed to be installed on both sides of the balcony to screen the views. The balustrades have also been set back 0.5m from the front edge of the terraces to prevent occupants being able to stand at the very edge of the terraces. Whilst the upper floor terraces will enable views of adjacent rear gardens, on balance, it is considered the mitigation proposed is sufficient to prevent material overlooking of neighbouring gardens.
- 8.13 On balance, the proposal is not considered to result in material harm to the living conditions of adjacent residents. The proposal is therefore compliant with policies 53 and 58 of the Cambridge Local Plan.

#### Amenity of future occupiers

##### *Layout of flats*

- 8.14 Three flats would be accessed from the front communal entrance through a porch and lockable door. It is considered that the development would provide a secure entrance with good surveillance for the flats.

8.15 Bedrooms of these flats would be stacked in the front of the building whilst kitchen and living/dining rooms would be arranged in the rear part of the building. the internal layout of these flats is considered appropriate and would not create adverse mutual disturbance amongst these flats. One bedroom of Flat 1 was arranged next to the side entrance to the amenity space, of which the window would face the communal path to the rear garden. It is considered the arrangement would give rise to some disturbance to the bedroom. However, the level of activity would be limited and would only be associated with residents within the development therefore, any noise and disturbance would not be detrimental to the amenity of occupiers of the ground floor flat.

*Internal habitable space*

8.16 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 (ml)	Proposed size of unit	Difference in size
1	2	3	1	61	70.5	+9.5
2	1	2	1	50	50.5	+0.5
3	1	1	1	37	37.8	+0.8

8.17 The proposal would provide adequate internal space for each flat. The floor plan and section plan also show the internal space of flats satisfy the required internal space standards of policy 50.

*Provision of external amenity space*

8.18 In order to comply with the external space standards of Policy 50, a private garden would be provided for the ground floor flat with direct access, whilst a private terrace would be provided for each of the upper floor 1bed flats. A communal garden space would also be provided for both upper floor flats to the rear of garden of the ground floor flat. It is considered that the development would provide good level of amenity space for all flats.

8.19 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, 52 and 53.

### **Refuse arrangement and cycle parking**

8.20 The revised site plan has shown that the refuse storage would be provided via an external space cut into the side wall, screened from public view and being accessible from the side access. The arrangement of the refuse storage is satisfactory as it would provide convenient access from all the flats.

8.21 A bike storage would be provided for Flat 1 in its private garden accessed from the garden entrance, whilst another bike storage would be provided for both Flat 2&3 in the communal garden area. I consider the proposed bike storages are in secure locations and easily accessed by the residents. A condition is proposed requiring the cycle parking to be provided prior to first occupation of the flats.

8.22 The proposal is compliant with Cambridge Local Plan (2018) policies 53 and 82.

### **Highway Safety and car parking arrangement**

8.23 The original proposal was for a car-free development. However, the revised site plan shows one off-street car parking space would still be provided in the front garden for the development. There are no objections to the revised arrangement in term of the impact on the highway safety, as two off-street parking spaces exist on the current site, it is considered no further risk would be generated from the arrangement comparing with the current situation.

8.24 Given that the site is located where there is good walkable and cyclable access to the city centre, and easy access to the public transport, it is considered that one off-street car parking space would be sufficient car parking arrangement for the development and accords with the relevant car parking arrangement standards.

8.25 The development is located with walkable distance to streets Perne Avenue and Langham Road which provide uncontrolled parking, as there is no effective means to prevent residents of

the development from owning a car and therefore the car-capped development may impose additional parking demands on both aforementioned streets. According to Cambridge On-street Residential Parking Study 2016, the aforementioned streets belong to orange zone Area 4, the study shows the average parking pressure at 5.30am is below 50%. Given the capacity of on-street parking on both streets, I do not consider the possible additional demand of on-street parking from the development would give rise to a significant adverse impact on the residential amenity of the area.

8.26 As the revised plan still includes a car parking space, conditions recommended by the Highway Authority to restore grass verge and render the existing parking space inaccessible are not considered necessary.

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

### Third Party Representations

No evidence that the original building has the minimum internal gross floor area 120 sqm for flat conversion;	This is addressed in section <b>8.4</b>
Lacking car parking facilities would give rise to negative impact on the amenity of the area and highway safety	This is addressed in section <b>8.23-8.25</b>
Negative impact on the character of the area;	This is addressed in section <b>8.6-8.9</b>
No good standard of amenity provided for occupiers;	This is addressed in section <b>8.16-8.19</b>
Increase surface water flood risk and no suitable soakaway is provided;	These are not part of planning consideration, therefore would not be subject to assessment in the planning application;

Negative impact on neighbour's privacy;	This is addressed in section <b>8.13</b>
No waste and cycle storage provided	The site plan shows the arrangement of waste and cycle storage. The standards of both storages are assessed in section <b>8.21- 8.22</b>
Loss of quality family home	The conversion of family homes into flats is subject to assessment of policy 52 and 53, the full assessment is in <b>chapter 8</b> . Given the above assessment, the proposed flat conversion would be satisfactory according to standards of policy 52 and 53, and the loss of the family home is considered acceptable.

## 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 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. Unless otherwise agreed in writing by the Local Planning Authority, the extension(s) hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.



Reason: To ensure that the extension(s) is(are) in keeping with the existing building. (Cambridge Local Plan 2018 policies 55 and 58)

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. 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)

6. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

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

7. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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)

8. Prior to first occupation of the development, the covered secure parking of bicycles for use in connection with the development shall be installed in accordance with plan no: 2011/03 Rev C and plan no: 2011/05 and retained thereafter.

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

9. Notwithstanding the approved plans, the first floor window on the south elevation serving the communal staircase shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be non-opening unless the part of the window, door or opening is more than 1.7m above the finished floor level of the room in which it is installed. The development shall be retained as such thereafter.

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

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

Reason: To reduce the risk of flooding to the proposed development and future occupants. (Cambridge Local Plan 2018 policies 31 and 32)

11. All deliveries of materials or any removal of waste shall be constrained to the hours of 09.30hrs-15.30hrs seven days a week.

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

12. The privacy screens to the upper floor balconies shown on approved plan no: 2011/02 Rev A shall be constructed of obscure glass to at least Level 3 of the Pilkington Texture Glass Privacy Levels and retained thereafter.

Reason: In order to protect the privacy of adjacent residents in accordance with policies 53 and 58 of the Cambridge Local Plan.

**INFORMATIVE:** The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

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CAMBRIDGE CITY COUNCIL

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REPORT OF: Arboricultural Officer  
TO: Planning Committee 4<sup>th</sup> March 2020  
WARDS: ABB

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 37/2019**

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### **1.0 INTRODUCTION**

- 1.1 A TPO has been served to protect trees at the new Aldi Store in Newmarket Road.
- 1.2 As an objection to the order has been received, the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

### **2.0 RECOMMENDATION**

- 2.1 The tree preservation order is confirmed without amendment.

### **3.0 BACKGROUND**

- 3.1 In response to local resident concerns regarding the impact redevelopment of land at Newmarket Road/Cheddars Lane could have on existing trees officers determined that a TPO was appropriate to protect trees from development opportunities. The TPO was served and an objection was received from Titan Securities Limited, who own the freehold for 393 and 395 Newmarket Road.

### **4.0 POWER TO MAKE A TPO**

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

- 4.1.1 Expedience

- If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some

cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO.

#### 4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance advises that authorities develop ways of assessing the amenity value of trees in a structured and consistent way. Cambridge City Council Citywide Tree Strategy 2016 – 2026 sets out the criteria for assessing amenity in Policy P2 and considers visual, wider impact, atmospheric, climate change, biodiversity, historic/cultural and botanical benefits when assessing the amenity value of trees.

#### 4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

### 4.2 Suitability of this TPO

#### 4.2.1 Expedience

The TPO is considered to be expedient because there was a perceived threat from development. This threat became real when a London Plane was removed from the Newmarket Road frontage. This is currently being investigated.

#### 4.2.2 Amenity

Visual. Trees within the TPO Area are highly visible from various viewpoints.

Wider Impact. The trees contribute positively to the character and appearance of the area and help filter pollutants.

Climate Change. Preserving canopy cover will help mitigate the impacts of climate change.

#### 4.2.3 Suitability

The trees are not conflicting with the reasonable use of the land, are not implicated in any direct or indirect damage and are not causing unreasonable shading or maintenance requirements.

## **5.0 CONSULTATIONS**

- 5.1 A TPO must be served on anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation objections have been received to the TPO from 291 Arbury Road.

## **6.0 CONSIDERATIONS**

- 6.1 The objections are made on the following grounds:
  - 6.1.1 The trees on Titan's property have been recently planted, hence are immature, of limited circumference, and are common species; they have no historic or rarity value.
  - 6.1.2 The property is a commercial retail warehouse. The trees planted in the car parking area have been an impediment to lorries delivering goods and also to cars parking in the car park, both of which occasionally have bumped the trees. This area is not a parkland amenity site but an area busy with traffic with customers coming and going. Some of the trees have been damaged by lorries turning in the car park area.
  - 6.1.3 We understand from Aldi, the incoming tenant, that one tree, at the entrance, has been scheduled for removal, due to its impeding ingress and egress from the site. Again, this is a commercial area, and inability to change the ingress and egress arrangements would have an effect on the sight distance to traffic on Newmarket Road. Viscidity is essential for safety of customers and lorries.
  - 6.1.4 The trees in the parking area are deciduous trees whose leaves regularly block up the car parking drainage causing water to pool. This greatly increases the probability of damage to customers due to slippage on the algae and leaves built up that are under water. Removal of some of the car parking area trees would be best for public safety and health.
- 6.2 Officer's response to the objection.
  - 6.2.1 TPOs are served to protect all types of tree in accordance with the Town and Country Planning Act, government guidance and Cambridge City Council policy. The fact that they are common and have no rarity or historic value is irrelevant to their suitability for TPO.
  - 6.2.2 The fact that the area is retail with many vehicular movements increases the need for trees to filter out pollutants.
  - 6.2.3 The removal of the tree at the front of the site, was objected to by tree officers, who are currently investigating to make sure the appropriate permission was sought. If reasonable access and egress requires the removal of individual trees this would be allowed following

a tree work application. With the TPO in force suitable replacement planting can be conditioned and officers will have the opportunity to balance the need for tree works/removals against loss of amenity and ensure that only justified works are actuated.

6.2.4 Removing trees to mitigate the potential for trips and slips is extreme and short-sighted and if accepted the principal would have a devastating impact on the city's canopy cover, which would be contrary to council policy. Officers do not agree that it is appropriate to remove trees to achieve the store's health and safety responsibilities to its users.

6.3 In conclusion, officers believe that the trees contribute sufficiently to amenity to be worthy of a TPO and that without same, trees would be pruned or removed to the detriment of the public and in contradiction to council policy.

## **7.0. OPTIONS**

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

## **8.0 RECOMMENDATION**

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 40/2020.

## **9.0 IMPLICATIONS**

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	None

### **BACKGROUND PAPERS:**

The following are the background papers that were used in the preparation of this report:  
City of Cambridge Tree Preservation Order 37/2019.

Written objection to TPO 37/2019

To inspect these documents, contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 16/02/2020

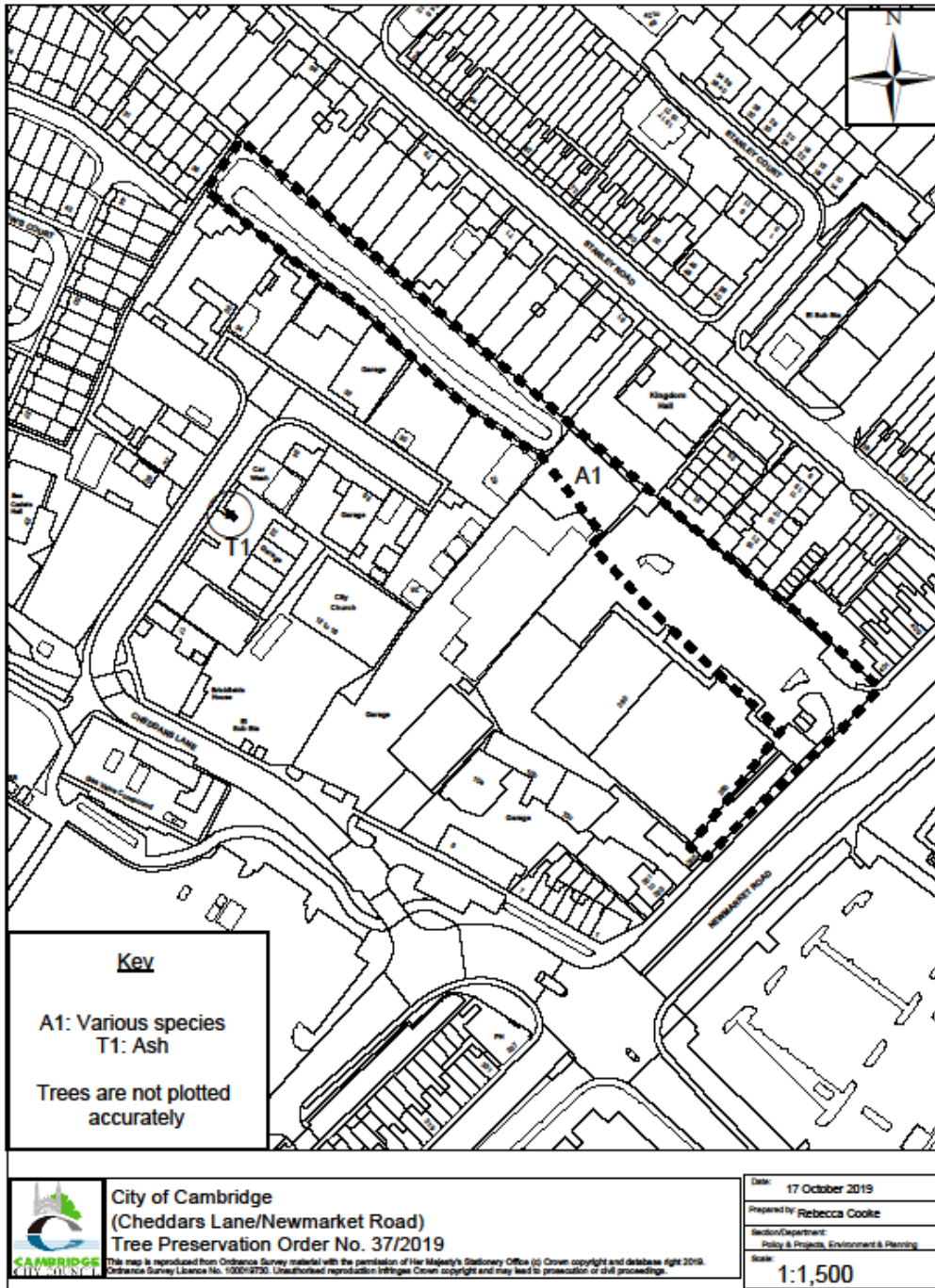
Date of last revision: 19/02/2020

Appendix 1 Ariel Photo of Site





Appendix 2 TPO Plan



CAMBRIDGE CITY COUNCIL

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REPORT OF: Arboricultural Officer  
TO: Planning Committee 4<sup>th</sup> March 2020  
WARDS: ARB

## **OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER (TPO) NO. 40/2019**

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### **1.0 INTRODUCTION**

- 1.1 A TPO has been served to protect a tree in Arbury Road.
- 1.2 As an objection to the order has been received, the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

### **2.0 RECOMMENDATION**

- 2.1 The tree preservation order is confirmed without amendment.

### **3.0 BACKGROUND**

- 3.1 The Council received two planning applications (19/0948/FUL and 19/1601/FUL) to building a new dwelling in the rear garden of 291 Arbury Road within the root protection area and canopy spread of a mature Beech tree. While the applications did not propose the felling of the Beech, officers decided that, in addition to the potential damage caused to the tree's roots, the new dwelling would likely lead to the removal of the tree once the dwelling was constructed. The combination of a new two-storey dwelling, situated on the south boundary with no south facing windows, and the tree, blocking light from the northwest, would result in excessive shading of the limited outside space and the tree would block light to windows on the northwest facing frontage. Once the dwelling was constructed therefore and inhabited, it would be reasonable to desire the removal of the tree. Officers believed that negative comments regarding the tree could lead to the tree's removal so a provision TPO was served. An objection was received to the provisional TPO from the property owner.

## **4.0 POWER TO MAKE A TPO**

4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

### 4.1.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO.

### 4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance advises that authorities develop ways of assessing the amenity value of trees in a structured and consistent way. Cambridge City Council Citywide Tree Strategy 2016 – 2026 sets out the criteria for assessing amenity in Policy P2 and considers visual, wider impact, atmospheric, climate change, biodiversity, historic/cultural and botanical benefits when assessing the amenity value of trees.

### 4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

## 4.2 Suitability of this TPO

### 4.2.1 Expedience

The TPO is considered to be expedient because there was a perceived threat from development.

### 4.2.2 Amenity

Visual. The tree is located in the rear garden of 291 Arbury Road, which is a corner property. The tree is therefore a prominent feature of St Albans Road.

Wider Impact. The tree contributes positively to the character and appearance of the area.

Climate Change. Larger trees have a greater impact with regard to climate change adaptation.

#### 4.2.3 Suitability

The tree is not conflicting with the reasonable use of the property, is not implicated in any direct or indirect damage and is not causing unreasonable shading or maintenance requirements.

## 5.0 CONSULTATIONS

- 5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation objections have been received to the TPO from 291 Arbury Road.

## 6.0 CONSIDERATIONS

- 6.1 The objections are made on the following grounds:
  - 6.1.1 There is no intention to remove the tree and it has been looked after well by the owner.
  - 6.1.2 The area where the tree grows will be improved by increased greening as part of the planning application.
  - 6.1.3 Alterations to the dwelling layout will ensure no damage to the tree.
- 6.2 Officer's response to the objection.
  - 6.2.1 While the intention may be to retain the tree, if planning permission were refused for the dwelling, which is the tree officer's recommendation, the removal of tree would become a realistic solution.
  - 6.2.2 It is a mature, healthy tree that is thriving in the existing environment. Greening of the space the tree grows in will not improve tree health now or in the longer term.
  - 6.2.3 The entire space proposed for the new dwelling is within the root protection area of the tree. The site is modest in size and the amended proposal does not address the nuisance issues that would be created once the new dwelling were built.
- 6.3 In conclusion, officers believe that the tree contributes sufficiently to amenity to be worthy of a TPO and that their recommendation to refuse planning permission for the new dwelling within the root

protection area and canopy spread of the tree, in accordance with Policy 71 of the local plan, would result in the tree's removal.

## **7.0. OPTIONS**

7.1 Members may

- Confirm the Tree Preservation Order.
- Decide not to confirm the Tree Preservation Order.
- Confirm the Tree Preservation Order with modification

## **8.0 RECOMMENDATION**

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 40/2020.

## **9.0 IMPLICATIONS**

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	None

### **BACKGROUND PAPERS:**

The following are the background papers that were used in the preparation of this report:

19/0948/FUL and 19/1601/FUL, City of Cambridge Tree Preservation Order 40/2019.

Written objections to TPO 40/2019

To inspect these documents contact Joanna Davies on extension 8522

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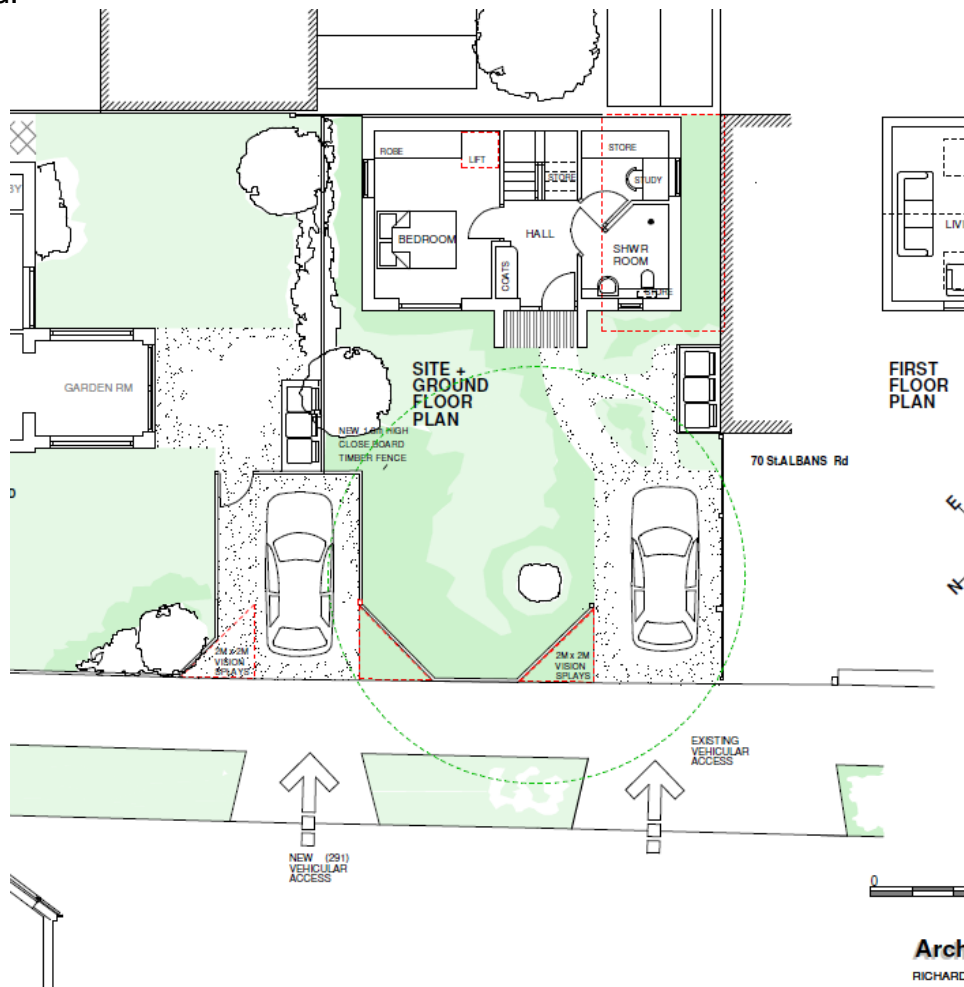
Date originated: 16/02/2020

Date of last revision: 19/02/2020

Appendix 1 Photo of Beech from St Albans Road



Proposed Dwelling. Current canopy spread of Beech extends over existing garage, dotted red.



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