



# Cambridge City Council Planning

**Date:** Wednesday, 4 November 2020

**Time:** 10.00 am

**Venue:** This a virtual meeting and therefore there is no physical location for this meeting.

**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: At conclusion of Part One

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

(Pages 7 - 20)

## Part 1: Major Planning Applications

### 5 20/03373/S73 - Park Street Car Park

(Pages 21 - 58)

## **Part 2: Minor/Other Planning Applications**

6	19/1214/FUL - 56-58 Chesterton Road	(Pages 59 - 78)
7	20/0034/FUL - Jesus Green Moorings, Thompsons Lane	(Pages 79 - 98)
8	20/01738/FUL - Land at Lilac Court	(Pages 99 - 124)
9	20/0050/FUL - 54A Cherry Hinton Road	(Pages 125 - 142)
10	20/03202/FUL - 523 Coldhams Lane	(Pages 143 - 168)

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

**Alternates:** Bird

## Information for the public

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Members of the public are welcome to view the live stream of this meeting, except during the consideration of exempt or confidential items, by following the link to be published on the Council's website.

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- Guidance for how to join virtual committees run via Microsoft Teams: <https://www.cambridge.gov.uk/have-your-say-at-committee-meetings>
- Website: <http://democracy.cambridge.gov.uk>
- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
- Phone: 01223 457000

# Appendix 1 – Planning Policies and Guidance

(Updated September 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

Use	Previous Use Class	New Use Class (Sept 2020)
Shops	A1	E
Financial and Professional Services	A2	E
Café and Restaurant	A3	E
Pub/drinking establishment	A4	Sui Generis
Take-away	A5	Sui Generis
Offices, Research, Light industry	B1	E
General Industry	B2	B2
Storage and Distribution	B8	B8
Hotels, Guest Houses	C1	C1
Residential Institutions	C2	C2
Gymnasiums	D2	E

Clinics, health centres	D1	E
Cinemas, concert halls, dance halls, bingo	D2	Sui Generis

**PLANNING**

10 September 2020

10.00 am - 5.45 pm

**Present:**

**Planning Committee Members:** Councillors Smart (Chair), Baigent (Vice-Chair), Bird, Green, Page-Croft, Porrer and Tunnacliffe

**Officers:**

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Principal Planner: Emma Ousbey

Principal Planner: Lewis Tomlinson

Senior Planner: Aaron Coe

Planner: Mary Collins

Planner: Rebecca Claydon

Legal Adviser: Keith Barber

Committee Manager: James Goddard // Claire Tunnicliffe

Meeting Producer: Tom Mears

**FOR THE INFORMATION OF THE COUNCIL****20/40/Plan Apologies**

Apologies were received from Councillors Lord, McQueen and Thornburrow. Councillors Bird and Page-Croft were present as Alternates.

**20/41/Plan Declarations of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillor Baigent	All	Personal: Member of Extinction Rebellion and the Cambridge Cycling Campaign.
Councillor Tunnicliffe	20/46/Plan	Personal and prejudicial: Would speak in objection as a Ward Councillor.  Would withdraw from discussion and did not vote.

Councillor Bird	20/48/Plan	Personal: Discretion unfettered. Application in East Chesterton Ward where she is a councillor.  Item adjourned.
Councillor Porrer	20/48/Plan	Personal: Discretion unfettered from discussions at Housing Scrutiny Committee regarding the 'pods' in terms of their support for formerly homeless people in developments across the city.  Item adjourned.

### **20/42/Plan 20/01901/S73 - 157 Histon Road**

The Committee received a S73 application to vary condition 14 of planning permission C/95/0110 (as amended 19/1047/S73) that delivery hours shall only take place between 07:00hrs and 22:00hrs Monday to Saturday and 09:00hrs and 19:00hrs on Sundays and Bank Holidays and to remove the limitation on the number of articulated vehicles deliveries per day (Amended description).

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

Councillor Payne (Ward Councillor) addressed the Committee about the application:

- i. Wished to impress on the Committee the close proximity of the Aldi loading bay to Nursery Walk properties. Number 8 Nursery Walk sat directly behind the loading bay.
- ii. Had received over time a number of complaints from residents about the noise caused by deliveries.
- iii. Over the last few months, people really welcomed the support of the Aldi area manager, who has reminded drivers to use the silent entry system. This made a huge difference with the current two deliveries a day, especially while residents were at home during lockdown. The store had been willing to work with residents and was supportive of their needs.
- iv. The issue with removing the limit of delivery vehicles was two-fold:
  - a. It would make use of the silent entry much harder to enforce across a larger number of vehicles.



- b. It was not just the noise of the engines that caused disturbance, it was also the noises that accompanied unloading. Such as beeping, doors banging and the unloaders shouting to one another. This additional disturbance was expected to increase with increased deliveries. The proposed extension of hours would take this into incredibly anti-social hours and cause great disturbance.
- v. Asked the Committee will consider the residents of Nursery Walk with empathy and reject this proposal.

### The Committee:

The Committee were of the opinion more information was necessary before determining the application, thus it was deferred by **6 votes to 1** so officers could seek further information regarding:

- i. The view of Environmental Health Officers.
- ii. Aldi's delivery needs.
- iii. Delivery Plan information.
- iv. The number of lorries expected.
- v. Sound barrier specifications.

### **20/43/Plan 19/1141/FUL - 1 Fitzwilliam Road**

The Committee received an application for full planning permission.

The application sought approval for demolition of existing building and construction of three dwellings.

The Committee received a representation in objection to the application from a resident of Fitzwilliam Road [speaking on behalf of 21 residents who opposed this proposal]:

- i. 1 Fitzwilliam is an important corner of the Brooklands Avenue Conservation Area. Many trees, some with Tree Preservation Orders [TPOs], and the open gardens contributed to the sense of green space. The importance of the Conservation Area and its public amenity has increased since the surrounding developments of Kaleidoscope and Cambridge Assessment.
- ii. The rejection of the previous application [in 2015] was upheld at appeal for two reasons: the loss of amenity for neighbours and the detrimental impact on the Conservation Area. This should be the starting point when considering any new application.

- iii. Specific concerns:
  - a. This proposal, though smaller in scale than the previous one, still had accommodation for up to thirty two people in three terraced houses.
  - b. It protruded beyond neighbouring building lines.
  - c. Was over-sized relative to the site and sub-divided this corner plot resulting in tiny gardens dominated by cycle sheds and bin stores.
  - d. The design reflected the modern buildings opposite in Kaleidoscope and neither referenced nor complemented the neighbouring buildings in the Conservation Area.
- iv. The size and configuration strongly suggested an intention to subdivide into multiple occupancy housing in the future. Any such move would have a hugely negative impact on the Conservation Area.
- v. On the potential loss of amenity for neighbours, parking is of particular concern. The Cambridge Local Plan of 2018 was crystal clear on parking. For C3 dwellings in a controlled parking area the ratio must be no more than one parking space per dwelling. This could only be exceeded in exceptional circumstances. There were none in this case. It was close to a bus route, the railway station and just a short walk or cycle from the city centre. This application sought seven spaces for three dwellings, over twice the permitted ratio. It also required the loss of five heavily used on-street residents' parking places. This would be grossly unfair for existing residents.
- vi. The plot was on a three-way corner which was already a dangerous junction. Since the opening of Kaleidoscope and the expansion of Cambridge Assessment, the roads were much more congested at peak times than implied by Highways Department.
- vii. The 2015 scheme did not propose removing any TPO trees, so it was unreasonable and unacceptable that this (smaller) scheme destroyed a protected tree. Expressed concern the Tree Officer has seemingly waved through the removal of one of the iconic protected sycamores and the loss of many other trees and garden landscaping.
- viii. Suggested the application did not satisfy Policy 61 of the Cambridge Local Plan [designs that enhance or preserve the character of a Conversation Area].

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

Councillor Summerbell (Ward Councillor) submitted a statement to the Committee about the application:

- i. Made a representation for two reasons:
  - a. Had received a number of concerns raised by residents. Had not received any representation in favour of the development.
  - b. The objections raised show there was a risk of the Council contravening, or at least appearing to contravene, its own Local Plan. Residents who wanted to seek planning permission must abide by the Local Plan. Both City Council and County Council must respect the Local Plan, and be seen to respect it; otherwise they risked undermining it, with the associated likelihood of increased appeals and objections further congesting an already overstretched planning service.
- ii. The main objections raised were:
  - a. Residents raised concerns that the proposed development was not in line with the character of the Conservation Area.
  - b. Removal of a tree subject to the TPO and the risk to a second, along with the removal of 9 other unprotected trees. This appeared to conflict with policy 52 of the Local Plan.
  - c. Parking spaces were in short supply. The proposal acknowledged this by seeking to assign more than the recommended number of spaces per household, yet this did not create more space on the streets: it required removal of spaces elsewhere.

Councillor Robertson (Ward Councillor) addressed the Committee about the application:

- i. Overdevelopment of the site which is in Brooklands Avenue Conservation Area.
- ii. The application was out of character with the area and did not respond to context.
- iii. The application failed to meet Local Plan policies 56 [integrated into its surroundings] and 57 [landscape impacts and available views].
- iv. Expressed concern over loss of trees, particularly T2.T1 and T2 should be retained, there was no reason to cut down these local landmarks.
- v. Asked the Committee to confirm the TPOs regardless of whether the application was approved or not.

Councillor Jones (Ward County Councillor) addressed the Committee about the application:

- i. Took issue with officer support for over provision of on-site parking. Only three spaces were required, not four, as per the number of dwellings. There were good local transport links.
- ii. Traffic and congestion levels [including taxi and parking space usage] would be exacerbated by the development.
- iii. Clarendon Road and Fitzwilliam Road were used as rat runs to avoid traffic in other areas.
- iv. There was an absence of traffic survey work by the County Council. So it was unclear to date whether there are any “significant safety implications” for local residents as defined under Para 109 of the National Planning Policy Framework.
- v. To conclude, increasing motor traffic movements and the loss of residents' parking bays should be seen as unacceptable in an area experiencing increasing traffic pressures from other recent developments.

Councillor Porrer proposed amendments to the Officer's recommendation to include informatives regarding:

- i. Hedgehog friendly fencing.
- ii. Residents' parking not being available to new builds so it was clear to the developers that they could not access street parking in the controlled parking zone by applying for a residents' permit.

This amendment was **carried unanimously**.

The Committee:

**Resolved (by 4 votes to 3)** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer plus two extra informatives relating to:

- i. Hedgehog friendly fencing.
- ii. Residents' parking not being available to new builds so it was clear to the developers that they could not access street parking in the controlled parking zone by applying for a residents' permit.

With delegated authority to Officers to draft the informatives in consultation with the Chair and Spokes.

### **20/44/Plan 20/01568/HFUL - 23 North Street**

The Committee received an application for full planning permission.

The application sought approval for a first-floor roof extension and associated works, to create an additional 2no. bedrooms and an en-suite.

The Committee received representation in objection to the application from a resident of North Street:

- i. Was speaking on behalf of several objectors.
- ii. The application would have an adverse effect on the direct neighbours who lived next door to the properties.
- iii. The planning officer's presentation omitted 6 and 8 Canterbury Street which would also be affected by the proposed extension.
- iv. 23 North Street was one of three houses (including 21 and 25 North Street) designed together to form a terrace built in the garden of 59 Histon Road; the original design with subterranean bedrooms and gardens ensured no overlooking into neighbouring properties; the importance of no overlooking had been highlighted in the original planning application.
- v. Building a third story would significantly affect 59 Histon Road; the extension would mean that privacy of the house and garden would be compromised.
- vi. In addition, no's 2, 4, 6 and 8 Canterbury Street [which backed on to North Street] would be overlooked with a large widow [bedroom picture window] at the front of the extension, so occupiers' privacy would be reduced for these properties.
- vii. A bedroom picture window was better suited to a property that overlooked landscapes not a tight residential urban area.
- viii. No. 11 North Street provided the model for the church gable end picture window; the objector of this application (20 Benson Street) noted they could see direct in the bedroom of 11 North Street and this would be the same for no's 24& 26 Benson Street.
- ix. Reiterated a picture window was completely unsuitable for a house on North Street which can be viewed into by neighbours.
- x. If the application were permitted this would change the look of the terrace and set a precedent which could result in further overlooking and loss of privacy for surrounding properties.
- xi. Future extensions could lead to a confusion of different designs.

- xii. Stated that City Councillor Todd-Jones had indicated the goal posts of planning objections had shifted regarding new built properties on North Street; overlooking into neighbouring properties was irrelevant.
- xiii. However, it should be highlighted these new build properties did not have the same impact on neighbouring properties as these faced garages and hedges or end of terraced walls. Therefore, this point was relevant.

Mr Bailey (Applicant) addressed the Committee in support of the application.

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

City Councillor Payne (Castle Ward Councillor) addressed the Committee about the application:

- i. The objection to the application was two-fold.
- ii. Firstly, in terms of aesthetics, this property sat in a group of three, an additional storey on only one building would look strange and be out of character with the area.
- iii. North Street sat within a Conservation Area, and the conservation report had noted this would be out of character with the area.
- iv. The application would also lead to neighbouring properties being overlooked and would feel crowded on the narrow streets.
- v. Secondly, if this application were approved, it would then set a clear precedent for the neighbouring houses to do the same. This would substantially change the character of the area and lead to other houses being overlooked.

#### The Committee:

**Resolved (unanimously)** to reject the officer recommendation of refusal to the application.

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

- i. Positive addition of a high-quality application to the street scene which enhances and improves the Conservation Area.

**Resolved (unanimously)** to delegate to planning officers to include the standard conditions for the approval of the application in terms of standard time for commencement; development in accordance with approved plans; materials; the removal of permitted development rights under Class B of the

TCP (GPD)O 2015; and the rear bedroom windows to be of obscure glazing in perpetuity.

### **20/45/Plan 20/01033/FUL - 12 Gilmour Road**

The Committee received an application for full planning permission.

The application sought approval for a ground floor extension and access gate alterations within the building curtilage and projection of first floor sitting room window onto the existing terrace. To the rear lower section, the existing decked area was to be changed into habitable space and a square skylight would be added over this area to fully enclose it. Full height sliding glazed doors would be fitted behind the existing rear gate and railings which are to be retained with the gate swing being adjusted so it would swing outwards rather than inwards.

The Committee received a representation in objection to the application from a resident of Accordia

The representation covered the following issues:

- i. Would be speaking on behalf of residents who had objected to this application.
- ii. The Committee had previously refused an application which contained elements of this proposal.
- iii. Requested the Committee refused the application.
- iv. Believed the Planning Officer's recommendation and Conservation Officer's opinion appeared to be influenced by the Inspector's report which dismissed the appeal.
- v. The Inspector concluded the ground floor and first floor elements of the proposal would not detract much from the architectural uniformity of the dwellings in the area; disagreed with this statement as outlined in the submitted objections.
- vi. The Inspector gave no consideration to the effect on car and cycle parking or loss of amenity space; yet the Inspector did not grant planning permission for the ground and first elements alone through a split decision.
- vii. When considering the previous application, the Committee assessed the negative impact on the wider community through loss of amenity value against the benefit to an individual property owner. Believed this

assessment remained as critical and it was residents who represented the broader social and community impact on Accordia.

- viii. A key element of the sense of community amongst residents was they had brought into the style of the development; the landscape was dense with overlooking. The internal open spaces, terraces and balconies were an essential feature for the occupant of each dwelling.
- ix. The application would restrict the open space within the footprint and would leave minimal space for a car which could lead to on street parking. Storage capacity would be lost for such as items as a bicycle.
- x. Residents championed the design, style, and layout of Accordia.
- xi. Stated the achievement of the Article 4 direction, designation of the Conservation Area, the recently approved Design Guide, and the parking scheme were the result of initiatives by residents working with City Council officers to preserve the integrity of the site.
- xii. The application was unacceptable on its own merits and would bring no public benefit.
- xiii. If the application were approved similar applications would be repeated which could increase on street parking and damage the internal open spaces that were an essential element to the site.
- xiv. Accordia should remain a model for good architectural practice.
- xv. Believed the application contravened planning policies 56 b and f, 58 g, 82 b and the Cycle Parking Guide SPD

Ms Richardson (Applicant's Agent) addressed the Committee in support of the application.

Councillor Robertson addressed the Committee about the application on behalf of Councillor Thornburrow (Trumpington Ward Councillor).

- i. Represented those residents who had objected to the application. Some points raised would be theirs, other points highlighted were Councillor's Thornburrow's personal point of view.
- ii. The relevant policies to reference were policies 55 (responding to the context), 58, a, b, c, f, and g (altering and extending existing buildings) and 61 (conservation and enhancement of Cambridge's historic environment).
- iii. Gilmour Road was one of the mews streets in the eastern quarter. The houses had been designed to face towards the mews street for primary access and to the landscape side for amenity.



- iv. Each dwelling was designed to have a discreet on-plot car parking and secure cycle provision with shared access to be free of car parking.
- v. A distinctive theme in the design of the buildings was the contrast of solid and void which believed had been achieved with care.
- vi. The covered space to the side of the dwelling had the added benefit of enabling glimpses through to the garden behind.
- vii. The profile of the terrace was simple, sharply defined and uncluttered at all levels. Elevations of the terrace displayed a strong consistency in appearance.
- viii. The proposed ground floor extension would infill the rear of the covered space and unbalance the solid to void relationship. Glimpses through to the garden would be lost.
- ix. The remaining space may be of sufficient size to park a car but would not allow for the additional parking of cycles, refuse storage and recycling bins. Storage of other domestic items would be compromised.
- x. In practice the application would probably result in the car being parked in the street.
- xi. Adequate cycle parking standards would not be met.
- xii. The existing ground floor plans showed the front doors to the properties on Gilmore Road were not straight off the road but off the car port. The design of the single gate ensured the car was parked towards the rear of the space and created covered clear access and accessibility to the main door.
- xiii. The application proposed the gate was to be doubled to allow the car to be parked away from the glazed wall of the extension and closer to the road. This would reduce the area in front of the main door making it less accessible to enter the house.
- xiv. The main external amenity spaces were across the whole of the rear of the property, some at ground floor level and some at first floor level linked by a staircase and walkway. The proposed ground floor extension and that to the first floor living room would reduce the amenity space by over 40%. The was 34sqm of amenity space would be reduced to 14sqm, a considerable loss for a family home.
- xv. Stated the proposed rear elevation was inaccurate and misleading, the impression given is that the appearance at ground floor would not change but the formation of the living accommodation behind the gates would be clearly seen and incongruous.
- xvi. The full width infill would lead to the loss of the exposed brickwork, separation, and the openness to the side of the house. The pattern and strong rhythm between the fenestration and the gates would be lost harming the appearance and character of the dwelling, terrace, and the distinctive enclosure to the communal garden.

- xvii. The outlook from within the extended living space out to the garden would be through the metal gates immediately to the front of the window; believed this to be poor design and would not be acceptable on a new build scheme.
- xviii. Pressure to remove the gates in future would be inevitable.
- xix. Access from the house to the garden had been carefully provided for in the original design by the principle room opening on to the internal courtyard space and then into the garden. The application would result in the access directly from the living room to the garden, a less practicable arrangement.
- xx. Overall, the application would reduce the flexibility of the home for future occupants and would not represent a public benefit.
- xxi. While the Inspector concluded that neither of the ground or first floor elements would detract from the architectural uniformity of the dwelling, believed the reasons outlined in this objection had shown this would detract from the uniformity.
- xxii. The Inspector gave no consideration to the effect on car and cycle parking and did not exercise discretion to grant planning permission for the ground and first floor elements through a split decision which would have been possible.
- xxiii. With reference to the Cambridge Local Plan 2018 the proposed extension has not responded positively to the distinctive context and failed to comply with policy 55.
- xxiv. The extension was not a high-quality design as required; and did not comply with policy 58, a, b, c, f, and g.
- xxv. The harm to the character and appearance of the Conservation Area conflicts with policy 61 and there was no public benefit.
- xxvi. The proposal was unacceptable.

#### The Committee:

**Unanimously resolved** to defer the consideration of the application, pending the submission of further detailed drawings by the planning officer and / or a visit to the site.

#### **20/46/Plan 19/1214/FUL - 56-58 Chesterton Road**

The Committee received an application for full planning permission.

The application sought approval for amendments to planning permission reference 17/2157/FUL for redevelopment of site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and

professional) - in the alternative, with 8no. apartments, cycle parking and associated infrastructure - to allow A4 use (drinking establishments) at ground floor and basement with associated B2 use (microbrewery).

Councillor Tunnacliffe (West Chesterton Ward Councillor) addressed the Committee about the application and then withdrew from the debate:

- i. Was speaking on behalf of objectors.
- ii. The area was heavily populated with drinking establishments such the Fort St George, Portland Arms, The Waterman, Thirsty, The Boat House (considerable in size) and The Old Spring.
- iii. All the named public houses were within fifty to seventy-five yards of the application creating a dense provision which should be taken into consideration.
- iv. Residents have reported the area is subjected to anti-social behaviour believed to derive from drinking. Also parallel to Chesterton Road off Trafalgar Road was an alleyway which was a known spot for drug taking which also increased the anti-social behaviour in the area.
- v. Pavements in the area were narrow, this is highlighted by the establishment Thirsty which is twenty yards from the application. This had a heavily used outside drinking area which made it difficult for pedestrians and cyclists to keep to the pavements going east and east west.
- vi. Due to the current climate of COVID-19 it would be reasonable to assume that drinking would take place outside creating further obstructions with additional street furniture and individuals.

#### The Committee:

Resolved (**by 6 votes to 0**) to defer the consideration of the application, pending the submission of further detailed and technical drawings by the applicant to show the redesign of the basement layout (including the toilets) and explore the issue of disabled access and an assessment of it from the Access Officer.

Councillor Tunnacliffe withdrew from the meeting for this item following addressing the Committee by speaking on behalf of objectors to the application and subsequently took no part in the discussion or decision making which concluded with the decision to defer it.

**20/47/Plan 18/0887/FUL - 75 Newmarket Road**

The application was deferred as the Committee ran out of time to hear the application.

**20/48/Plan 20/02998/FUL - Land at Dundee Close**

The application was deferred as the Committee ran out of time to hear the application.

The meeting ended at 5.45 pm

**CHAIR**

<b>Application Number</b>	20/03373/S73	<b>Agenda Item</b>	
<b>Date Received</b>	5th August 2020	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	4th November 2020		
<b>Ward</b>	Market		
<b>Site Proposal</b>	Park Street Multistorey Car Park Park Street Variation of condition 2 (Approved Plans) of planning permission reference number 19/1159/FUL (Demolition of existing multi-storey car park and erection of an aparthotel (Use Class C1) alongside an underground public car park, public cycle store and associated works). The proposal seeks to make the following changes: Internal layout alterations, two additional aparthotel rooms at ground floor level, external elevational alterations, additional rooftop plant to facilitate the removal of all gas use from the scheme, rooftop screening and balustrade alterations, and other associated alterations.		
<b>Applicant</b>	C/o Agent		

SUMMARY	The development accords with the Development Plan for the following reasons: <ul style="list-style-type: none"> <li>- The amendment will improve the environmental qualities of the scheme to better align with Council aspirations and is compliant with the Council's Local Plan</li> <li>- The amendment will provide an additional 2 hotel rooms with minimal adjustment to built footprint and overall aesthetic, and without harming existing residential amenity</li> </ul>
RECOMMENDATION	APPROVAL

## **0.0 BACKGROUND**

- 0.1 This application has been submitted by Marick Management Ltd. The proposal follows planning permission that was granted to Marick Management Ltd jointly with the Cambridge Investment partnership (CIP) and seeks to make minor amendments to that approval. CIP is a joint venture company set up by Cambridge City Council and Hill Investment Partnership.
- 0.2 Planning permission was granted on 31<sup>st</sup> December 2019 (reference number 19/1159/FUL) for the demolition of existing multi-storey car park and erection of an aparthotel (Use Class C1) alongside an underground public car park, public cycle store and associated works.
- 0.3 The implementation of the planning permission has not yet commenced, although applications to discharge planning conditions associated with the approved scheme have been received.

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

- 1.1 This application relates to the site of the Park Street Car Park, which is located at the junction of Round Church Street and Park Street.
- 1.2 The existing car park was constructed in the 1960's and is in the ownership of the City Council. The car park was seen at the time as a forward-thinking solution to address congestion in the City. The City Council, to this day, manage the car park.
- 1.3 The application site is, broadly speaking, an irregular quadrilateral shaped plot situated with Park Street to the east and at the junction with Round Church Street to the south. To the north of the site are the rear gardens of properties situated on Portugal Place and the beer garden of the Maypole PH, and to the west are properties along Bridge Street, as well as the truncated Jordan's Yard. To the south lies Round Church Street and the Trinity Union Society (currently a construction site). To the immediate east of the site is Park Street which is lined on the other side with residential properties mainly associated with Jesus College.

- 1.4 The application site has an area of approximately 0.30ha and falls completely within Cambridge City Council jurisdiction. The site is located within the Central Conservation Area which was designated in February 1969 and covers the historic core of Cambridge. The Historic Core Appraisal states that the bulk of the car park intrudes into most aspects of the streetscape.
- 1.5 Although in a conservation area, the car park is not a listed building. In close proximity of the site are a number of listed buildings (Grade I, Grade II and Grade II\*) and Buildings of Local Interest (BLI's). These are as follows:
- 5-10 Park Street
  - 19-44 Lower Park Street
  - Little Trinity & Garden Walls, Gates and Railings
  - Cambridge Union Society Building
  - Church of the Holy Sepulchre (The Round Church)
  - 8, 9-14, 16-18, 28-29, 23-27 Portugal Place
  - Church of St Clement
  - The Baron of Beef PH, The Mitre PH and 15-16 Bridge Street
  - 10-14 Bridge Street and 16 Round Church Street
  - The Chapel at St John's College
- 1.6 The existing car park was constructed in the 1960's and was the first multi-storey car park in Cambridge. The building extends to five storeys in height and is constructed of a variety of materials including brickwork, pre-cast panels, and stone. The existing car park has a height of approximately 15m at its highest point, which is a staircase tower. The majority of the building sits at 12m in height with no set back at the upper levels.
- 1.7 The current site comprises 390 car parking spaces, 249 cycle parking spaces, public toilets, and a cycle repair shop.
- 1.8 The proposed amendments to the approved scheme have been discussed with officers as part of pre-application discussions.

## **2.0 THE PROPOSAL**

- 2.1 This application seeks to make minor amendments to the permission mentioned above. The amendments sought are broadly as follows:

- Alterations at ground floor level including changes to layout, modification to entrance location, substation alterations, and a slight increase in footprint (to the area of New Jordans Yard) to facilitate two additional rooms.
- Additional rooftop plant, with associated screening and safety rails etc, in order to facilitate the eradication of gas use in the building.
- Other minor changes to elevations including alterations to windows, privacy screens, flues, removal of car park entrance canopy, introduction of an area of trellis with climbing plants in New Jordans Yard, and changes to parapets.
- Alterations to car parking layout and ramp access.
- Provision of 8 additional cycle parking spaces at the corner of Round Church Street and Park Street.

2.2 The application is accompanied by the following supporting information:

- Planning & Heritage Impact statement;
- Planning drawings
- Air Quality Assessment
- Design Statement Addendum
- Plant Noise Assessment Addendum
- Sustainability Statement
- Verified Views Document

### 3.0 SITE HISTORY

3.1 The most relevant planning applications are detailed below

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
19/1159/COND22	Submission of details required by condition 22 (Noise and Vibration Management Plan) of planning permission 19/1159/FUL.	Permission granted
19/1159/COND8	Submission of details required by condition 8 (Traffic Management Plan) of planning permission 19/1159/FUL.	Permission granted
19/1159/FUL	Demolition of existing multi-storey car park and erection of	Permission granted



an aparthotel (Use Class C1) alongside an underground public car park, public cycle store and associated works.

18/0043/FUL Crime prevention measures to Jordan's Yard including timber cladding, mesh to existing fencing and railings to recesses. Permission granted

11/0585/FUL Conversion of existing dis-used cash office (sui generis use) into retail space (Class A1 use) for purpose of bicycle repair and sales. Permission granted

#### 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, 8, 10, 28, 29, 31, 32, 33, 34 35, 36, 55, 56, 57, 59, 61, 62, 70, 71, 73, 77, 80, 81, 82, 85

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

Central Government	National Planning Policy Framework
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Guidance	February 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Greater Cambridge Sustainable Design and Construction SPD (Jan 2020)  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.
	<u>Area Guidelines</u>  Mill Road Depot Planning and Development Brief SPD

## 6.0 CONSULTATIONS

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

6.1 The Highways Officer has raised no concerns regarding the proposal.

#### **Urban Design Officer**

6.2 The Council's Urban Design Officer has been involved with pre-application discussions on the changes proposed and has confirmed that there are no objections to the changes proposed.

#### **Historic England**

6.3 Historic England have responded to the consultation request stating that they do not wish to offer comments on the proposal, referring the LPA to the Council's specialist historic officers.

### **Conservation Officer**

- 6.4 The Council's Conservation Officer has been involved with pre-application discussions in relation to the changes proposed. The Office has confirmed that the submitted documents do not, in his opinion, materially affect heritage assets, and therefore, no objection is raised.

### **Sustainability Officer**

- 6.5 The Council's Sustainability Officer welcomes the all-electric approach to the proposal and has commented on the positive effect of the alterations proposed on the BREEAM excellent score as well as the reduction in emissions.
- 6.6 With the above in mind, no objection is raised.

### **Landscape Officer**

- 6.7 The Council's Landscape Officer has raised no objection to the proposal.

### **Tree Officer**

- 6.8 No comment received.

### **Drainage Officer**

- 6.9 The Council's Drainage Officer has confirmed that the proposed changes do not impact on the previously approved drainage details, and therefore raises no objection.

### **Local Lead Flood Authority (LLFA)**

- 6.10 The LLFA have confirmed that the proposal would not impact upon flood risk or surface water drainage and have raised no objection.

### **Environmental Health Officer**

- 6.11 The Council's Environmental Health Officer has been consulted on the proposal. No objections have been raised subject to the imposition of the same conditions as per the original permission, with the exception of the condition relating to Low

Nitrogen Oxide emissions which is no longer required due to the full-electric nature of the proposal.

### **Environment Agency**

- 6.12 The Environment Agency have responded and stated that the proposal does not result in a change to their original comments. No objections are raised.

### **Ecology Officer**

- 6.13 No comment received.

### **Public Art Officer**

- 6.14 No comment received.

### **Fire and Rescue**

- 6.15 No comment received.

### **Anglian Water**

- 6.16 The consultee has confirmed that as there are no changes to foul or surface drainage, they have no comments to make.

### **Designing Out Crime Officer**

- 6.17 No comment received.

### **Cadent Gas**

- 6.18 No comment received.

## **7.0 REPRESENTATIONS**

- 7.1 No neighbour representations have been received.

## **8.0 ASSESSMENT**

- 8.1 It is important to note that this application is purely to determine the acceptability of the changes proposed to the approved scheme, and not to re-visit the merits of the original approval.

Having said this, it is important that the amendments proposed are assessed against all relevant policy considerations.

8.2 With the above in mind, and 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. Impact on heritage assets
4. Residential amenity
5. Refuse and servicing arrangements
6. Highway safety
7. Car and cycle parking
8. Contaminated Land
9. Integrated Water Management and Flood Risk
10. Trees and ecology
11. Energy and Sustainability
12. Public art
13. S106 contributions
14. Third party representations

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

#### **Principle of Development**

8.3 The principle of development has already been established under extant planning permission reference 19/1159/FUL. This proposal does not alter that assessment and is therefore considered acceptable.

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

8.4 The proposal sits in a sensitive location – within the Central Conservation Area and in close proximity of a number of listed buildings and buildings of local interest.

8.5 The proposal does propose alterations to the building – both in terms of elevational appearance and massing.

8.6 The changes to massing are largely at ground floor level with two additional rooms proposed, however, the additional mass is to the internal elevation facing New Jordans Yard, and so visual

impact is limited. It is noted that this additional mass does reduce the extent of the yard, although this is not considered unacceptable given the historic nature of such thoroughfares being relatively narrow.

- 8.7 The changes to the Park Street and Round Church Street elevations are relatively minor, with fenestration and entrance locations being the most notable changes, as well as alterations to the substation. These are minor in nature and do not significantly alter the appearance of the building.
- 8.8 Alterations at roof level, including additional plant and screening will have negligible visual impact from the streetscene.
- 8.9 The Council's Urban Design Officer has been consulted on the proposal and has raised no objection to the amendments proposed.
- 8.10 It is considered that the form, height and layout of the proposed development is not compromised by the amendments proposed and remain appropriate to the surrounding pattern of development, and is, in officers' opinion compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59, 61 and 62.

### **Impact on Heritage Assets**

- 8.11 The statutory considerations as set out in section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, are matters to which the determining authority must give great weight to when considering schemes which have the potential to impact on heritage assets.
- 8.12 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the legislative context for development that affects the setting of listed buildings:
- 8.13 'In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.'

- 8.14 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for a local planning authority, in the exercise of its planning powers with respect to any buildings or other land within a Conservation Area, to:
- 8.15 'Pay special attention to the desirability of preserving or enhancing the character or appearance of that area'
- 8.16 The Court of Appeal has determined that, in order to give effect to the statutory duties under section 72 (1) and section 66 (1), in respect of development proposed to be carried out within the setting of, or which may impact upon a listed building, or in a conservation area, a decision-maker must a) in respect of listed buildings accord considerable importance and weight to the 'desirability of preserving the listed building, or its setting' and b) in respect of a conservation area give a high priority to the objective of 'preserving or enhancing the character or appearance of the area', when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status.
- 8.17 Officers have had regard to the statutory duties set out in section 66(1) and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in considering this application have given considerable weight and importance to the desirability of preserving the setting of the affected listed buildings and to preserving or enhancing the character and appearance of the affected conservation areas, both sets of which have been detailed below.
- 8.18 Furthermore, officers have taken into account, as a material consideration, the policy guidance in paragraphs 193-196 of the NPPF 2019. Para. 193 of the NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, "great weight" should be given to the asset's conservation (meaning the more important the asset, the greater the weight should be). Para. 194 makes it clear that any harm to, or loss of significance of a heritage asset should require clear and convincing justification. Para. 196 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use.

- 8.19 Para. 200 makes it clear that local planning authorities need to look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals which make a positive contribution to the asset or better reveals its significance should be treated favourably.
- 8.20 In respect of non-designated heritage assets para. 197 of the NPPF states that the effect that a proposal will have on such an asset should be taken into account in determining the application, and in considering such applications a balanced judgment is required having regards to the scale of any harm or loss and the significance of the heritage asset.
- 8.21 The Council's Local Plan policies 60 and 61 seek to ensure that new development proposals give due consideration to the impact on heritage assets, including local heritage assets.
- 8.22 The Council's Conservation Officer has been consulted on the proposal, as well as Historic England. No objections have been received.
- 8.23 The heritage assets will be looked at in turn now.

#### The Central Conservation Area

- 8.24 The proposal seeks to make relatively minor changes that are considered to have minimal impact to the appearance of the building, nor to the wider conservation area.
- 8.25 With the above in mind, the proposed changes are considered to preserve the character and appearance of the Central Conservation Area, and its significance.

#### 5-10 Park Street

- 8.26 This is a terrace of two storey (with roof accommodation) Grade II Listed townhouses, which have a harmonious appearance due to their uniform appearance. The properties are listed by virtue of their repetitive architectural style and execution, and this is a key part of their significance, along with their siting and layout.



8.27 The application site is visible from these properties and can be seen in the same view from various places along Park Street and Round Church Street. The proposed changes are minor and would have a negligible impact on this listed terrace.

#### 19-44 Lower Park Street

8.28 This is a terrace of two storey properties running along Lower Park Street from Park Street to Jesus Green. They are Grade II Listed.

8.29 The uniform appearance and architectural detailing of these properties, along with their sweeping form are key contributors to the significance of this terrace.

8.30 As with 5-10 Park Street, the proposed changes would have a negligible impact on these properties.

#### Little Trinity & Garden Walls, Gates and Railings

8.31 This three storey property dates back to the early 18th century and sits on the corner of Jesus Lane and Park Street. The property fronts Jesus Lane and has a rear elevation facing towards the application site. The property stands taller than those immediately surrounding it which adds to its prominence. The property is Grade II Listed and benefits from rich architectural detailing including strong gable ends with prominent chimneys, varied brickwork and large sash windows.

8.32 The proposed changes are of a small enough scale that means that there is no harmful impact on this property.

#### Cambridge Union Society Building

8.33 This is another Grade II Listed building, and is sited on Round Church Street, opposite the application site. The site is currently undergoing redevelopment which involves the demolition of residential properties along Round Church Street. The significance of the building lies with its architectural merit, although some of this has been lost overtime with additions and alterations. The facades of the original building are being retained and these can be viewed together with the car park development. The proposed changes are of a minor nature and would not cause harm to this building.

### Church of the Holy Sepulchre (The Round Church)

- 8.34 This Grade I Listed church dates back to 1130 and takes its design approach from the rotunda in the Church of the Holy Sepulchre in Jerusalem. The unusual design and stone construction of this building are key parts of its significance. Also adding to its significance is its prominent location. The conservation area appraisal identifies a key view past the church and down Round Church Street which takes in views of the existing car park.
- 8.35 This building is sited at the other end of Round Church Street from the application site, and the two are only read together at distance. The proposed changes would be barely noticeable as evidenced by the verified views provided.
- 8.36 Overall, it is considered that the proposal would have an acceptable impact on the setting of the Round Church.

### 8, 9-14, 16-18, 28-29, 23-27 Portugal Place

- 8.37 These properties sit to the north west of the application site and the south eastern properties are described as having a 'sensitive' boundary with the application site in the Planning Guidance Note. These properties date back to as early as the 17th century. Some of the properties are Grade II Listed while others are non-designated heritage assets.
- 8.38 The properties have significance as a group, both visually and as a result of their historic layout including narrow street access, which was at one time common in Cambridge but has been eroded across a lot of the City.
- 8.39 The narrowness of Portugal Place means that the carpark can only really be experienced from the rear of the properties on the south eastern aspect of Portugal Place. At present, views from these properties are of a large brick mass and core with occasional brick banding.
- 8.40 The proposed changes would be minor in nature and would not cause harm to the special interest of these heritage assets.

### Church of St Clement

- 8.41 This Grade II\* church is a prominent feature along Bridge Street and sits to the west of the application site. Its significance is due largely to its historic 'layering' of change, as well as its architectural merit and prominent siting.
- 8.42 Although within the siting of this church, the proposal has been demonstrated by verified views as not being visible from views from the north west. The proposal is considered to cause no harm to the historic significance and importance of this building.

### The Baron of Beef PH, The Mitre PH and 15-16 Bridge Street

- 8.43 These buildings sit in a row along Bridge Street and are all Grade II Listed. They date back to between the sixteenth and nineteenth centuries and are have significance due to their surviving built form, while the Mitre PH retains its historic rear yard area. The setting of these properties is most appreciable and more highly valued from Bridge Street. Development to the rear of the properties has eroded the setting of the assets, and the existing car park is considered to have contributed to this.
- 8.44 The proposed changes would not cause any harm to the historical importance of this property.

### 10-14 Bridge Street and 16 Round Church Street

- 8.45 These properties are considered together as they are attached and are sited on the corner of Round Church Street and Bridge Street, directly opposite the Round Church. 10-14 Bridge Street are Grade II Listed. Much of the significance of these properties is due to their prominent siting and proximity to the Round Church. They also have significant architectural merit.
- 8.46 These properties can be experienced in the same views as the application site although the distance between them mean that the changes proposed would have a negligible impact.

### The Chapel at St John's College

- 8.47 The Chapel sits further to the southwest of the car park than any of the previously discussed heritage assets. This nineteenth

century Grade I Listed building has significant value as a result of its design, survival of original fabric and its significant tower.

- 8.48 Although within the setting of this building, the application site and the Chapel cannot readily be appreciated together, and the proposal would not change the existing spatial relationship. The proposal is not, therefore, considered to affect the setting of this building.

### Overall

- 8.49 When compared to the approved scheme, the proposal would not harm the setting of the nearby listed buildings, and would preserve the character and appearance of the conservation area. The special interest and significance of the nearby heritage assets would be preserved and the development is respectful of their setting.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.50 The proposed changes have been designed with the context of neighbouring properties in mind. The nearest residential properties are located on Portugal Place and Park Street. The rear of the properties on Portugal Place would face windows of the aparthotel, and privacy screens were approved to protect the amenity of these properties. The proposal involves changes to these screens at 'level +3' to match those on the floors beneath. This change would not result in a loss of privacy whilst providing a more harmonious appearance to the elevation.
- 8.51 The proposed changes to massing are at ground floor and would not impact on sunlight or daylight receipt to any nearby properties.
- 8.52 Officers have assessed the potential impact of the proposed changes on the residential amenity of the surrounding occupiers in terms of sunlight, daylight, overlooking, overbearing, noise disturbance, and sense of enclosure. Officers are satisfied that the minor nature of the changes proposed would not have a significant adverse impact on the residential amenity of the neighbouring occupiers such that it would warrant refusal.

8.53 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 35, 55 and 56.

### **Refuse and Servicing Arrangements**

8.54 The proposed changes does not alter the location, or collection arrangements, for refuse storage.

8.55 The approved scheme considered the arrangement to be acceptable and there is no reason to consider otherwise in this case.

### **Highway Safety**

8.56 This application does not introduce changes that would result in highways safety concerns.

8.57 The Highway Authority has been consulted as part of the application and no objections have been raised to the amendments.

### **Car and Cycle Parking**

8.58 The quantum of car parking has not been altered although the layout has been altered, and this does not give rise to any concerns.

8.59 Details of cycle parking layout were conditioned in the original permission and this condition would be carried forward to the new permission in the event of permission being granted. Eight additional cycle parking spaces are proposed on the pavement, at the request of the County Highways Officer, and this is considered appropriate.

### **Contaminated Land**

8.60 Matters related to contaminated land were considered in the previously approved application with conditions attached accordingly.

8.61 The proposal does not introduce any features that are likely to impact upon land contamination and so the previous

assessment, and subsequent conditions, are still considered relevant here.

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

- 8.62 The Council's Drainage Officer and the Local Lead Flood Authority have been consulted on the proposal.
- 8.63 Both parties have confirmed that the proposed changes do not impact upon flooding.
- 8.64 Conditions from the original permission will be carried forward in the event of permission being granted for these changes.

### **Trees & Ecology**

#### Trees

- 8.65 The proposal does not result in changes to tree implications and therefore, the original assessment is considered unchanged.

#### Ecology

- 8.66 An Ecology Appraisal was submitted with the original application and this detailed the ecological improvement measures proposed within the scheme. These include biodiverse roofs, green walls, a bee hotel and landscaping.
- 8.67 Conditions were attached to ensure that details of the biodiverse green roof are provided to the Local Planning Authority for approval, in order to ensure that the roof has maximum biodiversity benefits. Additional conditions relating to securing details of the bee hotel and provision of bird and bat boxes were also applied. These should be applied in the event of permission being granted for this application.

### **Energy and Sustainability**

- 8.68 The previous scheme was compliant with Local Plan Policy 28.
- 8.69 However, one of the drivers for this application was the desire from some Members to see the scheme have no gas use at all. The current proposal has eradicated the use of gas altogether.

- 8.70 The Council's Sustainability Officer has been consulted on the proposal and has raised no objections, welcoming the switch to all-electric, and noting that the window changes could also realise sustainability gains.
- 8.71 Officers have no reason to consider the information submitted differently to the Sustainability Officer and with the above in mind the proposal complies with policy 28 and Officers have recommended the suggested conditions accordingly.

### **Public Art**

- 8.72 A public art scheme was conditioned under the previous permission, and this condition would apply to the new permission in the event of permission being granted.

### **S106 Contributions**

- 8.73 No S106 contributions were required in the original consent, and the proposed changes do not trigger the need for any to be provided now.

## **9.0 CONCLUSION**

- 9.1 The proposal is for minor changes pursuant to planning permission 19/1159/FUL for the comprehensive redevelopment of the site involving the demolition of existing multi-storey car park and erection of an aparthotel (Use Class C1) alongside an underground public car park, public cycle store and associated works
- 9.2 The proposed changes have benefitted from pre-application consultation with a variety of consultees prior to the application submission.
- 9.3 The proposal has been assessed carefully, taking into account the National Planning Policy Framework (NPPF), the Planning Practice Guidance, the statutory requirements of Sections 66(1) and 72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990, the Cambridge Local Plan (2018), the views of statutory consultees and wider stakeholders as well as all other material planning considerations.

- 9.4 The application has been considered against the relevant policies, and upon assessment, Officers consider that the application complies with national and local policies, and the proposed development be recommended for approval subject to appropriate planning conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions and informatives:

1. The development hereby permitted shall be begun before 31st December 2022.

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

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

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

3. The conditions of planning permission 19/1159/FUL (as set out below) shall continue to apply to this permission.

Where conditions pertaining to 19/1159/FUL have been discharged, the development of 20/03373/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

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 commencement of the superstructure hereby approved, with the exception of demolition and below ground works, full details including samples of all the materials to be used in the construction of the external surfaces of buildings, which includes external features such as non-masonry walling systems, entrance doors, porch and canopies, windows, recessed brick panels, roof cladding, external metal work, balustrades, rain water goods, edge junction and coping details, colours, surface finishes and relationships to glazing and roofing, shall be submitted to and approved in writing by the local planning authority. This may consist of a materials schedule, large-scale drawings and/or samples. Development shall be carried out in accordance with the approved details. Sample panels for both Park Street and Round Church Street elevations (minimum of 1.5x1.5m) of the facing materials to be used shall be erected on site or provided off site and made available for inspection to establish the detailing of bonding, coursing, colour and type of jointing and any special brick patterning/articulation detailing (e.g. soldier coursing, rusticated brickwork detail) shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panels, which shall not be demolished prior to completion of development unless with the consent of the Local Planning Authority, and 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).

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

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

7. Full details of proposed signage shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

8. Notwithstanding the plans hereby approved, full details of the privacy screens facing Portugal Place properties, including samples of glazing and drawings showing their relationship with the windows behind as well as method of attachment to the wall, shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screens shall be implemented in accordance with the approved details prior to the occupation of the aparthotel rooms facing Portugal Place and shall be retained in situ in the approved form.

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

9. No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority and the development shall not be implemented otherwise than in accordance with the traffic management plan as approved by 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. The TMP should be a standalone document separate and distinct from any Environmental Construction Management Plan. While the two elements are closely aligned the TMP deals with how the contractor/developer will interact with the adopted public highway an area over which they have limited control.

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

10. 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 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption) and 3 credits for Hea 04 (thermal comfort). Where the interim certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

11. 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).

12. The proposed on-site renewable and low carbon technologies set out in the Sustainability Statement (Hoare Lee, Revision R01 12 July 2019) shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any alterations to the energy strategy and sustainability statement that can deliver greater carbon dioxide emissions reductions or a reduction or elimination of gas usage shall be submitted to and approved in writing by the Council. The details submitted should outline how the altered energy strategy can further reduce carbon dioxide emissions or gas usage from the approved Energy Strategy and Sustainability Statement. The renewable and low carbon energy technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise 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).

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

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

14. 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).

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

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

16. Details of the irrigation system for the roof gardens and trough/planter planting should be submitted prior to occupation. Details should include water delivery system to planting beds, water source, automatic control system, times and amounts of water to planting beds, system maintenance details (to be included within the Management Plan).

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

17. 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).

18. Prior to the installation of relevant 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.

The plant noise criteria limits specified within the Applied Acoustic Design Proposed Aparthotel, Park Street, Cambridge Noise Assessment dated 11th July 2019 (Ref: 19132/001/js) at the use hereby approved shall not be exceeded.

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

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

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

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

20. All service collections / dispatches from and deliveries to the approved development including refuse / recycling collections shall only be permitted between the hours of 07:00 to 23:00 Monday to Friday, 08:00 to 13:00 on Saturday. Service collections / dispatches and deliveries are not permitted at any time on Sundays or Public Holidays.

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

21. 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 and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements which can be found here: <https://www.gov.uk/government/publications/groundwater-protection-position-statements> and to ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 Policy 33).

22. Prior to importation or reuse of material for the creation of a piling mat and for use within the landscaping scheme 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.



23. 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).

24. Prior to the installation of any electrical services, an electric vehicle charge point scheme as shown in drawing A100 098 Rev PO 'Proposed Basement Level - 1 (Produced by Dexter Moren Associates and dated 15th July 2019), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Four slow electric vehicle charge points with a minimum power rating output of 7kW.
2. Twenty two Fast electric vehicle charge point with a minimum power rating of 22kW.
3. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or as superseded.
4. Remaining car parking spaces with infrastructure for the future provision of electric vehicles charge points.

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).

25. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements which can be found here: <https://www.gov.uk/government/publications/groundwater-protection-position-statements> (Cambridge Local Plan 2018 Policy 33).

26. The proposed dust mitigation and monitoring shall be carried out as specified and fully in accordance within the following documents:
- o John F Hunt - Dust Risk Assessment - revision 01 - 12th July 2019
  - o John F Hunt - Park Street, Cambridge project environmental monitoring report - report reference 001 - 17th October 2019
  - o John F Hunt - Construction Environmental Management Plan (CEMP) - Managing the site environment - 15th October 2019 second issue - 20th November 2019.

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).

27. No occupation shall commence until details of the 'bee hotel' have been submitted to and approved in writing by the Local Planning Authority. Details should include target species, proposed scale, number, locations, orientation, materials, fixings, hole sizes, and maintenance requirements. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: To ensure that proposed ecological enhancement maximize potential biodiversity benefits (Cambridge Local Plan 2018 policy 69).

28. Bird and Bat Boxes. No occupation 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 internal and / or external bird and bat boxes on the new building. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species (Cambridge Local Plan 2018 policy 69).

29. The maximum cumulative stay in the serviced apartments by any individual occupier shall be 90 days in any twelve months period.

Reason: To ensure that the serviced apartments are not used as permanent residential accommodation or student accommodation, which would give rise to substantially different impacts and because the scheme may otherwise require the need for affordable housing, or a formal agreement to occupy with an educational institution. (Cambridge Local Plan 2018 policies 45, 46, 50, 51, 77 and 78).

30. The proposed aparthotel shall keep records of the lengths of stay of all guests and shall retain them for 24 months. The said records shall be made available to the local planning authority on request, within seven days.

Reason: To ensure that use of the proposed building only as visitor accommodation can be satisfactorily monitored. (Cambridge Local Plan 2018 policy 77).

31. No part of the development hereby approved, with the exception of demolition, shall commence until a scheme and programme for modifications to the public highway along Round Church Street and Park Street, has been submitted to, and approved, by the Local Planning Authority as part of a Section 278 agreement, under the Highways Act 1980.

The highway works shall be implemented in accordance with the approved details prior to the first use of the development, and retained thereafter.

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

32. No development above ground level, other than demolition, shall commence (or in accordance with a timetable agreed in writing by the Local Planning Authority), until a Public Art Delivery Plan (PADP) has been submitted to and approved in writing by the Local Planning Authority. The PADP shall include the following:

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

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

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

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

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

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

**INFORMATIVE:** It is recommended that adequate signage is included in the car park to encourage non-electric car drivers to, where possible, not occupy spaces with electric charge points.

**INFORMATIVE:** To satisfy standard the condition relating to plant noise, 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:** Any material imported into the site for use within a piling mat shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. This material is expected to be tested at a frequency of 1 sample every 100m<sup>3</sup> or one per lorry load, whichever is greater. If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**INFORMATIVE:** For the avoidance of doubt, following implementation of any Permission issued by the Planning Authority in regard to this proposal the hotel hereby approved will not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets.

**INFORMATIVE:** When writing a Traffic Management Plan (TMP) the applicant should consider the following: elements and provide the information as requested. This will make discharging the condition much simpler, faster and more efficient. As will be seen from the details below a TMP need not be a lengthy document however, clarity is key.

#### 1. Site Plan

i. The applicant should provide a site plan at a true scale of 1:200 for smaller sites and 1:500 for larger sites showing the following areas with written dimensions:

- a. Proposed material storage area
- b. Proposed site offices
- c. Proposed car parking area
- d. Proposed manoeuvring space
- e. Proposed access location
- f. Proposed location of any gates
- g. Proposed location of any wheel washing facility or similar.
- h. If the site is to be multi-phased then a plan for each phase should be provided.

#### 2. Movement and control of muck away and delivery vehicles

i. The proposed manoeuvring area for delivery/muck away vehicles, this should include a swept path analysis for the largest vehicle to deliver to the site to demonstrate that this can enter and leave in a forward gear.

- ii. If it is not possible to deliver on site or turn within the same, then details of how such deliveries will be controlled will need to be included, for example if delivering to the site while parked on the adopted public highway how will pedestrian, cycle and motor vehicle traffic be controlled?
- iii. Delivery times. If the site is served off a main route though the county (and this does not necessarily need to be a A or B class road), or other areas of particular traffic sensitivity (a list of traffic sensitive streets can be requested from the Street Works Team at [Streetworks@Cambridgeshire.gov.uk](mailto:Streetworks@Cambridgeshire.gov.uk)) then delivery and muck away times will need to be restricted to 09.30-16.00hrs Monday to Friday.
- iv. If the site is in the vicinity of a school then the applicant should ascertain from the school when their opening/closing times are and tailor the delivery/muck away movements to avoid these. The Highway Authority would suggest that allowing at least 30 minutes either side of the open/closing times will generally ensure that the conflicts between school traffic and site traffic are kept to the minimum.
- v. The Highway Authority would seek that any access used by vehicles associated with the site be paved with a bound material (for at least 15m for larger sites) into the site from the boundary of the adopted public highway (please note this is not generally the edge of carriageway), to reduce the likelihood of debris entering the public highway.
- vi. Any temporary gates used for site security must be set back at least 15m from the boundary of the adopted public highway to enable a delivery/muck away vehicle to wait wholly off the adopted public highway while the gates are opened and closed, or they must remain open throughout the entire working day.
- vii. Normally access to the site should be 5m in width for smaller sites and 6.5m for larger sites, though it is recognised that this may not be practical for small scale developments of one or two units.

### 3. Contractor parking

- i. If possible all parking associated with the proposed development should be off the adopted public highway.



ii. Within the area designated for contractor/staff parking each individual bay must be at least 2.5m x 5m, with a 6m reversing space. However, given the nature of the construction industry i.e. that staff tend to arrive and leave site at approximately the same time spaces may be doubled up, i.e. 10m in length, 2.5 wide with a reversing space. A list of number of operatives, staff and trades that will be on site at any one time should be provided to ascertain if the number of spaces being proposed will be acceptable.

iii. If the site has no potential to provided off-street car parking and or only limited numbers the applicant must provide details of how on-street parking will be controlled.

4. Control of dust, mud and debris, in relationship to the operation of the adopted public highway

i. If it is likely that debris may be dragged on to the adopted public highway the applicant should provide details of how this will be prevented. If a wheel wash or similar is proposed, the details of how the slurry generated by this will be dealt with must be provided, please note it will not be acceptable to drain such slurry onto to over the adopted public highway.

ii. The Highway Authority would seek that the developer include the following words in any submitted document: The adopted public highway within the vicinity of the site will be swept within an agreed time frame as and when reasonably requested by any officer of the Highway Authority.

iii. It is recognised that construction traffic occasionally damage the adopted public highway and the developer should include a note stating that such damage will be repaired in a timely manner at no expense to the Highway Authority.

The Traffic Management Plan must relate solely to how the operation of the site will affect the adopted public highway, other information for example noise levels is not a highway matter and should not be included within the plan.

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<b>Application Number</b>	19/1214/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd September 2019	<b>Officer</b>	Mary Collins
<b>Target Date</b>	28th October 2019		
<b>Ward</b>	West Chesterton		
<b>Site</b>	Former 56 - 58 Chesterton Road		
<b>Proposal</b>	Amendments to planning permission reference 17/2157/FUL for redevelopment of site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and professional) - in the alternative, with 8no. apartments, cycle parking and associated infrastructure - to allow A4 use (drinking establishments) at ground floor and basement with associated B2 use (microbrewery).		
<b>Applicant</b>	Calverley's Brewery C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The use of the ground and basement of the premises for A4 (Drinking Establishment) and B2 (Microbrewery) is in accordance with policy 72 of the Cambridge Local Plan 2018.</li> </ul>
RECOMMENDATION	APPROVAL

**0.0 Addendum**

At the 10<sup>th</sup> September 2020 Planning Committee, Members resolved to defer this item to enable Officers to provide further clarification and information regarding the scheme with respect to:

- Inclusive Access to the proposed new Tap Room particularly the basement level
- Means of Escape from the basement area of the building
- Internal Access for Deliveries and Servicing of the Micro-Brewery located in the basement.

The Council's Access Officer has stated that all floors, including the basement, need to be accessible.

The Agent has confirmed that the proposal would be designed to comply with Part M of the Building Regulations with respect to reasonable provision for people to gain access to and use the building and its facilities. This includes:

- Level threshold to entrance doors
- Clear opening widths of doorways, including ability for wheelchair users to access pull handles
- Details of door ironmongery and vision panels
- Clear widths of corridors and passageways
- Rise, going and tread of stairs
- Guarding and handrails to stairs
- Location of switches, sockets and control fittings
- Provision of wheelchair accessible toilets and toilets for ambulant disabled people.

The scope of Part M of the Building Regulations does not extend to means of escape in the event of fire, to which Approved Document B – Fire Safety relates. The applicant's agent has advised that a building of this type, with basement and single escape stair, is permitted under Building Regulations particularly where the basement is small and escape distances short, but that there will need to be further technical design undertaken which may include provision of fire resisting construction, and detailed design of fire alarms and detection. This would be carried out at Building Regulations stage.

A lift to provide access to the basement level has not been included within the proposal.

Building Control have confirmed that The Building Regulations are a minimum standard and normally require access to all unique facilities in order to be equitable. The measure of access is one of achieving "reasonable" access to the "building and its

facilities". Therefore, if the basement is the same use as the ground floor and all services are replicated at ground floor, there would be no Building Regulation need to provide a lift.

The operator of the facility will still need to ensure they comply with the Equalities Act.

Further comments from the Access Officer are awaited in response to the additional information submitted by the agent and aforementioned Building Control advice, and these will be reported on the Amendment Sheet.

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

- 1.1 The application site is situated on the southern side of Chesterton Road and is located on the western side of the junction with Trafalgar Road.
- 1.1 The majority of the site was previously occupied by the HSBC bank. To the rear of the site is a small car parking area. The application site has permission to redevelop the site.
- 1.2 The proposed retail units fronting Chesterton Road form part of a parade of commercial units that are within the area designated as the Mitcham's Corner District Centre. The southern boundary of the site abuts the edge of the Conservation Area (De Freville no.11). The site is also located within a Controlled Parking Zone and within Mitcham's Corner Opportunity Area.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for amendments to planning permission reference 17/2157/FUL (which granted consent for redevelopment of the site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and professional) - in the alternative, with 8no. apartments, cycle parking and associated infrastructure) to allow A4 use (drinking establishments) at ground floor and basement with associated B2 use (microbrewery).
- 2.2 Conditions 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 18 and 19 attached to planning permission 17/2157/FUL have been discharged. The development is currently under construction. The approved

basement has been increased in size by approximately 22sqm through a Non-Material Amendment.

- 2.3 The proposed A4 use would occupy the approved commercial units at both ground floor and basement level.
- 2.4 A small kitchen is proposed to be located in the basement as well as the proposed B2 use which would be situated to the rear section of the basement.
- 2.5 During the course of the application the description of the proposal has been amended to accurately reflect that the description cannot strictly refer to any change of use of the ground floor and the basement given that the approved use has not been implemented.
- 2.6 The application is accompanied by the following supporting information:
  - 1. Design Statement
  - 2. Drawings
  - 3. Noise assessment

### 3.0 SITE HISTORY

Reference	Description	Outcome
17/2157/FUL	Demolition of former HSBC bank building and redevelopment of site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and professional) - in the alternative, with 8no. apartments cycle parking, and associated infrastructure	Approved 10.07.2018
17/2157/NMA1	Non-material amendment on application 17/2157/FUL for an increased basement to commercial units to provide an additional 22 sq metres of basement floor area	Approved 30.07.2020

#### 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, 6, 22 35 36 55 56 61 72, 79 80 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A) Mitcham’s Corner Development Framework
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#### 6.0 CONSULTATIONS

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

6.1 In the interests of Highway Safety request a condition requiring that prior to the operation of the micro-brewery commencing

that a Servicing Plan, detailing how and when deliveries to the microbrewery will be managed in relationship to the intense traffic movements (all modes) that this area of Cambridge experiences.

## **Environmental Health**

### Original submission

- 6.2 The original development as approved by Planning Consent 17/2157/FUL, has been designed based on A1 (retail) and A2 (financial / professional) class uses for the ground floor commercial units which will adjoin 8 x residential units. This change of use application seeks to add A4 planning Class Use to the ground floor and basement. It should be noted that the potential for noise and disturbance from A4 use is significant and substantial when compared with A1 / A2 uses and therefore it is essential that noise and disturbance is considered in detail in this application, especially given that residential units will adjoin the proposed A4 use and a detailed Acoustic Assessment is required giving full consideration of all potential impacts that the proposed change of use could have on the amenity of the neighbouring residential community when compared with the current A1/A2 class use.

### Revised comments following submission of Noise Assessment and other additional information

The development proposed is acceptable subject to the imposition of the following conditions:

- Noise Management Plan
- Restrictions on A4 Use
- Noise Insulation Scheme: Separating Partitions between the Class A4 Use and Residential Units
- Class A4 Use Noise Insulation Scheme Post Completion Assessment
- Plant Room – Break Out Noise
- External Plant Noise Condition
- External Plant – Hours of Operation
- Hours of Opening of the Class A4 Use
- Hours of Use of the External Seating Area
- Operational Collection and Delivery Hours



- Use of Commercial Waste Receptacles
- Amplified Music / Voice Prohibited within Public House (Class A4 Use) - Restriction
- Odour Control: Cooking of Food on Site

### **Drainage**

6.3 There are no flood risk or drainage issues associated with this application.

### **Access Officer**

6.4 All double doors need to be powered or asymmetrical with one leaf being a minimum of 900mm. All floors need access. Toilet doors need to open outwards or have detachable emergency hinges.

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:

### Object

- 82 Chesterton Road
- 1 Trafalgar Road
- 32 Trafalgar Road
- 48 Denny End Road, Waterbeach

### Support

- Camra
- 9 Albert Street
- 20 Alpha Terrace
- 17 Beche Road
- 145 Fitzgerald Place
- 110 Gwydir Street
- 14 Hooper Street
- 41 Humberstone Road

- 13 Kimberley Road
- 5 Long Reach Road
- 16 Manhattan Drive
- 9 Orchard Avenue
- 43 Oyster Row
- 5 Pretoria Road
- 13 Pretoria Road
- Restaurant 22
- 12 Springfield Road
- 12 Walpole Road
- 7 Woodvale Lodge, Midsummer Meadows, Manhattan Drive
- 204 The Rowans, Milton
- Flat 88 Weavers Quay, 51 Old Mill Street, Manchester

Neutral

- 5 Trafalgar Road

7.2 The representations can be summarised as follows:

### **Objections**

Trafalgar Road is a residential street which already suffers from significant noise, drunkenness, littering associated with drinking (leftover cans, etc.), using lane as a latrine.

Police called on the basis of alcohol-related antisocial behaviour. Noise disturbances at night from the back of Thirsty wine bar, which can be particularly difficult in the Summer when it is too hot to close the windows. Adding a new establishment that serves alcohol in the mid-to-late evening will only exacerbate the existing problems with anti-social behaviour.

There are frequent incidents on the street right outside bedroom window.

There are already enough drinking establishments serving this neighbourhood.

Diversification from more of the same would be welcome.

Impact on health from disturbance.

### **Support**

They are a small family business who make craft beer. Community brewery tap room would enhance the Mitcham's Corner community rather than detract from it. This area could

easily accommodate another quality drinking establishment catering to the Craft beer market rather than another chain pub.

Given there are a number of empty commercial premises along Chesterton Road supportive of any business that is prepared to invest in the area.

As a patron and close neighbour of Calverley's Hooper Street taproom, thoroughly recommend the organisation and support this application which, if approved, will enhance the Mitcham's Corner area of Cambridge. The company has a highly responsible management team and operates ethically and morally, having consideration for both the environment and local residents.

- 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, Officers consider that the main issues are:

1. Principle of development
2. Residential amenity
3. Inclusive access
4. Refuse arrangements
5. Highway safety
6. Third party representations

### **Principle of development**

- 8.2 The application site is situated in the Mitcham's Corner District Centre as defined by Policy 6 of the Cambridge Local Plan 2018.
- 8.3 Planning permission has been granted for the redevelopment of site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and professional) - in the alternative, with 8no. apartments, cycle parking, and associated infrastructure.

8.4 Permission is sought to amend the use of ground and basement. In this instance as the building has not been completed and the use of the units has not been implemented, the application cannot technically be described as a change of use. However, the assessment of the issues is considered to be similar. The application is for a revision to the original permission to substitute the A1 and A2 uses with A4 use and B2 (use as microbrewery).

8.5 Policy 72 of the Cambridge Local Plan 2018 states:

*Within the boundary of district, local and neighbourhood centres, as defined on the Policies Map, new A1 (shop) uses will be permitted if they are in proportion to the scale and function of the centre.*

*Proposals for other centre uses, as defined in Table 8.1 within this policy will be permitted provided:*

*a. they complement the retail function and maintain or add to the vitality, viability and diversity of the centre;*

*b. provision is made for an active frontage, such as a window display, which is in keeping with the character of the shopping area;*

*and c. they would not give rise to a detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems.*

*Changes of use from A1 to another centre use (as set out in Table 8.1) will be permitted where the development would satisfy the above criteria and additionally: d. in district centres – the number of properties in A1 use would not fall below 55 per cent (measured as a proportion of the total number of units within the ‘A’ use classes in the district centre.*

8.6 The proposal would in effect result in the loss of two approved retail units (A1) at ground floor level. The A4 use proposed at ground floor and basement level is considered an appropriate use on these floors in a District Centre (Table 8.1 of the Local Plan).

8.7 The use as a drinking establishment would complement the retail function adding to the vitality of the Mitcham’s Corner centre. The ground floor of the premises would retain an active frontage to both the Chesterton Road elevation, with interest

provided by the views into the bar and the seating areas, as well as Trafalgar Road with views into the bar through a large window.

- 8.8 To ensure compliance with Policy 72 of the local plan, the applicant has carried out a review of the existing uses across the district centre and as a result of the proposal, the percentage of A1 use units would fall to 58% should the application be granted. Officers are therefore satisfied that the proposal would maintain a predominant shopping focus in the district centre, whilst maintaining vitality and viability.
- 8.9 With respect to the proposed B2 use, Table 8.1 of the Local Plan indicates this is not considered to be a suitable use in the centres.
- 8.10 Policy 72 states the loss of centre uses at ground floor level to non-centre uses will not be permitted, unless it is demonstrated that the use is no longer viable, by evidence of active marketing for at least 12 months, showing that the premises are not reasonably capable of being used or redeveloped for a centre use.
- 8.11 In this instance the proposed B2 use (as a microbrewery) would be in association with the proposed A4 use and as a tap room. It would not result in the loss of a centre use.
- 8.12 This use would be confined to an area to the rear of the basement separated from the bar area by a screen with the brewing process visible. A condition would be attached to ensure that this use is only acceptable in association with the use of the premises as A4 use.
- 8.13 In the opinion of officers the proposal is compliant with Cambridge Local Plan (2018) policies 6, 55, 56, and 72.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.14 There are residential properties on the opposite side of Trafalgar Road as well as an adjoining property in Chesterton Road.

- 8.15 Residential dwellings will also be located at first floor directly above the proposed A4 use, flats numbered 6 and 7. Flat 3 (ground floor) adjoins the proposed A4 use via both the basement (to the full extent of the flat) and via the ground floor party wall. The kitchen will be located directly below Flat 3.
- 8.16 Environmental Health Officers are satisfied that the amenities of adjoining residential properties can be protected through conditions attached to any approval. In particular conditions are considered necessary to minimise operational noise from the site through a Noise Management Plan, restrictions on the operating hours of the premises and plant, operational collection and delivery hours, and a separating partition between the proposed A4 class use on the ground floor and the adjoining residential dwellings (Flats 3 and 7) to provide adequate sound insulation between the commercial and residential uses and odour control.
- 8.17 Given B2 uses are ones which are not generally compatible with residential use, a condition will be attached restricting the B2 use to use as a microbrewery only.
- 8.18 As such in the opinion of officers 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 56, 35 and 36.

### **Inclusive access**

- 8.19 With regard to the Cambridge Local Plan 2018, Policy 56 (Creating successful places), this policy requires development that is designed to be attractive, high quality, accessible, inclusive and safe and proposals should create clearly defined public and private amenity spaces that are designed to be inclusive, usable, safe and enjoyable. It should ensure that proposals meet the principles of inclusive design, and in particular meet the needs of disabled people, the elderly and those with young children.

The proposal would provide level access to the ground floor of the building and a degree of access for disabled persons.

- 8.20 In the opinion of Officers, the proposal is compliant with Cambridge Local Plan (2018) policy 56.

## **Refuse arrangements**

- 8.21 The commercial bin storage area for proposed use would be unchanged and would comprise two, 360 litre bins which would be provided within the separate rear access to these units off Trafalgar Road.
- 8.22 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policy 56 in relation to refuse provision.

## **Highway Safety**

- 8.23 Due to the intense traffic movements (all modes) that this area of Cambridge experiences, the Highway Officer requests that a condition requiring a Servicing Plan detailing how and when deliveries to the microbrewery will be managed before the operation of the micro-brewery commences is attached. Subject to compliance with the approved servicing plan, Officers consider that the proposal would not be detrimental to highway safety.
- 8.24 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

## **Cycle Parking**

- 8.25 Cycle parking is unchanged from the original approval. This would be for two cycles and this would be in the combined bin and bike store which is accessed from Trafalgar Road. This level of provision is considered acceptable for the proposed A4 use.
- 8.26 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **9.0 CONCLUSION**

- 9.1 In conclusion the proposal as amended would have an acceptable impact on the amenity of the occupiers of adjoining properties and future occupants and no detrimental impacts are envisaged to the streetscene by the proposal.

## 10.0 RECOMMENDATION

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

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

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

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

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

3. Prior to the operation of the micro-brewery commencing a Servicing Plan, detailing how and when deliveries to the microbrewery will be managed in relationship to the intense traffic movements (all modes) that this area of Cambridge experiences, shall be submitted to and approved in writing by the Local Planning Authority.

The Servicing Plan shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of Highway Safety (Cambridge Local Plan 2018 Policy 81)

4. Prior to the operation of the premises as approved, the applicant shall provide a detailed Noise Management Plan (NMP) for approval by the Local Planning Authority. The NMP shall include details on (but not be limited to);
  - o confirmation on opening hours,
  - o confirmation that there will be no amplified music / voice on the premises,



- o management and control of patron access to external areas, including any external area where people may congregate for any reason,
- o management and control of noise from internal areas,
- o management and control of people accessing / egressing the premises,
- o collection and delivery hours (including waste and recycling),
- o complaints procedures and details on reviewing and updating the NMP when necessary.

The NMP shall be implemented and retained as approved thereafter.

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

5. 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. The scheme shall follow the principles of and demonstrate compliance with the external plant noise assessment provided in Sections 4.6-4.14 of the Noise Assessment (Ref: RP01-19438) produced by Cass Allen Acoustic Consultants (dated January 2020).

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

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

6. Before the use hereby permitted is commenced, a scheme of noise insulation for the plant room, as required to minimise impacts of break-out noise from the plant room onto Trafalgar Road, shall be submitted to and approved in writing by the local planning authority. The scheme shall be carried out as approved before the use is commenced or the development is occupied and shall be retained as such.

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

7. The separating partitions between the proposed Class A4 use (ground floor and basement) and the residential units on the ground and first floor shall be constructed in accordance with the details outlined in Sections 5.21 to 5.26 of the Noise Assessment (Ref: RP01-19438) produced by Cass Allen Acoustic Consultants dated January 2020.

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

8. The A4 use hereby approved shall not commence until a post completion acoustic assessment has been carried to confirm compliance with the noise insulation scheme for the separating partition approved under condition 7 above. A post completion acoustic assessment shall be submitted in writing for approval by the LPA. If the post completion assessment identifies requirements for any additional noise insulation scheme measures these shall be submitted for approval by the LPA. The scheme of additional measures shall be carried out as approved and retained as such.

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

9. The use hereby permitted shall not commence until a scheme detailing plant, equipment or machinery for the purposes of extraction and filtration of odours has been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

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

10. The air source heat pumps as approved shall not be operated outside the hours of 11.00 to 23.00 Monday to Saturday and 11.00 to 21.00 Sunday

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

11. The Class A4 Use hereby permitted shall not be open to customers outside the hours of 11.00 to 23.00 Monday to Saturday and 11.00 to 22.30 Sundays and Bank/Public Holidays

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

12. External areas serving the Class A4 Use shall be vacated by 21.00 hrs daily.

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

13. The parts of the premises identified for A4 use shall be operated and used for the purposes as detailed / defined within the "Planning Statement; Change of Use Planning Application - Commercial Unit, 54-58 Chesterton Road (Ref:1736-SBA-51-XX-RP-Z-0301 Rev P2) prepared by Saunders Boston Architects and dated August 2019 and for no other purpose (including any other purpose in Class A4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

14. The B2 use hereby approved shall be used for microbrewery only and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

15. Collections from and deliveries to the Class A4 Use shall not be made outside the hours of 07.00-21.00 Monday-Saturday and 09.00-17.00 on Sundays and Bank/Public Holidays.

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

16. No bottles or other commercial refuse / waste or recycling material shall be emptied into external receptacles (including those located in the refuse store), taken out or moved around the external area of the site, between the hours of 21.00 and 07.00.

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

17. The use of amplified music and/or voice, unamplified / acoustic musical equipment and independent amplification is prohibited inside the Class A4 Use at all times.

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

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.

To satisfy the odour/fume filtration/extraction condition, the applicant will need to submit details of the type of hot food preparation and cooking anticipated on the premises, details of the canopy and any smoke and odour control measures required (including manufacturers specifications) and if appropriate, shall provide a risk assessment in accordance with Appendix 2 and 3 of EMAQ's "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (update to the 2004 report prepared by NETCEN for DEFRA)" dated September 2018 to demonstrate the adequacy of the proposals in terms of odour and smoke control.

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.

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

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<b>Application Number</b>	20/0034/FUL	Agenda Item	
<b>Date Received</b>	13th January 2020	<b>Officer</b>	Mary Collins
<b>Target Date</b>	25th March 2020		
<b>Ward</b>	Market		
<b>Site</b>	Jesus Green Moorings Thompsons Lane		
<b>Proposal</b>	Extension of existing pontoon		
<b>Applicant</b>	Mrs Emma Wynne St Lukes Church Stretten Avenue		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would respect the character and appearance of the conservation area.</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The proposal would respect the River Cam.</li> </ul>
RECOMMENDATION	APPROVAL

**0.0 Addendum**

0.1 At the 5 August 2020 Planning Committee, Members resolved to defer this item to enable Officers to provide further clarification and information regarding the scheme.

0.2 Further details have been submitted of the proposed scissor lift and the safety railings. The response of the Conservation Officer is still outstanding, and comments will be reported to the committee verbally or through the amendment sheet.

Generic details of the scissor lift show it to have transparent sides.

Safety rails, passenger lifts and any other projections above the deck of the pontoons. would be a lightweight material either a wire or rope guarding system. Pontoon tie rail fixed to new pontoon.

piles projecting above the river surface are metal with capping and the colour finish will be either green, grey or black finish.

Decking choices are either a premium synthetic finish ie top of the range synthetic decks look almost indistinguishable from real wood but will outlast timber and not become slippery, colour to be grey. OR resin floor with grey anti grit finish system.

The pontoon shall not be fixed or anchored to land but with the installation of the new piles in the river, it can be anchored to new piles.

### 0.3 The City Council Property Services have provided further background regarding the punt station

1. The Jesus Green Moorings punt station (also known as La Mimosa Punt Station due to its location opposite La Mimosa restaurant, Thompson's Lane) has been a commercial punt station since the early 1990's, let to various operators and most recently to an established group of 7 independent operators since 2008.
2. Operations at the punt station have no formal connection or relationship with the La Mimosa restaurant.
3. The punt station is one of 6 recognised punt stations by the Conservators of the River Cam, who manage navigation on the river and grant commercial punt licences.
4. The punt station has been let to the same group of 7 independent punt operators since 2008. They are permitted to trade from the landing stages under agreements granted by the Council in its capacity as land owner of the landing stage (in the form of a licence to operate as opposed to a lease), rather than in any other statutory capacity of the Council. As such the punt station is managed by the Council's Property Services, along with other commercial property owned and leased by the Council.



5. Initially each operator was granted the right to operate 1 or 2 boats and gradually over time permission has been granted for further punts up to the maximum of 4 per operator today. The operators have traded 4 punts each for the past 4 or 5 years. Cambridge City Council Property Services confirm there will be no increase to punt numbers associated with the proposal to locate a pontoon adjacent to the existing landing stages. The purpose of the application is to provide an increased width to the existing landing stages to improve the loading and unloading of passengers onto punts. There are no plans to expand the capacity beyond the current 4 boats per operator.
  6. The nearest public toilets are located by Rous Pavilion and Quayside, both approximately 200m from the punt station and both have an accessible toilet which requires a Radar key to use the facilities.
  7. The landing stages were transferred from St John's College to the Council in 1989.
  8. The current licence to the punt operators includes a restriction on the hours of operation between 9 am and sunset.
- 0.4 Members also wanted to understand details of queuing and pedestrian management, and one of the operators has responded as follows:
1. Organise a cleaning firm to clean around the station one day a week. Would increase this in the height of season to every day if needed.
  2. Appoint a rep from the Jesus Green Mooring station as a go-to person. This would probably be on rotation between the operators.
  3. Limit staff going out on punts in the evenings. Last punt should be home before 9pm. station has been open since 2008.
  4. Litter - The council has recently provided two large bins on the Jesus Green area since this is a busy open space.
  5. Queueing - Since Covid19 a queuing system has been introduced on Jesus Green. Each company has a congregation point for customers on the Green. The council have also allowed customers to disembark on to the green while Covid 19 is continuing. In the future, would suggest continuing with the queuing system so people are not obstructing the boardwalk.

The new pontoon will also allow a speedy departure of customers who are ready to get on to tour.

- 0.5 Cam Conservators comment that this development falls under Section 15 of the River Cam Conservancy Act,1922. An application to carry out works will have to be reviewed as per the Conservators of the River Cam's statutory obligations. Following this, a decision will be made as to the issuing of a licence to carry out the proposed works.
- 0.6 At the previous Committee, Members raised concern that the Officer report didn't consider the proposal against the relevant NPPF heritage criteria, and a more detailed assessment is therefore set out below:
- 0.7 The site lies within the Historic Core Conservation Area. The application is accompanied by a Heritage Statement which provides an overview of the significance of nearby heritage assets and the relative impact of the scheme upon them. The statutory considerations as set out in section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, are matters to which the determining authority must give great weight to when considering schemes which have the potential to impact on heritage assets.
- 0.8 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for a local planning authority, in the exercise of its planning powers with respect to any buildings or other land within a Conservation Area, to:  
  
'Pay special attention to the desirability of preserving or enhancing the character or appearance of that area'
- 0.9 In respect of development proposed to be carried out within the setting of, or which may impact upon a listed building, or in a conservation area, a decision-maker must, in respect of a conservation area, give a high priority to the objective of 'preserving or enhancing the character or appearance of the area', when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status.

- 0.10 The respective national policy guidance is set out in paragraphs 193-196 of the NPPF. Para. 193 of the NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, “great weight” should be given to the asset’s conservation (meaning the more important the asset, the greater the weight should be). Para. 194 makes it clear that any harm to, or loss of significance of a heritage asset should require clear and convincing justification. Para. 196 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use. Para. 200 makes it clear that local planning authorities need to look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals which make a positive contribution to the asset or better reveals its significance should be treated favourably.
- 0.11 There are a number of listed buildings on the bank opposite the punting station whose setting includes the river and views of these properties from the river and beyond contribute to the character and appearance of this part of the conservation area. Objects in or on the river form the foreground of many of these views.
- 0.12 No. 2 Chesterton Road, Wentworth House and Nos. 4-10 Chesterton Road are situated across the river from the punting station and downstream are the Jesus Lock, footbridge and Lock house, upstream the buildings and other structures associated with Magdalene College.
- 0.13 The pontoon would be quite ‘low lying’ and close to the water’s surface. The materials proposed to be used for the pontoon and scissor lift are lightweight and mostly transparent which would mean they would have a minimal visual impact and would be appropriate in this riverside setting. The final details would be subject to the approval of the Conservation Officer and conditions will be attached.
- 0.14 Given the appearance of the pontoon and its position on the opposite bank of the river, the impact on the setting of the listed building is considered to be minimal.

- 0.15 With reference to the NPPF and the effect on the significance of the heritage assets, in order for the application to meet the requirements of paragraphs 193, 194 of the Framework, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal – Para.196.
- 0.16 Within the broad category “less than substantial harm”, the extent of the harm is considered to be minor.
- 0.17 In this instance any harm to the setting of listed buildings and the conservation area would be outweighed by the public benefits to the appearance of the pontoon and the public safety of patrons using the punts and pedestrians using the boardwalk.

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

- 1.1 The application site is situated on the southern side of the River Cam. The punt station itself is at the end of the boardwalk from Quayside, immediately before the access gate to Jesus Green and immediately in front of La Mimosa restaurant at 1-3 Thompsons Lane
- 1.2 The punt station is approximately midway between Magdalene or Great Bridge upstream and the Jesus Lock and footbridge downstream. La Mimosa is one of six authorised punting stations in Cambridge.
- 1.3 The existing pontoons are in two sections each accessed through a metal gate and a short set of steps at the side of the boardwalk.
- 1.4 The application site is within the Historic Core Conservation Area. The site falls within Flood Zone 2. The site falls within a County Wildlife Site (River Cam).

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the extension of the existing pontoon to provide a larger pontoon.
- 2.2 The existing pontoon would be extended widthways by 2.5 metres adjacent to the existing landing stages. It would provide

separate entrances and exits from the footpath/bank and would provide a scissor lift for ambulant access. It would be securely connected to tubular piles driven into the bed of the river and is a modular system which is designed to float.

2.3 The application is accompanied by the following supporting information:

1. Drawings
2. Heritage Statement
3. Flood Risk Assessment
4. Ecology Report

### 3.0 SITE HISTORY

There is no relevant planning history for the site.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 7 10 28 31 32 35 36 55 56 57 59 61 62 67 69 70 73 81 82

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework 2019  National Planning Practice Guidance 2014  Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)  Greater Cambridge Planning (2020) – Sustainable Design and Construction  Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).  Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)  Strategic Flood Risk Assessment (2005)  Cambridge and Milton Surface Water Management Plan (2011)  Cambridge Historic Core Conservation Area Appraisal (2015)</p>
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## 6.0 CONSULTATIONS

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

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

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

- 6.2 The main point of concern is the visual impact of the larger pontoons on the Conservation Area and the River Cam. Historically this part of the river has been more ‘industrialised’ than it seems now but the existing situation is that the views across the river, up and downstream are very important and relatively uncluttered. Objects in or on the river form the foreground of many of these views, which also form the setting for LBs & BLIs.

The park-like character of Jesus Green comes up against the more urban character of the city here [with terraced housing, more modern blocks of flats and historic college buildings], more-or-less at the point where the punt station is located. The views of these surroundings depend, to an extent, upon whether

the trees are in leaf, but the expectation would be that one would see boating activities on the water as well as the buildings and green spaces along the river. Hence the provision of the support systems for boating are not unexpected.

The illustrations indicate that the pontoons are quite 'low lying' and close to the water's surface but that they are noticeably larger than the existing examples. It would seem that when viewed from longer distances the larger pontoons should not have an adverse effect upon the LBs & BLIs; it seems likely that the punts tying up at the enlarged station [being at right angles to the river bank] will be more prominent. The extra pontoons are of greater size [2.5m wide] than the existing and sit outside the walled edge of the river – the current pontoons are recessed into the wall. Hence, they will be more visible on the outward facing curve of the riverbank but, given the lack of detail on possible/probable safety rails, the section of the piles above the water surface seems likely to be the most eye-catching element.

Taking the above into account, the proposal is not considered to adversely affect the character of the nearby Listed Buildings; and the proposal is considered to preserve or enhance the character or appearance of the conservation area. The development therefore complies with Local Plan policy 61.

Any consent should be subject to the following conditions:

- Full details of safety rails, passenger lifts and any other projections above the deck of the pontoons.
- Full details [including finishes, colours, etc.] of piles projecting above the river surface.
- Full details [including finishes, colours, etc.] of new pontoon.

### **Environmental Health**

- 6.3 In the interests of amenity, recommend the standard construction hours and piling conditions.

### **Nature Conservation Projects Officer**

- 6.4 Content with survey details; no ecology related objection to the proposed application.

## **Access Officer**

- 6.5 Supports the application. Happy with details of scissor lift.

## **Drainage**

- 6.6 As these works are proposed in a Main River, an Environment Agency Permit will be required. In terms of drainage do not see any issues. With regards to flood risk, the proposed modular system is water compatible and allows for the water levels variation for 100-year return period plus Climate change but as this is a Main River, the Environment Agency would need to advise on this aspect.

## **Environment Agency**

- 6.7 The submitted Flood Risk Assessment (FRA) states that the pontoon will be securely connected to tubular piles driven into the bed of the river. The FRA acknowledges that placing any structure in a watercourse will increase the risk of blockage. However, residual risk at the site from extreme events is low because the pontoon extension is designed to float. It also states that during extreme events it is anticipated that sufficient time would be available to take precautionary actions to limit the potential impact of flooding, including pontoon users signing up to the EA flood warning service and being able to use safe egress from the site to Thompson Lane in FZ1.

The FRA also states that the proposed extension of the existing pontoon will increase the impermeable area of the watercourse but that there will be no net change in the run-off entering the River Cam.

Based on the above statement, the EA has no objection in principle to the proposed development providing the mitigation measures proposed in the submitted FRA are adhered to. In particular the FRA recommends that the height of the piles has an allowance of 0.5m above the estimated water level for modelling tolerance and movement associated with variations in water level. This will ensure the pontoon will be able to float to the 1% annual probability water level of 6.0mAOD including climate change.



Advice to LPA. With regard to the second part of the Exception Test, your Authority must be satisfied with regard to the safety of people using the pontoon (including those with restricted mobility), the ability of such people to reach places of safety including safe refuges and the ability of the emergency services to access such locations to rescue and evacuate those people. Therefore, strongly recommend that the Authority's Emergency Planner is consulted on these issues.

### **Emergency Planner**

- 6.8 Have no particular issues with this planning application, it is clearly in the flood risk zone but as a floating platform the risks to the actual structure would be low as long as the possible rise (and fall) are built into the holding structure and it is appropriately anchored to the ground so it does not break away in rising floodwaters and cause either a navigational issue or risk to adjoining properties.

### **Conservators of the River Cam**

- 6.9 This development falls under Section 15 of the River Cam Conservancy Act, 1922. An application to carry out works will have to be reviewed as per the Conservators of the River Cam's statutory obligations. Following this, a decision will be made as to the issuing of a licence to carry out the proposed works.

### **Wildlife Trust**

- 6.10 No comments received.
- 6.11 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 Councillor Martinelli has objected to the application and requests that it be considered by Planning Committee.

The primary objection is that this planned expansion would substantially decrease local residential amenity, particularly for the occupants of Beaufort Place, but also those of the surrounding area i.e. Richmond Terrace, Thompson's Lane.

This application proposes to extend the trading footprint of the punt operators currently working from the Jesus Green Mooring Station. There have been significant and longstanding problems associated with this trade over several years. In particular:

1) Noise generated by the trade. This has been noted to be a worsening concern as punt operators seek to provide more tours with more animated accompaniment from the tour guides. This is increasingly associated with excessive alcohol consumption by punt users. Expanding the footprint of punting operations, as planned, would reasonably be expected to increase this disturbance.

2) Antisocial behaviour, including but not limited to public urination in the forecourt of Beaufort Place. This has led to the installation of gates around Beaufort PI but remains an issue. Expanding the punt station footprint would reasonably be expected to increase this issue and worsen the living experience of residents.

3) Waste. Accumulation of waste on the boardwalk, within punts and in the surrounding areas has been noted over a number of years, associated with the growth and change in character of the punting trade. This regular build-up of waste is not only potentially detrimental to the health of nearby residents but is also untidy and detrimental to the local environment.

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

- La Mimosa Restaurant, Thompsons Lane
- 8 Lansdowne Road (owner of 38 Beaufort Place)
- 3 Beaufort Place, Thompsons Lane
- 9 Beaufort Place, Thompsons Lane
- 12 Beaufort Place, Thompsons Lane
- 13 Beaufort Place, Thompsons Lane
- 21 Beaufort Place, Thompsons Lane
- 32 Beaufort Place, Thompsons Lane
- 33 Beaufort Place, Thompsons Lane
- 35 Beaufort Place, Thompsons Lane
- 49 Beaufort Place, Thompsons Lane
- 81 North End, Meldreth (owner of 15 Beaufort Place)
- 21 Lady Jane Court, Cavendish Avenue
- 186 Huntingdon Road
- 3 Wordsworth Grove

- 7 Neath Farm Court

7.3 The representations can be summarised as follows:

- Detrimental impact on adjacent residential properties in Beaufort Place.
- Inappropriate given the residential nature of the area and the public nuisance that is already caused by drunken customers and litter of the punting company
- There are no public toilets nearby for punt operators or their customers, have had problems with people defecating in and around nearby flats
- Disruption to running of adjacent La Mimosa Restaurant. The punting company are using 'La Mimosa' as the name for their landing station which assumes the businesses are connected when there is no association with them. This in turn leads people to arrive at La Mimosa Restaurant believing they have the right to use the toilets and facilities and abusing the use of them. This contributes to anti-social behaviour including shouting, loud music late at night, foul language and rowdy behaviour
- Rubbish left behind by patrons queuing for the punts on public walkway. Health issue, attracting rodents and has impact on the enjoyment of outdoor use of restaurant for customers
- The proposed pontoon expansion does not accommodate this number of passengers waiting for the punts - therefore this will not resolve the problem of overcrowding.

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

## **8.0 ASSESSMENT**

### **Principle of development**

8.1 Policy 7 (The River Cam) states that development proposals along the River Cam corridor should:

- a. include an assessment of views of the river and a demonstration that the proposed design of the development has

taken account of the assessment in enhancing views to and from the river;

b. preserve and enhance the unique physical, natural, historically and culturally distinctive landscape of the River Cam;

c. raise, where possible, the quality of the river, adjacent open spaces and the integrity of the built environment in terms of its impact, location, scale, design and form;

d. propose, where possible and appropriate to context, enhancement of the natural resources of the River Cam and offer opportunities for renaturalisation of the river;

e. enable, where possible, opportunities for greater public access to the River Cam;

and

f. take account of and support, as appropriate, the tourism and recreational facilities associated with the river.

8.2 In the view of Officers, the proposal would accord with criterion e) which relates to access to the river and criterion f). The proposal involves the addition of ramps and specialised equipment which will improve disabled access and provide greater public access to the River Cam. The proposal aims to alleviate current issues with congestion and queuing. The pontoon would not cause any significant intensification of use of this part of the river and as a result Officers are satisfied that the proposal is in accordance with criterion d).

8.3 Criteria a), b) and c) are assessed later in this report.

8.4 Policy 10 (The City Centre) states that Cambridge City Centre will be the primary focus for developments attracting a large number of people and for meeting retail, leisure, cultural and other needs appropriate to its role as a multi-functional regional centre. Any new development or redevelopment should:

a. add to the vitality and viability of the city centre;

b. achieve a suitable mix of uses;

c. preserve or enhance heritage assets and their setting, open spaces and the River Cam;

d. be of the highest quality design and deliver a high-quality public realm; and e. promote sustainable modes of transport.

8.5 In the view of Officers, this existing use contributes to the vitality and viability of the city centre and is in a sustainable location

close to public transport and therefore accords with criteria a, b and e.

Criterion c) is assessed later in this report.

- 8.6 Policy 73 states new or enhanced community, sports or leisure facilities will be permitted if, a) the range, quality and accessibility of facilities are improved; b) there is a local need for the facilities; and c. the facility is in close proximity to the people it serves.
- 8.7 This enhanced leisure facility would improve accessibility, is next to the river from where it operates and is in the city centre close to other visitor attractions and visitor footfall. It is considered that the proposal complies with this policy.
- 8.8 Policy 67 (Protection of open space) states that development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance.
- 8.9 The application site adjoins the protected open space at Jesus Green; however, the proposal would not result in any loss of open space as it is sited on the river and adjacent to Jesus Green.
- 8.10 Whether the proposal would harm the character of the open space of Jesus Green will be assessed later in this report.

### **Context of site, impact on conservation area and setting of heritage assets and impact on open space**

- 8.11 The proposed larger pontoon is situated on a slight bend in the river where there is already a small pontoon. There are important views along the river from both Magdalene Bridge to the west and from Jesus Green to the east in which this proposal can be seen and these make a contribution to the character of this part of the Historic Core Conservation Area.
- 8.12 The structure would project further towards the middle of the river however given the structure would be low lying close to the surface of the water with only the piles visible to a height of approximately 0.5 metres above the surface, it is considered that the larger pontoon would not have a significant greater

visual impact than the existing structure and would therefore respect existing views to and from the river.

- 8.13 With regard to the impact on the character of the protected open space at Jesus Green, Jesus Green is a wide area of open space with a park-like character which is situated immediately against the more urban character and built up city centre where they meet along the western edge of the green.
- 8.14 The views across the Green towards the application site and river would not be detrimentally affected. There is the expectation that one would see boating activities on the water as well as the buildings and green spaces along the river. The pontoon and support systems for boating are not unexpected or out of place in this context and are not considered to introduce clutter or impact on the view. The proposal would not impact on the openness of this area and views of the green.
- 8.15 Officers agree with the Conservation Officer that the proposal will not adversely affect the character and setting of the listed buildings nearby and will preserve or enhance the character or appearance of the Historic Core conservation area.
- 8.16 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59, 61 and 62.

### **Flood risk and safety**

- 8.17 With regards to flood risk, the proposed modular system is water compatible and allows for the water levels variation for 100-year return period plus Climate change. Environment Agency has no objection in principle to the proposed development providing the mitigation measures proposed in the submitted Flood Risk Assessment are adhered to and a condition will be attached to secure this.
- 8.18 As the pontoon will be able to float to, risks to the actual structure would be low as long as the possible rise (and fall) are built into the holding structure and it is appropriately anchored to the ground so it does not break away in rising floodwaters and cause either a navigational issue or risk to adjoining properties.
- 8.19 The proposal is compliant with Cambridge Local Plan (2018) policy 32.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.20 The existing pontoon is alongside Quayside and residential properties in Beaufort Place are situated alongside this walkway. The forecourt to these properties is off Thompsons Lane, whilst the properties abut the footpath. The concerns of neighbours are noted. The City Council (as landowner of the landing stages and Jesus Green) licence the independent punt operators that trade from this punt station. The City Council confirm that there will no increase to punt numbers associated with the proposal to locate a pontoon adjacent to the existing landing stages. The purpose of the application is to provide an increased width to the existing landing stages to improve the loading and unloading of passengers onto punts.
- 8.21 Given this is an extension to an existing operation, it is considered that the proposed enlargement of the pontoon area would allow the waiting passengers to be managed better and would not have a detrimental impact on adjoining residential properties.

### Noise and disturbance

- 8.22 With respect to disturbance through noise, there are no operating hours specified by planning condition. Environmental Health have not raised any concern in this regard. Given the location of the site close to the city centre with the linking walkway to Jesus Green, this is already a busy pedestrian route linking Bridge Street and Jesus Green and as such there is already a degree of disturbance to residential properties which adjoin the walkway.
- 8.23 As the proposal would not increase the existing capacity of the punt operation, Officers consider that aspects such as noise, littering and other anti-social behaviour are existing problems which cannot necessarily be attributed to this existing use and that the extended pontoon would not exacerbate these problems. It is noted that to deter anti-social behaviour, gates have been erected to the forecourt to Beaufort Court in Thompson Lane.

8.24 Officers consider 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 56 (58) and 35.

### **Ecology**

8.25 An ecology survey has been submitted with the application and no ecology related objections have been raised to the proposed application.

8.26 The proposal is therefore compliant with Cambridge Local Plan (2018) policy 70.

### **Third Party comments**

8.28 Many of the comments received relate to issues such as littering and anti-social behaviour. The City Council confirm that there will no increase to punt numbers associated with the proposal to locate a pontoon adjacent to the existing landing stages. Any issues already experienced could be improved through better management of customers and will be brought to the attention of the operator.

### **Conclusion**

9.1 The proposed pontoon is considered to preserve and enhance the character and appearance of the conservation area and have respect for the special interest of surrounding listed buildings, views along the river and would not impact on the openness of Jesus Green. The proposal would improve access to the river for customers with disabilities and complement the waterside setting of the site. It would not have any significant adverse impact on the amenity of surrounding occupiers.

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

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

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

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

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

5. Prior to commencement of development hereby approved, full details of safety rails, passenger lifts and any other projections above the deck of the pontoons shall be submitted to and approved in writing by the Local Planning Authority. Projections, etc. shall be installed thereafter only in accordance with the approved details and prior to the first use of the pontoon.

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

6. Prior to commencement of development hereby approved, full details [including finishes, colours, etc.] of piles projecting above the river surface are to be submitted to and approved in writing by the Local Planning Authority. Piles shall be installed thereafter 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)

7. Prior to commencement of development hereby approved, full details [including finishes, colours, etc.] of new pontoons shall be submitted to and approved in writing by the Local Planning Authority. Pontoons shall be installed thereafter 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)

8. The development hereby permitted shall be carried out in accordance with the mitigation measures proposed in the submitted Flood Risk Assessment by Ellingham Consulting Ltd, Nov 2019 (ECL0046b).

Reason: To minimise flood risk (Cambridge Local Plan 2018 policy 32.)

This development falls under Section 15 of the River Cam Conservancy Act, 1922. An application to carry out works will have to be reviewed as per the Conservators of the River Cam's statutory obligations. Following this, a decision will be made as to the issuing of a licence to carry out the proposed works.

<b>Application Number</b>	20/01738/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	16th March 2020	<b>Officer</b>	Luke Waddington
<b>Target Date</b>	11th May 2020		
<b>Ward</b>	Coleridge		
<b>Site</b>	Land At Lilac Court Cambridge		
<b>Proposal</b>	Demolition of existing garages and redevelopment to provide eight residential dwellings (Use Class C3) along with car and cycle parking and associated infrastructure and landscaping.		
<b>Applicant</b>	N/A c/o Agent		

<p><b>SUMMARY</b></p>	<p>The development does not accord with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Overbearing and enclosing impact upon dwellings on Hinton Avenue, adversely impacting residential amenity</li> <li>2. Insufficient evidence to demonstrate that properties on Hinton Avenue and Lilac Court will not be overlooked or suffer unacceptable loss of light</li> <li>3. Displacement of parking onto nearby streets due to insufficient parking and turning areas on plots, leading to adverse impact on residential amenity</li> <li>4. Enclosed and shaded outdoor amenity spaces result in poor standard of amenity for future occupants</li> <li>5. Harm to trees subject to TPOs which</li> </ol>
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	<p>would not be outweighed by any public benefits</p> <p>6. Insecure cycle storage on a number of plots</p> <p>7. Failure to successfully integrate functional needs of refuse collections</p> <p>8. Insufficient information to demonstrate compliance with carbon reduction standards</p>
<b>RECOMMENDATION</b>	<b>REFUSAL</b>

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

- 1.1 The application site comprises a rectangular area of land approximately 0.11ha in size. The site hosts a row of self-contained garages which face onto Lilac Court.
- 1.2 To the north, south and west of the site are residential gardens and dwellings fronting Hinton Avenue and Cherry Hinton Road. Across the access road, to the east of the site is Lilac Court, three separate block of flats three storeys in height, aligned parallel with the road. There is a group tree preservation order in place to the immediate west of the site (reference 28/2019/A1) located in rear gardens of dwellings on Hinton Avenue. The site falls outside the controlled parking zone.
- 1.3 The applicant has lodged an appeal against non-determination of this application with the Planning Inspectorate. At the time of writing the appeal has no start date. This report is intended to support the officer recommendation set out above, to allow members to establish the Council's case in respect of the above appeal. The application is referred to Planning Committee as the officer recommendation is one of refusal and third party representations been received supporting the proposed development.

## **2.0 THE PROPOSAL**

- 2.1 It is proposed to demolish the existing garages and erect 8 dwellings, consisting of 6no. 2-bed and 2no. 3bed houses, which would be 2 storeys in height with flat roofs. A total of 15

car parking spaces are proposed including 1 on-plot parking space per dwelling, visitor spaces are also proposed. Cycle parking would be provided for each dwelling, plus a replacement cycle store for Lilac Court residents. All proposed units would be provided with private amenity space split across gardens and first floor terraces. The flat roofs would be brown or green roofs.

- 2.2 The proposal has been amended during the assessment period, the amendments included, an entire rear west fanade elevation updated Design and Access Statement including information regarding the refuse strategy. Units P1 and P5 were revised to include contain external terraced areas at first floor. Unit P5 was revised to a two-bed property with a study. Cycle parking for Lilac Court residents was amended to provide a new cycle store.

### 3.0 SITE HISTORY

Reference	Description	Outcome
19/0711/FUL	Demolition of existing garages, and redevelopment to provide 13no. residential dwellings (Use Class C3), including 25% affordable, along with car and cycle parking and associated infrastructure and landscaping.	Withdrawn 20/01/2020

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

## 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 29 31 32 33 34 35 36 50 51 55 56 57 59 68 70 71 80 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Previous Supplementary Planning Documents (These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Sustainable Design and Construction (May 2007)
Material	<u>City Wide Guidance</u>

<p>Considerations</p>	<p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Contaminated Land in Cambridge - Developers Guide (2009)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Cambridge On-Street Residential Parking Study (2016)</p>
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## 6.0 CONSULTATIONS

Revised comments refer to amended drawings received 18<sup>th</sup> June 2020

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

- 6.1 Original comments
- \* Car parking layout is an improvement on previous application but a swept path analysis is required to show that a domestic car can enter and leave the parking spaces without having to enter the opposite side of the road. The following conditions should be attached to any permission:
    - \* Traffic management plan
    - \* No vehicle exceeding 3.5 tonnes to be used for deliveries outside the hours of 9.30-15.30 Mon-Fri
    - \* Provision of pedestrian crossing points outside each access to the dwellings
    - \* Falls and levels to avoid surface water draining onto highway
    - \* Construction of driveways and pedestrian paths from bound material
- 6.2 Revised: The swept path analysis clearly shows that in order to access the proposed car parking spaces a vehicle will have to enter the area where the existing residents park, which has the potential to lead to displacement of this parking to the surrounding streets. This is unlikely to have a significant impact in terms of highway safety but may lead to loss of residential amenity to residents of the surrounding streets, which the Planning Authority may wish to consider when determining this application.

### **Environmental Health**

- 6.3 Revised: No objections, subject to conditions regarding construction hours (x2), construction/demolition noise/vibration & piling, dust, contamination (x6), EV charge points and external lighting details.

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

- 6.4 No objection, subject to recommended conditions regarding surface water drainage, drainage maintenance and finished floor levels.



## **Refuse and Recycling**

- 6.5 Raise concerns about the waste in this development. As its attached to Lilac court flats, and houses their bulk bins by the garages, what will happen to these if the garages are re-developed? As this is a private road, should refuse vehicles be using it? The Council is not liable for damage. There is not enough room to turn at the end, so it involves a reverse, which if less than 12m is acceptable. Residents would need to put their bins at the road side of Cherry Hinton Road, if the road remains private. More information is needed, for vehicle tracking, and waste storage for the existing flats.

## **Urban Design Team**

- 6.6 Original comments

The overall concept of two storey 'mews' units is considered an improvement on the previously withdrawn scheme. Further information is required to adequately assess the relationship between the proposal and surrounding dwellings and gardens in Hinton Avenue and Lilac Court. The applicant has addressed some of the functional design issues previously raised, issues remain with regard to car parking/manoeuvring, refuse collection arrangements and quality of amenity space. Any consent should be subject to conditions requiring details of materials and cycle parking.

Revised comments:

- 6.7 **Movement & Access:** Highways have noted that the proposed car parking could lead to the potential loss and displacement of existing parking of local residents to the other side of the road. As noted in our previous comments, the Swept Path Analysis (included in the Transport Statement Appendix 5) demonstrates an inadequate reversing distance for an average domestic car. Furthermore, no tracking is shown for Unit P1 which has less reversing space than the other units at around 4.5m. This issue has not been resolved through the resubmission and therefore the inadequate reversing distance remains a concern.
- 6.8 **Impact to trees:** Arboricultural colleagues have raised concern that the proposed development will result in the removal and limitation of growth to the existing trees on site. As noted in our

previous comments, the submitted Arboricultural Impact Assessment (7393-D-AIA, A), shows that there is an overlap between dwellings and the Root Protection Zone (RPZ) and that the proximity of dwellings to the existing trees will require remedial works and/or root pruning to accommodate the proposed buildings. In our view, the retention of the existing trees on the western boundary, are important in terms of how the scheme interfaces with Hinton Avenue. As such, the location of the trees are an important contextual feature that should be used to inform the site coverage of the scheme to allow for their retention and longevity (Policy 55, Cambridge Local Plan 2018). No amendments have been made to the site coverage to work around the tree constraints and therefore our concerns regarding the impact on the existing trees remain.

- 6.9 Private Amenity: The applicant has now revised Unit Type's P1 & P5 to include a 1<sup>st</sup> floor terrace to address our previous concerns regarding a lack of adequate private amenity space. However, the proximity of the proposed terraces to Lilac Court at around 11m in places, could create potential privacy issues with Lilac Court. Detailing the height and angle of the railing design could help to mitigate this impact, however we recommend that detailed drawings that demonstrate a bespoke solution are requested to determine this.
- 6.10 Scale and massing: We have now had a chance to review the Indicative Rear Elevation (dwg. 433 4-11) and 3D model. The scheme by virtue of the continuous two storey box like form of the upper floor and proximity to the western boundary creates an uncomfortable massing relationship with existing properties of Hinton Avenue. Furthermore, the large expanse of corduroy brick is not effective in reducing the mass. As such, scale and massing issues previously raised remain a significant concern. In our view, a scheme of a reduced footprint that works around the existing trees, in addition to an amended massing approach that creates a less continuous upper level and a more recessive chamfered/sculptured roofline could help to resolve these issues.
- 6.11 In the absence of a BRE daylight and sunlight assessment, the application fails to demonstrate the level of impact upon the amenity of Lilac Court that may result due to the proximity and change in scale over the existing garages that currently occupy the site.

- 6.12 The submitted drawings remain overall unchanged and do not address previous key concerns raised at pre-application stage and in our previous comments. We maintain our significant concerns that the scale and massing of the proposed scheme forms an unacceptable relationship with Hinton Avenue. Furthermore, the application fails to demonstrate the potential amenity impact on Lilac Court in terms of daylight and sunlight. A scheme that works around the trees and resolves the scale, massing and functional design issues raised, is likely to require an amendment to site footprint and therefore the number of units.

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

- 6.13 Fails to improve relationship between existing trees and new dwellings and requires removal of trees that contribute to the city's canopy cover. Proximity of some dwellings to retained trees will necessitate remedial works to allow construction and thereafter repeated pruning to maintain reasonable clearances. The younger trees with capacity to significantly increase in size will not reach their potential and their contribution to amenity and climate change mitigation will be limited. Development also fails to take opportunity to accommodate replacement planting. Arboricultural objection is maintained.

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

- 6.14 Original comments  
Ground level amenity spaces are adequately sized but as shown in the shadow studies for March are shaded nearly all day. It is unclear if the balcony amenity spaces receive adequate light and the location of the upstairs balconies off a study/bedroom is not ideal. The bin storage areas for the A1 and A2 units are not acceptable and require better access. Also query how cycle storage provision for existing Lilac Court flats has been calculated in terms of need. Should the application be approved, recommend hard and soft landscaping and landscape maintenance conditions.

Revised comments:

- 6.15 The bin area for A1 and A2 units have been moved to a boundary within the larger part of the courtyard. Whilst this is borderline acceptable, we would prefer if the bikes and bins traded locations for this unit type in order to create a more

pleasant atmosphere when using the garden. The carport/undercrofts are not closed and present a security risk for parking cycles. We note issues associated with retained on and off site trees have been reviewed by the Arboricultural Officer and consideration should be given to those comments.

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

#### 6.16 Original comments

Content with findings of bat survey. There is likely to be a high population of hedgehogs in this location and existing vegetation may provide an important foraging route between gardens. Thoughtful mitigation is required. Sedum roofs should be specified as biodiverse green roofs and, in accordance with the bat survey recommendations, details of swift bricks should be provided.

Revised comments:

Submitted documents do not appear to have addressed the initial biodiversity concerns raised with regard hedgehog access, landscaping and biodiverse green roof specification

#### 6.17 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**

### **Cllr Herbert (Coleridge)**

#### 7.1 Call in request. This proposal involves serious over-development on a tiny footprint of backland some 12 metres in depth - proposed on a narrow lane which already has 3 storeys of 36 flats, less than 12 metres away - totally inadequate parking provision for the new residents to the detriment of those 36 families - on a site which would cause major detriment and invasion of privacy both to Lilac Court and Hinton Avenue neighbours, and is wholly inappropriate on both design and overlooking - is inadequate on amenity space for the new residents. As with the first application, I also conclude that major uncorrected errors of fact can only be intentionally misleading, given that responses to the first application called

them out and have been totally ignored and repeated again by the developer.

### **Camcycle**

- 7.2 Concerned about availability of secure cycle parking for existing residents. There is inadequate replacement for the existing provision. Existing bike shed is in heavy use and often houses in excess of 30 bikes. Of existing garages to be demolished, 24 out of 31 are rented. We consider it likely that many of these are also used for cycle parking. The applicant is proposing to replace this with insecure parking for eight cycles. For new dwelling types A1 and A2 the proposed cycle parking is in a dedicated area behind the car park space, in a covered car port that is open to the street, this does not comply with the requirements for security in the City Council Guide for design of cycle parking.

### **Trustees of Cambridge Hedgehogs**

- 7.3 Major concerns regarding impact of the proposed development at the site on the local hedgehog population. Development will affect neighbouring gardens. Net biodiversity relies on green roofs which offers nothing for hedgehogs. Gardens to front of proposed dwellings offers little habitat. Removes an area of established hedgerow and scrubland. Development may pose a significant threat to existing biodiversity. Additional cars increase risk of injury. Hedgehogs will no longer be possible to get onto Lilac Court from Hill Avenue (assumed correction to Hinton Avenue). Development must include hedgehog highways.

### **Cambridge Past, Present, and Future:**

- 7.4 Object. Permanent reduction of tree cover, hedges and wildlife. Very limited landscaping proposed. Lack of green space and planting. Loss of cycle parking for Lilac Court residents. Displacement of bin storage for large commercial bins used by Lilac Court. Lack of separation between proposed development and boundaries of adjacent properties. Loss of amenity and privacy. Plans and documents are contradictory.
- 7.5 The owners/occupiers of the following addresses have made representations:

Object (67):

4, 5, 10, 13, 15, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 29, 30,  
31, 37, 43, 49, 51 Hinton Avenue  
1, 2, 3, 5, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 21, 23, 24, 25, 27,  
30, 31, 32 Lilac Court  
43, 76 Cavendish Avenue  
19 Neville Road  
1, 3, 7, 11, 28 Courtland Avenue  
42, 294, 299 Cherry Hinton Road  
69 Cowper Road  
35 Redfern Close  
44 Blinco Grove  
54 Hartington Grove  
6 Sterne Close  
3 Farringford Close  
18 Back Road, Linton  
6 The Haven, Fulbourn  
96 Broomfield Road, Coventry  
27 The Bentalls Centre, Colchester (Managing Agent for Lilac  
Court)  
35 Nursery Hill Shamley Green Guildford  
L.H.C.C Action Group  
The Vicarage, 12 Harewood Avenue, Bournemouth  
Support (3):

3 The Belverdere, Homerton Street  
30 Hawthorne Road, Stapleford  
Wellington House, East Road

7.6 The representations can be summarised as follows:

Object:

- Obtrusive and unattractive development  
Loss of privacy to Lilac Court flats
- Loss of privacy and overbearing impact on Hinton Avenue
- Overshadowing and overbearing impact on Lilac Court flats
- Adverse impact on trees adjacent to site
- Loss of wildlife habitats
- Vehicle visibility issues increase likelihood of accidents
- Loss of raised kerb will put pedestrians and vehicles into conflict

- Loss of parking for Lilac Court
- Cars unable to move in and out of parking spaces unimpeded by existing parking
- Emergency and refuse vehicles unable to turn in reduced turning head
- Reduction in bicycle storage
- Loss of bin storage for Lilac Court
- Unclear where waste bin collection point is located
- Loss of trees
- Overdevelopment and insufficient space on the site for proposed development
- Construction noise
- Pollution from stoves
- Development will result in parking overspill onto adjacent streets
- Lack of space and small gardens will impact future residents amenity
- New dwellings will be dark impacting on occupant amenity
- Insufficient green space
- Residents have not had enough time to comment on proposals
- Structure of older house on Hinton Avenue could be compromised
- Inaccurate plans submitted showing the street to be wider than it is
- Some two bed properties are three bed due to size of study
- Potential for high vehicles to collide with terraces
- Third party access rights over areas to be developed
- No affordable housing proposed

Support:

- The two-storey development has a break in scale and massing.
- The relationship is very similar to a mews type setting often evidenced in a city location
- Sustainable development with environmental improvements
- There are numerous examples of similar development been granted consent for instance Ironworks, Mill Road
- There is a demand for housing of this size and quality
- Design works well within the environment

- Would improve area of poorly constructed neglected garage blocks
- Site is underused and a focus for anti-social behaviour

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

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received the main issues are as follows:

1. Principle of development
2. Context of site, design and external spaces
3. Carbon reduction and sustainable design
4. Water management and flood risk
5. Light pollution, noise, vibration, air quality, odour and dust
6. Inclusive access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking
11. Third party representations

### **Principle of Development**

8.2 Policy 3 of the Cambridge Local Plan 2018 states that for residential development, the spatial strategy is to focus the majority of new development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally.

8.3 The proposed development seeks to erect 8 dwellings on an area of previously developed land comprising of 4 garage blocks. The principle of development in this urban location is considered acceptable.

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

8.4 As set out above, the site hosts 4 single storey flat roofed garage blocks, separated by areas of hardstanding and partly



screened on their eastern side by high hedging. Lilac Court flats to the east of the site consist of four separate blocks of flats, three storeys in height with flat roofs and brick construction. To the north, west and south of the site are the residential gardens of dwellings on Cherry Hinton Road, Hinton Avenue and Courtland Avenue, respectively. Dwellings on these roads are generally two storey, semidetached properties with pitched slate roofs. Several mature trees grow close to the shared boundary between the site and these properties.

- 8.5 The existing flats on Lilac Court are uniform and unassuming in their design. The flats have a box-like, flat roofed form which is reflected in the design of the proposed dwellings, and in this respect the scheme has responded well to its context and has clearly drawn inspiration from the key characteristics of site surroundings. Officers consider that the contemporary appearance of the proposed dwellings is acceptable in design terms and provides a suitable contrast to the more utilitarian design of the Lilac Court flats.
- 8.6 In design terms, the overall concept of two storey 'mews' scale units is considered to be acceptable and would not visually dominate the three storey flats opposite the site.
- 8.7 The proposed materials shown are considered to be acceptable in design terms and respond well to the surrounding context. Details of these materials can be secured by condition should the application be approved, in the interests of visual amenity.
- 8.8 Areas of buffer planting in front of the proposed units would soften their appearance from the street and the Landscape Officer has recommended conditions to secure hard and soft landscaping and a landscape maintenance and management plan. These would be attached to any consent granted in the interests of visual amenity.
- 8.9 As noted by the Local Highway Authority and other consultees, the Swept Path Analysis (SPA, included in the Transport Statement Appendix 5) provided within the application shows that vehicles using the proposed on-plot car parking spaces would have to enter the area where the existing residents of Lilac Court park, on the eastern side of the road (marked in blue in the SPA). This would lead to conflict with parked cars which may result in displacement of these vehicles to the surrounding

streets which are not within the controlled parking zone. The impacts of this situation on residential amenity will be assessed later in this report. In design terms, the proposed development would fail to incorporate a practical parking arrangement and so would not integrate the functional needs of the development. In this regard the proposed development would not comply with Policies 56 and 57 of the Cambridge Local Plan 2018.

- 8.10 There are several mature trees within rear gardens of Hinton Avenue which grow very close to the shared boundary and which are subject to a group TPO. These trees are to be retained however the proximity of some dwellings to the retained trees (Trees T002,003 and 004) will necessitate remedial works and root pruning to accommodate the proposed buildings, and would require repeated pruning to maintain reasonable clearances between trees and buildings. This would adversely impact the health of these protected trees and the benefits they provide in terms of visual amenity.
- 8.11 Furthermore due to the proximity of the proposed built form, the younger trees adjacent to the site that currently have capacity to significantly increase in size, will not reach their potential and their contribution to amenity and climate change mitigation will also be limited.
- 8.12 The proposed development would also require the removal of hedges and a number of trees within the site, notably those at the southern end of Lilac Court. While these trees are not protected, they contribute to the city's canopy cover and make a modest yet positive contribution to the visual amenity of Lilac Court, and it is noted that the proposed development does not accommodate meaningful replacement planting within the site to mitigate the loss of these hedges and trees on site. As set out above, while details of soft landscaping could be provided via condition, it is considered that this would not be sufficient to overcome the harm to visual amenity that would be caused by damage to and resultant loss of the retained trees within the vicinity of the site.
- 8.13 Officers do not consider that there are any demonstrable public benefits accruing from the proposal which clearly outweigh the current and future amenity value of the trees. As such the proposed development would not comply with Policies 59 and 71 of the Cambridge Local Plan 2018.

## **Carbon reduction and sustainable design**

- 8.14 Policy 57 h. and 70 require development proposals to include an appropriate scale of features and facilities to maintain and increase levels of biodiversity in the built environment. As highlighted by the Nature Conservation Officer, the application provides little information in respect of biodiversity. The Nature Conservation Officer has confirmed that the demolition of the existing garages is unlikely to impact upon bats as the garages do not provide a suitable bat habitat.
- 8.15 Officers consider that, despite the removal of hedging, and trees at the south of the site, the proposed development would be able to maintain levels of biodiversity, through introduction of residential garden planting, hedgehog gaps in existing and proposed boundaries, use of appropriate planting within soft landscaping, swift boxes, and sedum roofs to support a greater diversity of plant and invertebrate species. Details of biodiversity measures set out above would be secured by condition on any consent granted.
- 8.16 Third party comments have been received regarding the presence of chimneys on the proposed elevations and the potential for fireplaces or wood burners within the proposed dwellings. Officers also note the proposed floorplans show what appears to be a wood burner/stove aligned with the external chimney stack.
- 8.17 The Design and Access statement states that the dwellings “move away from natural gas/fossil fuels and towards more passive technologies”, however no further information relating to the chimneys is provided, and no information has been submitted to demonstrate compliance with the required carbon reduction standards set out within the local plan. As such the proposed development fails to comply with Policy 28 of the Cambridge Local Plan 2018.

## **Water management and flood risk**

- 8.18 With regards to drainage and water management, the Council’s Drainage Officer has reviewed the submitted information and has no objections, subject to conditions requiring submission of a detailed surface water drainage scheme, a drainage management plan, and a condition that finished ground floor

levels to be set no lower than 9.150 mAOD, in accordance with the recommendations of the submitted Flood Risk Assessment. These conditions would be imposed on any consent granted, in the interests of adequate drainage and to reduce the risk of flooding, in accordance with Cambridge Local Plan (2018) policies 31 and 32.

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

- 8.19 There are no objections from the Council's Environmental Health Department subject to conditions and informatives limiting the hours for demolition, construction and delivery, and control of construction noise, vibration, piling and dust. These conditions would be imposed on any consent granted, in the interests of residential amenity.
- 8.20 The Environmental Health Officer has also requested a condition requiring Electrical Vehicle charging points to be installed in all eight of the allocated parking spaces and two of the five visitor spaces. This condition is considered to be reasonable and in the interests of preserving air quality as set out in Policy 36 of the Cambridge Local Plan 2018.
- 8.21 The Council's Scientific Officer has reviewed the Contaminated Land Assessment and has stated that the findings and the recommendations of the assessment are appropriate. The Scientific Officer has therefore recommended the full suite of contaminated land conditions be applied. If permission were granted, these would be attached in the interests of residential amenity and the health of site workers and future occupants. In order to protect residential amenity a condition requiring submission of an external lighting scheme would be attached to any consent granted.

### **Inclusive access**

- 8.22 The submitted Design & Access statement received June 2020 confirms that the proposed dwellings would be constructed in compliance with current Approved Document Part M of the Building Regulations, and in this regard the proposed development would comply with Cambridge Local Plan (2018) policy 51.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.23 The proposed development would be located in close proximity to the shared boundary with properties along Hinton Avenue, which have rear gardens that back onto the application site. The box like form of the upper floors would introduce a large, continuous two-storey presence and bulk onto this boundary. The scale and massing of the proposed dwellings alongside the western boundary would appear overbearing from the neighbouring gardens on Hinton Avenue and would result in a sense of enclosure from within the gardens. The expanse of brick on these rear elevations would also fail to break up the visual effect of this massing, and as such the siting of the proposed development in relation to numbers 11 to 29 on the eastern side of Hinton Avenue
- 8.24 The flats at Lilac Court to the east of the site contain high levels of glazing, serving habitable rooms that face directly towards the proposed dwellings. The proposed dwellings are approximately 11-12 metres from the front elevation of Lilac Court flats, and feature projecting bay windows serving bedrooms at first floor level. These windows face directly towards Lilac Court flats, and are shown on the submitted plans to be fitted with angled louvres intended to mitigate overlooking views from these windows. It is also proposed to install these louvres on the proposed first floor rear windows that face the gardens and rear elevations of dwellings on Hinton Avenue.
- 8.25 Officers consider that insufficient evidence has been provided to demonstrate that the louvres would be sufficiently effective in their purpose, and that the level of impact upon the amenity of the existing flats at Lilac Court and neighbouring dwellings on Hinton Avenue would be acceptable.
- 8.26 The proposed units also include first floor terraces. The proximity of the proposed terraces to Lilac Court is around 11m in places. While high railings are shown on the proposed plans Officers are concerned that these would not be sufficient to break up any overlooking views that may be gained from the terraces.

- 8.27 Given the potential for significant overlooking impacts towards Lilac Court and to Hinton Avenue, it is not considered appropriate to request further details of these proposed mitigation measures by condition.
- 8.28 The proposed development would result in an increase in the height of built form at the site, from single storey garage units to two storey dwellings. As set out above, the proposed dwellings are in close proximity to the existing flats, which have windows serving habitable rooms that face the proposed development. Given the increase in scale and relatively close proximity of the dwellings, Officers consider that the proposed development would be likely to result in a loss of daylight and sunlight upon dwellings at Lilac Court. No BRE daylight and sunlight assessment has been submitted to assess this impact; as such the application fails to demonstrate the level of impact upon the amenity of Lilac Court would be acceptable.
- 8.29 As set out earlier in this report, the Swept Path Analysis provided within the application shows that vehicles using the proposed on-plot car parking spaces would have to enter the area where the existing residents of Lilac Court park. This would lead to conflict with parked cars which may result in displacement of these vehicles to the surrounding streets. The application site and streets within the immediate vicinity are not within the controlled parking zone. The nearest street to the west of the site is Hinton Avenue. This street is identified in the Cambridge On-Street Residential Parking Study as being at 90% parking pressure at 05:30 and 78% pressure between 18:00 and 20:00, and therefore suffers from overnight parking stress. Other streets in the close vicinity of the site, such as Lichfield Road and Courtland Avenue have less overnight parking stress; 17% and 25% at 05:30 respectively. As such it is considered that while there may be overspill this would not constitute a significant adverse impact on residential amenity, given the low levels of overnight parking occupancy on the above streets.
- 8.30 In the opinion of officers, the proposal would result in a significant overbearing impact upon dwellings on Hinton Avenue and fails to demonstrate that it would not result in a significant adverse impact upon the residential amenity of its neighbours in terms of loss of light and loss of privacy. Therefore the

proposed development would therefore not comply with Cambridge Local Plan (2018) policy 56.

Amenity for future occupiers of the site

8.31 The gross internal floor space measurements for units in this application are shown in the table below:

Unit Type	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
A1	3	5	2	93	96	+3
A2	3	5	2	93	96	+3
B	3	5	2	93	95	+2
C	2	4	2	79	76.4	+0.4

8.32 As set out in the table above, all proposed units would comply with the space standards in respect of internal floor space. While some units show a study at first floor level, these are all over 7.5m<sup>2</sup> and under 11.5m<sup>2</sup> and as such are counted as 1 person bedrooms for the purposes of the above table. The proposed dwellings are all considered to provide sufficient space for outdoor amenity areas, through a combination of rear garden space and first floor terraces.

8.33 However, Officers are of the view that these garden spaces, particularly those serving plots 2, 3, 4 and 6 are not of good quality and would not constitute a desirable or usable space. As shown on the submitted Shadow Studies, these spaces are in shade for much of the day and surround by boundaries and therefore are unlikely to be attractive for use by future residents.

8.34 The proposed balcony spaces receive a little more light, but Officers cannot fully ascertain if any of the space receive 50% of sunshine for 2hours on 21<sup>st</sup> March as recommended by the BRE. The balconies are in full or majority shade for all the dates and times shown on the submitted Shadow Studies other than the morning and early afternoon of 20<sup>th</sup> June and 9am on March 20<sup>th</sup> and September 23<sup>rd</sup>.

8.35 Overall, the standard of outdoor amenity space in terms of sunlight and outlook is considered to be poor and would not provide a good standard of amenity for future occupants of the development.

8.36 In the opinion of officers, the proposal fails to provide an appropriate standard of outdoor amenity space for future occupiers, and would not comply with Cambridge Local Plan (2018) policy 50.

### **Refuse Arrangements**

8.37 The proposed strategy for refuse collection is unclear. Page 14 of the amended Design and Access Statement (DAS) states that domestic waste bins for the proposed development will be brought to the roadside on collection days, and that the refuse vehicle is to enter the site for collection. Page 15 of the DAS states bin storage is proposed located close to the highway (3.5m) and that waste collection vehicles are not required to enter the site.

8.38 It may be the case that a refuse vehicle currently enters Lilac Court for collections, however Officers note that the current circumstances would be altered by the proposed development, due to the reduction in size of the turning head at the southern end of the site. Officers have taken measurements from the submitted drawing number 1-12A (Existing and Proposed Site Plans), which show that the western spur of the turning head currently measures approximately 4.6 metres wide and would be reduced to 3.6 metres. The mouth of the turning head would also be reduced from approximately 15 metres to 10 metres. The terrace for unit 7 also appears to overhang the turning head. As no tracking is provided for refuse vehicles it is not clear whether this reduced area would be sufficient to allow turning for a refuse vehicle entering the site for on-street collection. No bin collection point that is within the control of the applicant has been identified within the application.

8.39 The residents of Lilac Court flats currently store their communal bins informally on the hardstanding areas by the existing garages. This would no longer be possible within the proposed development, however the application does not provide alternative bin storage provision for the current residents of Lilac Court.

8.40 This appears to be an informal arrangement, however the proposed development would likely result in displaced communal refuse bins for Lilac Court being stored in closer



proximity to either the existing flats or the proposed dwellings, having a potential adverse impact on residential amenity.

- 8.41 As such the proposed development would not successfully integrate functional needs such as refuse and recycling, contrary to Cambridge Local Plan (2018) policy 57.

### **Highway Safety**

- 8.42 Comments from third parties regarding vehicle visibility issues and highway safety concerns are noted, however the Local Highways Authority has raised no objection to the proposed development on the grounds of highway safety. In this regard the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

- 8.43 Each of the proposed 8 dwellings is provided with a single on-plot parking space in the form of a car port, and the proposed site plan indicates that there are 2 unallocated and 5 visitor spaces within the wider site. As such the proposed development would meet the requirements for amounts of parking set out within Policy 82 Appendix L.
- 8.44 However, as set out in the Residential Amenity section of this report, the parking and turning arrangements for the proposed dwellings conflict with the existing parking on Lilac Court adjacent to the site, and would compromise the functionality of the on-plot parking spaces.
- 8.45 Furthermore, no tracking is shown for Unit P1 which has less reversing space than the other units at around 4.5m, and it is not demonstrated that this would provide a functional and accessible parking space.
- 8.46 Policy 82 Appendix L states that cycle parking should accord with the standards in the Council's Cycle Parking Guide for New Residential Developments (2010). This document states that for residential development, where access to cycle parking is in a secure area, restricted to residents only, open stands that are covered are acceptable. Units 2, 3, 4, 6 and 8 provide cycle parking at the rear of an open carport. As such this cycle

parking is not considered to be secure and would not comply with the standards set out in Policy 82 Appendix L.

- 8.47 There is a cycle store within the existing garage area for use of the residents of Lilac Court flats. This would be demolished and replaced to accommodate the proposed development. The amended site plans 1-11A and 1-12A show a replacement cycle store that appears larger than that originally proposed, but the capacity of this store, and the amount of cycle parking currently provided for existing residents, have not been demonstrated. As such officers cannot be satisfied that the proposed development provides adequate cycle storage for the existing users of the site.
- 8.48 Taking the above into account, the proposal would not provide adequate secure cycle parking for the proposed development and does not demonstrate that the proposed development would provide adequate cycle parking facilities for existing users of the site, contrary to Cambridge Local Plan (2018) policy 82.

### **Third Party Representations**

- 8.49 Officers note third party representations stating that residents have not had enough time to comment on proposals. Officers can confirm that there are no outstanding public consultations in relation to the application.
- 8.50 Comments regarding the potential impact of the development upon the structure of older houses on Hinton Avenue are not material planning considerations.
- 8.51 No affordable housing is proposed as part of the development as it does not meet the required threshold of 11 units set out in the Cambridge Local Plan 2018.

## **9.0 CONCLUSION**

- 9.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be refused in this instance.

## 10.0 RECOMMENDATION

**REFUSE** for the following reasons:

1. Due to its continuous two storey form and the bulk, scale and massing of the proposed development in relation to the rear gardens of numbers 11 to 29 Hinton Avenue the proposed development would result in an unacceptable sense of enclosure and overbearing impact upon those properties, causing a significant adverse impact upon residential amenity, contrary to Policies 55, 56 and 57 of the Cambridge Local Plan 2018.
2. Insufficient information has been submitted to establish that the proposed dwellings would not result in a significant overlooking impact from first floor windows upon Lilac Court Flats and rear gardens on Hinton Avenue, or that the proposed dwellings would not, by their scale and proximity to Lilac Court Flats, result in an unacceptable loss of daylight or sunlight to those dwellings. The application fails to demonstrate adequate preservation of residential amenity and is contrary to Policies 55, 56 and 57 of the Cambridge Local Plan 2018.
3. The on-plot parking for the proposed dwellings would not provide sufficient space for vehicles to enter and leave the spaces without coming into conflict with vehicles parked on the eastern side of the Lilac Court access road. This would result in displacement of parking onto nearby streets outside of the Controlled Parking Zone. The proposed development would therefore fail to successfully incorporate functional and practical car parking arrangements contrary to policies 56, 57 and 82 of the Cambridge Local Plan 2018.
4. The rear gardens of the proposed dwellings are surrounded and enclosed by built form and boundary treatment and are in shade for much of the day, throughout the year. The proposed balcony areas are also shaded for much of the day, throughout the year. These areas are therefore unlikely to be attractive for use for future residents and overall would result in a poor standard of amenity for future occupants of the proposed development, contrary to the external residential space standards in Policy 50 of the Cambridge Local Plan 2018.

5. By virtue of its proximity to trees that are subject to a Tree Preservation Order, the proposed development would require significant works to these trees and would limit their further growth, adversely impacting their positive contribution to visual amenity and biodiversity. The development would therefore fail to preserve, protect and enhance existing trees and hedges that have amenity value as perceived from the public realm and would not provide sufficient space for trees and other vegetation to mature. There are no demonstrable public benefits accruing from the proposal which clearly outweigh this harm and so the proposed development is contrary to Policies 59 and 71 of the Cambridge Local Plan 2018.
6. The proposed development would not provide secure cycle storage for plots 2, 3, 4, 6 and 8, that would be in accordance with the standards set out in Policy 82, Appendix L of the Local Plan 2018 and Council's Cycle Parking Guide for New Residential Developments (2010). Furthermore, insufficient information has been provided within the application to ascertain that the proposed replacement cycle store for the existing users of the site would be sufficient to address the cycle parking needs of residents at Lilac Court. As such the proposed development fails to comply with Policy 82 of the Cambridge Local Plan 2018.
7. It is not demonstrated within the application that there is sufficient space for a refuse vehicle to enter and leave the site safely to collect refuse bins, or that the practical necessities of refuse removal could be accomplished in an alternative way. Neither does the proposed development provide an alternative bin storage area for existing residents of Lilac Court. As such the proposed development would not successfully integrate functional needs such as refuse and recycling, contrary to Cambridge Local Plan (2018) policy 57.
8. Insufficient information has been submitted with the application to demonstrate that the proposed development can achieve adequate carbon reduction in accordance with the criteria set out in Policy 28 of the Cambridge Local Plan 2018.

<b>Application Number</b>	20/0050/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	17th January 2020	<b>Officer</b>	David Norris
<b>Target Date</b>	13th March 2020		
<b>Ward</b>	Coleridge		
<b>Site</b>	54A Cherry Hinton Road		
<b>Proposal</b>	Change of use from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barbers premises (use class A1). Retention of 1no. studio flat as caretaker's accommodation (use class C3).		
<b>Applicant</b>	Mr Ronald Pile 21 Bermuda Road		

SUMMARY	The development accords with the Development Plan for the following reasons:
RECOMMENDATION	<p><b>APPROVAL</b></p> <ul style="list-style-type: none"> <li>- The proposed development would respect the character and appearance of the area</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers in terms of overlooking, loss of light, over dominance or disturbance</li> <li>- The creation of this rear addition will provide additional employment and community space within an identified Local centre</li> <li>- The proposed use would not have a significant impact upon parking or highway</li> </ul>

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

- 1.1 The site is located on the western end of Cherry Hinton Road, close to the city centre. No.54 is a three storey (second floor in the roof) end of a terrace Victorian property. The ground floor of the property is used as a barbers with the upper floors being used as a House in Multiple Occupation (HMO) for 4 occupants.
- 1.2 The attached property (no.52) is a similar Victorian property but beyond this is a terrace row of two storey properties made up of residential housing, leading into the centre of the city. The next property to the east is a retail unit and this is adjoined by a variety of commercial units including a restaurant, takeaway and a bar. The site and commercial units form part of a group of units designated within a District and Local Centre in the adopted Local Plan (2018).
- 1.3 A private road provides access to the rear of the property as well as serving various other properties that back on to this communal area. The rear of the application property (the site) runs parallel to the access road and provides informal parking.
- 1.4 The site is not located within a Conservation Area and there are no heritage assets within the immediate locality.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the change of use from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists' studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barber's premises (use class A1). Retention of 1no. studio flat (use class C3).
- 2.2 Two studios on the ground floor behind the barbers shop and two at first floor level are proposed. The caretakers flat would be on the second floor and at front of the building.
- 2.3 The existing two storey rear element would be extended sideways at two storey level. A ground floor rear extension

would project rearwards into the parking/curtilage of the property. Two fin shaped roofs with south facing roof slopes would have rooflights which would provide natural lighting to the artist studios below.

- 2.4 To the rear of the studios, a cycle shelter and bin store with a flat roof are provided.
- 2.5 Four parking spaces are proposed on site, to the rear of the building and would be accessed from the private road which loops behind the rear of the terrace of dwellings at 36-54 Cherry Hinton Road.
- 2.6 The application has been amended following the receipt of comments from neighbours and this has resulted in a reduction in the height of the addition to the rear of the property. The description has been changed to remove reference to Caretaker's flat.
- 2.7 The application is accompanied by a Design Statement, including shade analysis (from previous larger scheme) together with drawings and supporting information. The submission also provides information in relation to the consultation that was carried out with the local community prior to the submission of this application.

### 3.0 SITE HISTORY

Reference	Description	Outcome
16/0835/FUL	Artist's studios incorporating a two-storey curved roof extension.	Withdrawn
17/0242/FUL	Change of use from HMO (use class C4) and single storey rear extension, following demolition of rear extension and internal alterations to create 6 no. artists' studios (use class B1), 1 no. gallery space (use class D1) and associated service provision. Retention of barber's premises (use class A1).	Withdrawn





Supplementary Planning Guidance	Greater Cambridge Sustainable Design and Construction (Jan 2020) Cycle Parking Guide for New Residential Developments (2010) On-street Residential Parking Study (2017)
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## 6.0 CONSULTATIONS

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

- 6.1 Raise no objections to the proposal. Applicant should be aware that any new residents will not qualify for residents parking.

Due to the nature and use of Cherry Hinton Road, recommend a condition requiring that all deliveries of materials or any removal of waste required as part of the conversion of the existing structures shall be constrained to the hours of 09.30hrs-15.30hrs seven days a week in the interests of highway safety.

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

- 6.2 The scheme offers a purpose-built studio space that is well designed and responsive to its surrounding context.

The proposed material palette shown in the Design & Access Statement (pg. 7) is acceptable in Urban Design terms and can be secured by way of condition should the application be approved.

As such the proposed scheme complies with Cambridge Local Plan (2018) policies 55, 56 & 57 and is therefore supported in Urban Design terms.

### **Environmental Health**

- 6.3 The development proposed is acceptable subject to the imposition of the condition(s)/informative(s) outlined below.

- construction hours
- limit use of D1 element of the building to art gallery/studio

The D1 use class includes activities such as day nurseries, training centres and crèches. The current level of sound insulation is unlikely to be able to contain noise from these activities and has the potential to adversely impact upon the other uses within the building.

Recommend that a condition be placed on the decision notice (if permission is granted) restricting the D1 use to art gallery only.

Due to the close proximity to existing residential, it would be reasonable to restrict the use to standard daytime hours. The following hours are recommended:

- 08:00 – 18:00 hrs Monday to Saturday
- No use on Sundays, Public or Bank holidays.

### **Access Officer**

#### 6.4 Supports

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 submitted objections:

- 2a Rathmore Road
- 21 Rathmore Road
- 23 Rathmore Road
- 27 Rathmore Road
- 31 Rathmore Road
- 33 Rathmore Road
- 39 Rathmore Road
- 46 Cherry Hinton Road
- 52 Cherry Hinton Road
- A letter from residents with 46 signatures.

The objections can be summarised as follows:

Design

- The scale and mass of the proposal is not in keeping with the locality
- Amended scheme has not addressed earlier concerns
- Contrary to Para 58 of NPPF (Design Standards)
- Not in accordance with local policies/guidance that seeks high quality new build and extensions

#### Impact upon amenity

- Loss of amenity to the adjoining property through overshadowing and overdominance and loss of morning light
- Impact upon neighbour's skylight
- A new shadow study should have been submitted with the reduced scheme
- The mix of uses is not appropriate for this predominantly residential area.

#### Landscape

- Loss of trees on the site. Should be further planting to improve the 'boskiness' of this area
  - Other trees in area have Tree Preservation Orders which demonstrates the importance of trees in this urban area,
- #### Parking/Highway Issues
- The spaces are currently used by barbers shop and there will not be enough parking thereby resulting in unauthorised parking on private road
  - How will parking be managed?
  - Insufficient space for turning, lorries manoeuvring

#### Other Issues

- Depletion of housing stock through loss of HMO
- No objection to artist studio but fear may lead to further change of use to dwellings or another use

#### Support

Letters of support have been received from the following addresses:

- Kettle's Yard
- 152 Victoria Road
- 36 Grafton Street
- 21 Bermuda Road
- 11 New Court, Church Street
- 8 The Mount, Toft
- Old Rising Sun, Apthorpe Street

7.2 The letters of support can be summarised as follows:

- This is a well-designed scheme that makes good use of a vacant urban site
- This is a sustainable location, well related to the city centre and public transport
- This use will have a positive impact upon the local economy
- There is a shortage of creative space in the city, mainly as a result of the conversion of other spaces into homes.
- The space will provide a venue for cultural education which will be of benefit to all and especially those for whom creativity can be good for learning
- The scheme will provide a shared space and help to improve community cohesion
- The applicant is in the perfectly qualified to run a fantastic facility that will benefit the city

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 application site is located within the urban area of the city, in close proximity to all services including public transport. It is therefore considered to be a sustainable location for new development

8.2 The property is located within a designated local centre and Policy 72 of the local plan is particularly relevant when assessing applications. This policy seeks to retain community facilities to serve the local population and any loss of commercial use has to be properly justified through a marketing process. This application is not seeking to remove any commercial/community use but instead is seeking to enhance the local offer.

8.3 Policy 72 also states that community facilities will be supported where they maintain the commercial use and have suitable access.

- 8.4 Policies 73, 74 and 79 of the Local Plan support the provision on community facilities, educational facilities and tourist attractions. Whilst the building proposed is very modest in size, it is necessary to take into account the benefits that can be delivered through the creation of this artistic space.
- 8.5 The 'arts' are an important part of the culture of Cambridge and also make an important contribution towards the local economy.

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

- 8.6 The scale of the proposed extension to the rear would project a similar distance as the adjoining property at 52 Cherry Hinton Road which is situated to the west.
- 8.7 The proposed rear element with two fins providing roofs over the single storey element is eye catching. The combination of extensive glazing with brick sections and timber panels helps to reduce the mass and bulk of the extensions. The variation in height and form gives the proposed extension architectural interest and an ancillary scale. The contemporary form of the proposed extensions would contrast sympathetically with the traditional Victorian form of the host property.
- 8.8 The proposed extension would be barely visible from Cherry Hinton Road. Only oblique views would be possible through the gap in the frontage from the side access.
- 8.9 The variation in building forms achieves a good interrelation between buildings whilst achieving efficient use of space internally. The proposal also would provide good levels of natural surveillance onto the side access with glazing at ground floor to provide animation into the gallery/public area as well as increase the sense of natural surveillance on this side.
- 8.10 The proposed extension would provide an independent access for users off the side access into a communal area off which would provide access to the separate studios on the ground and first floor. A secondary access would also be provided which would be used for access and egress for the 'caretaker's' flat on the second floor.
- 8.11 The proposed extension is to provide studios for artists. The site is located within a highly sustainable location and within close

proximity to public transport links, shops and services, all of which are within reasonable walking and cycle distance.

- 8.12 The scale and mass of the proposed extension in relation to the host property appears to be acceptable. The proposed extension would not project beyond the neighbours' extension. The scale is also not considered to appear overly dominant when viewed on its own.
- 8.13 The proposed elevations are considered to be acceptable as they would offer architectural variation in terms of roof forms and materials used. In this 'backland' location, officers feel that such a contemporary approach would enhance the appearance of this area which can sometime appear overly utilitarian.
- 8.14 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, and 58.

### **Residential Amenity**

- 8.15 Impact on the amenity of neighbouring occupiers have been raised as a key concern
- 8.16 As the application property is attached, then it is necessary to consider the impact upon the property to which it is joined (52 Cherry Hinton Road). The owner of the house has made strong representations about the way in which this application will impact upon the amenity of their property.
- 8.17 The attached property is to the west of the application property and this orientation means that any loss of light will only be in the morning.
- 8.18 A shading study submitted with a previous (larger) scheme demonstrated that the shadowing was likely to be up until mid-morning, and that the shadow area was very limited.
- 8.19 This property has a kitchen to the rear and the main source of light in that room is from a long skylight running the length of the kitchen immediately next to the common boundary. The glazed wall to the southern facade opens onto a covered deck area and the garden is enclosed on all sides and the openings in the walls of the rear extension open onto walls and boundary of the property.

- 8.20 The roof skylight is the primary source of natural light to the kitchen. The other openings open onto a wall or boundary and afford little natural light. Indeed, the sky light was specifically installed in this location to increase the amount of natural sunlight to the kitchen. It is not considered that the proposed addition would have an unacceptable impact upon the light received through the neighbouring property's rooflight.
- 8.21 The proposed development would not have an adverse impact in terms of overlooking or loss of privacy, as there are no windows to the side elevation and the rooflights are high level and face down the application site.
- 8.22 There is a building at the rear of 52 Cherry Hinton Road (referred to as 52a) but this is ancillary to 52 and appears to be in use as a garden room/additional accommodation.
- 8.23 The additions, by reason of the reduced height and set back from boundary would not represent an excessively dominant form of development when seen from the garden of 52 Cherry Hinton Road.
- 8.24 The proposal is separated from the adjacent commercial building at 56 and 58 Cherry Hinton Road by the intervening private road. There would be no obvious detrimental impact upon these premises. An application has been submitted for the redevelopment of the rear of these properties, but the application is yet to be determined.

### **Noise and disturbance**

- 8.25 The opening hours of the proposed development are 60 hours per week including Saturdays 08.00-18.00, these are considered acceptable in terms of neighbouring amenity.
- 8.26 The proposed use, as artist studios, would not be of concern in terms of amenity and B1 Business can be carried out in a residential area without detriment to its amenity
- 8.27 There are permitted changes from B1, C3 and D1 use without the requirement for a formal planning application.
- 8.28 In this instance, given a residential property is attached, it is considered necessary to restrict the use of the buildings to

studios and gallery space and it is recommended that a condition be imposed that removes any changes through permitted development.

- 8.29 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 56 (58) and 35.

#### Vehicular access

- 8.30 It is noted that access to/from the proposed development would be taken from the existing access road between 54 and 56 Cherry Hinton Road. Neighbours have expressed concern that the intensification of this access road would be detrimental to the safety of pedestrians as the road is narrow and no pavement has been provided to access the proposed development. In addition, there is insufficient turning space within the proposed development to allow safe access/egress of vehicles, including larger delivery vehicles, fire engines and ambulances.
- 8.31 Given these concerns, it is considered that the development should be car free if possible.
- 8.32 The application site is within the Cherry Hinton Local Centre and there is parking available on street to the east near the junction with Rathmore Road. This is a short stay 30 minutes, no return within 30 minutes.
- 8.33 Parking stress is defined as occurring in those streets where surveys show that there is less than 10 per cent free notional parking capacity.

Within 200 metres of the application site are the following roads:

Rustat Road  
Elsworth Place  
Rathmore Close  
Rathmore Road  
Rock Road  
Derby Road  
Hartington grove

- 8.34 To the west is the Cambridge Leisure multi storey car park. The site is well located to access public transport links, encouraging



sustainable methods of transport by the artists and barber's staff and clientele. The site is located approximately 1 km, or a 10-minute walk, from Cambridge Train Station. Cherry Hinton Road is well served by local bus services.

- 8.35 The Cambridge 'On Street Residential Parking Study' 2017 provides an overview of parking pressures experienced across the city. The south side of Cherry Hinton Road falls within Area 5 of this study. Area 5 is identified as being under less parking pressure than other areas of the city and the surveys demonstrate that on-street parking is always available within the vicinity.
- 8.36 It is also necessary for members to bear in mind that this development would remove 3no. HMO flats and it is inevitable that the occupants of three units will have generated some parking demand.
- 8.37 On the basis of the above, it is considered that this is a sustainable location that will provide significant opportunity for employees and visitors to get to the property without the need for a car. Any parking on land that is within the ownership of a third party would be a civil matter.

### **Highway Safety**

- 8.38 The Highways officer has not raised any concerns in relation to highway safety, however there is a potential impact during the construction phase on amenity and the Highway Authority requests that the times for collections and deliveries are restricted. A condition will be attached to control hours for collections and deliveries to and from the site.

### **Car and Cycle Parking**

- 8.39 The application site is a designated local centre, close to public transport and other facilities. It is considered to be a sustainable location, in terms of accessibility by foot, cycle or public transport.
- 8.40 Policy 82 of the Cambridge Local Plan refers to maximum standards for parking within central locations and seeks to resist providing excessive parking.

- 8.41 The proposed use is a mixture of individual studios and a small communal area for displays, networking and therefore it doesn't naturally fall within one of the parking standards referred to in appendix L of the Local Plan. However, it is not considered that this will attract a significant amount of visits by car and those who do visit and are unable to park on site would have to seek alternative parking on the nearby streets or public parking.
- 8.42 The site can provide 4 spaces, one of which can be available for disabled use. This is considered to be sufficient for the scale of the building
- 8.43 The external cycle parking is to the rear and enclosed in a yard and there is natural surveillance to this area from a rear facing window in studio 2. The level of cycle provision is considered to be acceptable.
- 8.44 It is important to emphasise that the proposed addition for studio. Gallery space is limited and therefore the number of people working and visiting will be limited.
- 8.45 The proposal is compliant with policies, 80, 81 and 82 Cambridge Local Plan (2018).

### **Loss of Residential Accommodation**

- 8.46 An objector has referred to this development resulting in the loss of some residential accommodation; namely the 4 bed HMO that currently exists above the barber shop. The scheme is proposing to retain a single self-contained flat in lieu of the four individual bedrooms.
- 8.47 Whilst this is a planning consideration, it does need to be considered against the Permitted Development Rights that exist. No planning permission is required to change between a single dwelling (C3 use) and a small HMO (C4 use) and therefore it is not considered reasonable to object on these grounds, when taking into account the other benefits arising from this scheme.

### **Third Party Representations**

- 8.48 It is considered that all of the comments raised by contributors have been taken into account when assessing this application.

## 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. No development shall commence (apart from site clearance and demolition works) unless a plan that details the position of parking spaces (including a disabled space) and turning area has been submitted to and approved by the Local Planning Authority. The spaces and turning area shall be constructed in accordance with the approved details prior to the approved building being brought into occupation and shall be permanently maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to accord with Policy 81 and 82 of the Cambridge Local Plan 2018.

4. Notwithstanding the approved drawings, no additional windows shall be inserted in the west elevation without the specific grant of planning permission.

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

5. The gallery, exhibition, and studio space shall not be used outside of the hours of 08:00 and 18:00 Monday to Saturday and at no time on a Sunday or Bank Holiday unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to preserve the amenity of neighbouring residents (Cambridge Local Plan 2018 policies 35 and 55).

6. The additions hereby approved shall not be brought into use unless refuse and recycling facilities have been provided in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The approved details shall be permanently maintained unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and health and to accord with Policy 57 of the Cambridge Local Plan.

7. 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)

8. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

9. The D1 use of the premises shall be used as an art gallery only and for no other purpose (including any other purpose in the D1 class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to preserve the amenity of the locality (Cambridge Local Plan 2018 policies 35 and 55).

10. There shall be no deliveries of materials to or removal of waste from the site during the demolition and construction stages outside the hours of 0930 hours and 1530 hours on Monday to Friday, 0930 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 and in the interests of highway safety. (Cambridge Local Plan 2018 policies 35 and 81)

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

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

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## PLANNING COMMITTEE

4<sup>TH</sup> NOVEMBER 2020

<b>Application Number</b>	20/03202/FUL	Agenda Item	
<b>Date Received</b>	23rd July 2020	<b>Officer</b>	Dean Scrivener
<b>Target Date</b>	17th September 2020		
<b>Ward</b>	Cherry Hinton		
<b>Site</b>	523 Coldhams Lane		
<b>Proposal</b>	Erection of 6 No. 1-bed dwellings following the demolition of an existing building		
<b>Applicant</b>	Mr Dudley Hope Hall Brinkley Road Dullingham Newmarket CB8 9UW		

<b>SUMMARY</b>	<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> <li>- Officers consider the current application overcomes the previous reasons for refusal concerning scale, overbearing and overlooking impacts (20/01717/FUL).</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located at 523 Coldhams Lane which comprises an unoccupied bungalow set within a relatively spacious and linear plot. The rear boundary is defined by mature trees which do not have any statutory protection and the site itself is overgrown.
- 1.2 There is a mix of two storey and single storey dwellings along this stretch of Coldhams Lane, all of which are set within linear plots with car parking set to the front. Behind the site, further to the north east is St Andrew's Glebe Care Home which is accessed via Coldhams Lane.

## **2.0 THE PROPOSAL**

- 2.1 This planning application is a resubmission of a previous application which was refused earlier this year under delegated powers (20/01717/FUL). The application was refused for the following reasons:

- 1) *'The siting of plots 1-3 to the rear of the site would be at odds with the prevailing character and context of the immediate area which comprises dwellings set within spacious and linear plots. Due to their scale, footprint and proximity to the boundaries, plots 1-3 would appear cramped and be an inappropriate form of development within an otherwise verdant and landscaped rear garden environment. The proposal is therefore contrary to policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018'.*
- 2) *'By virtue of their siting, height and depth, plots 1-3 would result in a sense of enclosure and significant overbearing impact upon the rear amenity areas serving Nos. 521 and 525 Coldhams Lane. Therefore, the development would not adequately respect the amenity of the adjacent neighbouring properties, contrary to policy 52 of the Cambridge Local Plan 2018'.*
- 3) *'The positioning of the first floor balconies serving flat Nos. 3 and 4 would result in direct overlooking upon the rear amenity areas serving Nos. 521 and 525 Coldhams Lane. In addition, the positioning of the first floor windows serving plots 1-3 would result in some degree of overlooking upon these neighbouring*



*properties. Cumulatively, both elements of the proposal would result in an unacceptable level of overlooking and does not adequately respect the privacy of neighbouring properties, contrary to policy 52 of the Cambridge Local Plan 2018’.*

2.2 The proposed development under this planning application involves the demolition of the existing bungalow and replacing it with a two and half storey building comprising four one bedroom flats to the front of the site and an additional two one bedroom flats to the rear of the site. The flats to the rear of the site would be single storey in height. Each flat would benefit from its own amenity area as well as a communal area situated within the centre of the site. Two car parking spaces are proposed to the front of the site, with cycle parking to the rear alongside the common boundary with No. 521 Coldhams Lane.

2.3 When compared to the previous application, the current planning application has made the following changes:

- The flats to the rear of the site have been reduced to two and are now single storey in height
- The first-floor balconies serving the flats in the front building have been amended with 1.8m screens to the sides and partial screening to their frontages
- The communal garden area has been increased in size and transitions into amenity space for the rear flats

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Arboricultural Impact Assessment
3. Topographical Survey
4. Planning Statement
5. Residential Space Standards
6. Existing and proposed plans

### **3.0 RELEVANT SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
20/01717/FUL	Erection of 7No. 1-bed dwellings	REFUSED

following the demolition of an existing building

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

##### 5.1 Cambridge Local Plan 2018

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 32 33 34 35 36 50 51 52 55 56 57 59 70 71 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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Supplementary Planning Documents	<p>Greater Cambridge Sustainable Design and Construction (Jan 2020)</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>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>

## 6.0 CONSULTATIONS

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

6.1 No objections subject to a conditions/informatives regarding the following:

- A Traffic Management Plan requiring that no demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Local Planning Authority

- A condition requiring that two pedestrian visibility splays of 2mx2m shall be provided each side of the vehicular access
- A condition requesting that the proposed driveway 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
- The driveway be constructed using a bound material to prevent debris spreading onto the adopted public highway
- A condition restricting the times of vehicles with an excess gross weight of 3.5 entering and exiting the site
- The granting of planning permission does not constitute a permission or licence to a developer to carry out works within, or disturbance of, or interference with, the public highway

6.2 The Highway Authority have also commented that due to the lack of car parking space provided, there may be additional parking demands upon the on-street parking on the surrounding streets, which is unlikely to result in any significant adverse impact upon highway safety however there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

### **Environmental Health**

6.3 Acceptable subject to conditions/informatives regarding the following:

- Construction hours
- Collection during construction
- Construction/demolition noise/vibration & piling
- Dust condition
- External lighting
- Electric vehicle charging point

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

6.4 Acceptable subject to conditions/informatives regarding the following:

- No development shall commence until a surface water drainage strategy has been submitted and approved
- Details for the long-term maintenance arrangements for the surface water drainage system to be submitted and approved

### **Landscape Architect**

6.5 No objections subject to conditions/informatives regarding the following:

- Hard and soft landscaping details
- Landscape maintenance and management plan
- Green roof details

## **7.0 REPRESENTATIONS**

7.1 The owners/occupiers of the following addresses have made representations which object to the application:

- 521 Coldhams Lane
- 582 Coldhams Lane
- The Vicarage, 2 Fulbourn Old Drift
- 586 Coldhams Lane

7.2 The representations can be summarised as follows:

- Overdevelopment of the site and out of keeping with the local area
- Insufficient car parking and impact upon Coldhams Lane
- Balconies are too close and would result in overlooking and overbearing impact
- Permitted development rights be removed to prevent any further development of the site without scrutiny and approval from planning
- How will the dwellings be allocated to people without vehicles?
- Sets a precedent for the redevelopment of all back gardens
- Impact upon the activities and services of the church
- Impact upon parking of the vulnerable residents of 'The Glebe' right behind the development
- Impact upon the environment and a further encroachment into green space

- Hazardous to school children and pedestrians

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 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. Given the location of the site is within a sustainable location and is in walking and cycling distance of Cherry Hinton High Street, the application site is considered suitable to accommodate residential development.

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

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

- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
- b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for bio-diversity;
- c. the amenity and privacy of neighbouring, existing and new properties is protected;
- d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
- e. there is no detrimental effect on the potential comprehensive development of the wider area.'

- 8.4 The proposal complies with the above five criteria and the reasons for this are set out in the relevant sections of this report.

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

- 8.5 Coldhams Lane comprises single and two storey dwellings set within linear plots. There appears to be a blend of brick and render materials adopted at neighbouring properties. Car parking is set to the front of neighbouring properties.
- 8.6 The proposal intends to demolish the existing bungalow and replace this with a two storey block of flats to the front of the site and two single storey flats to the rear. Given there are two storey dwellings along Coldhams Lane, it is considered that the two storey block of flats would be in keeping with the scale of neighbouring development in this location and would be acceptable. The proposed materials are more modern than the existing materials within the street scene however, these are not considered to be significantly out of keeping with the appearance of the local area to warrant a refusal in this instance. A condition shall be imposed upon any consent granted to ensure the materials proposed are adopted.
- 8.7 Under the previous application, one of the reasons for refusal referred to the three two storey dwellings (plots 1-3) set to the rear of the site (reason 1). It was considered that their scale and siting would have disrupted the rhythm of the prevailing character along Coldhams Lane, which comprises dwellings set within linear plots. Under the current application, the applicant has revised the design of the flats to the rear of the site, so they are only single storey in height, as well as reducing the number of flats from three to two. This proposed scale and form of development is much more in keeping with the prevailing character of the local area and would not be readily perceived from Coldhams Lane to result in any significant visual harm upon the street scene.
- 8.8 There are concerns raised in respect of overdevelopment of the site. The site is reasonably generous in size and is capable of accommodating six flats.

- 8.9 In terms of external space, all units will have access to private external space as well as a shared communal space within the centre of the site.
- 8.10 Overall, the form, height, scale and layout of the proposed development is considered to overcome the previous reason for refusal (reason 1) and is more appropriate to the surrounding pattern of development and the character of the area. The proposal is therefore compliant with Cambridge Local Plan (2018) policies 52, 55, 56 and 57.

## **Residential Amenity**

### Overbearing Impact

- 8.11 Under the previous application, the second reason for refusal referred to the overbearing impact of the three flats to the rear of the site upon the adjacent neighbouring properties, Nos. 521 and 525 Coldhams Lane. This was due their excessive height, siting, and overall depth.
- 8.12 The current planning application has reduced the height of the flats to the rear from two storey to single storey. This ultimately reduces any significant overbearing impact upon the adjacent neighbouring gardens. In addition, the number of flats to the rear has been reduced from two to three, which would reduce the overall scale of development and decrease any significantly harmful overbearing impact. Although the overall depth of the flats to the rear is similar to the previous application, the reduction in number and height would cumulatively reduce any significant overbearing impact and is acceptable.
- 8.13 With regard to the four flats to the front of the site, the replacement building would not project any further beyond the rear elevations of Nos 521 and 525 Coldhams Lane and would therefore not result in any significant overbearing impact upon the adjacent neighbouring properties. Furthermore, the side closest to No. 525 would be stepped down to 1.5 storey in height, which would reduce any significant overbearing upon this single storey property.
- 8.14 Overall, the current application is considered to have overcome the previous reason for refusal (reason 2) regarding



overbearing impact, and is in accordance with policies 52, 55 and 57 of the Cambridge Local Plan 2018.

### Overlooking Impact

- 8.15 Under the previous application, the third reason for refusal referred to the cumulative overlooking impact upon Nos. 521 and 525 Coldhams from the first floor windows of the three flats to the rear of the site and, the first floor balconies serving the first floor flats to the front.
- 8.16 Firstly, given the height of the flats to the rear have been reduced in height to single storey, no first floor windows are proposed. Roof lights are proposed within the roof however these are purely for allowing light through. All other windows proposed will be at ground floor level and views from these windows will be obscured by the proposed 1.8m close boarded fences along each of the boundaries with Nos 521 and 525. Overall, the flats to the rear of the site will not result in any significant overlooking impacts upon the adjacent neighbouring properties and is acceptable in this instance.
- 8.17 Secondly, the proposed balconies serving the first floor flats to the front of the site are set into the massing of the building and be limited to the area of flat roof. A 1.8m screen will be provided to the sides of the balconies, adjacent to the neighbouring properties which would limit views both horizontally and vertically within the scope of the development. The balconies will also be partially screened to the front, limiting any direct views over the adjacent neighbouring garden areas. This is an improvement to the previous application which proposed very little in the way of screening.
- 8.18 The distances between the flats to the rear and to the front would not result in any significant overlooking upon private amenity areas and is acceptable.
- 8.19 Overall, the current application is considered to have overcome the previous reason for refusal (reason 3), regarding overlooking impact, and is in accordance with policies 52, 55 and 57 of the Cambridge Local Plan 2018.

### Overshadowing Impact

8.20 The applicant has submitted a shadow analysis which includes the previous two storey flats proposed to the rear of the site. Given the reduction in height of these flats to single storey under the current application, no significant overshadowing is considered to arise upon the adjacent neighbouring garden areas in this instance. Moreover, given the projection of the of the building at the front of the site would be in line with the adjacent neighbouring properties, no significant overshadowing impact is considered to arise.

### Wider Area

8.21 The Environmental Health Officer has been consulted on the application and has recommended approval, subject to conditions regarding construction hours, collection during construction, piling/noise vibration and external lighting. In order to protect the amenities of neighbouring properties, these conditions are considered to be necessary and reasonable and shall be imposed upon any consent granted.

### Amenity for future occupiers of the site

8.22 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All the proposed units exceed or are in accordance with the minimum standards. In this regard, the units would provide a high-quality internal living environment for the future occupants. 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
P	1	2	1	50	56	+6
D	1	2	1	50	56	+6
3	1	2	2	58	60	+2
4	1	1	1	37	37	0
5	1	2	1	50	50	0
6	1	1	1	50	50	0

8.23 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. Units 1, 2, 5 and 6 will have access to private garden areas at ground floor level and units 3 and 4 will have direct access to balcony areas. All of the proposed residential units will benefit from a shared communal area within the middle of the site which can be easily accessed.

#### Accessible homes

8.24 The development has been assessed for compliance with Policy 51 in relation to all the new units. The Design and Access Statement states the development will comply with the requirements of Part M4 (2) of the Building Regulations. A condition shall be imposed upon any consent granted to secure this requirement and comply with policy 51.

#### **Refuse Arrangements**

8.25 The residential uses and future use of the ground floor will have separate bin store areas. The proposal is compliant with the RECAP guidance and is in accordance with Cambridge Local Plan (2018) policy 57.

#### **Highway Safety**

8.26 There are concerns raised regarding the safety of pedestrians, school children and other road users as a result of the development. The Local Highway Authority has been consulted on the application and has raised no objections to the proposal subject to conditions regarding visibility splays, construction and materials of the driveway and a traffic management plan. Given the location of the site is within close proximity to a number of neighbouring dwellings and is located on Coldhams Lane which is a relatively busy road, these conditions are considered both necessary and reasonable should consent be granted. Therefore, the proposal is considered to retain the safe and effective operation of the adopted highway and is in accordance with paragraphs 108 and 109 of the NPPF and policy 81 of the Cambridge Local Plan 2018.

## **Car Parking**

- 8.27 The majority of representations received have raised concerns regarding the lack of car parking proposed to serve the proposed development. Two car parking spaces are proposed to the front of the site which are to serve visitors only. No car parking is proposed for the future occupiers and the Local Highway Authority has mentioned within their comments that this may result in on-street car parking stress upon surrounding streets. The neighbouring properties along this stretch of Coldhams Lane all benefit from off-street car parking areas in the form of private driveways which will reduce any potential on street car parking stress. Furthermore, the proposed units are 1 bedroom properties which would most likely be occupied by individuals or couples potentially working within Cambridge, and not rely on the car as their main mode of transport.
- 8.28 Given the location of the site is within walking and cycling distance of Cherry Hinton High Street which provides shops and services, the development is considered to promote sustainable modes of transport and reduce car dependency. There is a bus stop 60m further to the north west along Coldhams Lane which provides regular bus services to and from the city centre. Overall, the site is within a sustainable location and therefore the lack of car parking provided is not considered to warrant a reason for refusal in this instance.
- 8.29 The proposed level of car parking would comply with the maximum standards set out in Appendix L of the Cambridge Local Plan 2018. For the reasons set out above, officers consider the proposed level of car parking is acceptable and would not result in significant increase in overnight parking stress. The proposal would therefore meet the aims of Cambridge Local Plan 2018 policy 82.
- 8.30 There are concerns raised that due to the lack of car parking proposed, this will result in cars parking along Coldhams Lane which will result in a conflict with the traffic along Coldhams Lane and with activities associated with the nearby church. As mentioned previously, the Local Highway Authority has been consulted on the application and has assessed the application and has concluded that the application would not be detrimental to the safe and effective operation of the adopted highway.

## **Cycle Parking**

- 8.31 Cycle parking is provided through three Sheffield Cycle Stands which will provide 6 spaces (one per bed space), which is in accordance with the cycle parking standards under Appendix L of the Cambridge Local Plan. These will be located within a secure and enclosed structure set adjacent to the common boundary with No. 521. These can be easily accessed via a walkway which is at least 1.2m in width. A further stand is situated to the rear of the front block of flats for visitors to use. Overall, the proposal is compliant with Cambridge Local Plan (2018) policy 82.

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

- 8.32 The application has been assessed by the City Council Sustainable Drainage Engineer and has been considered acceptable subject to conditions to secure a surface water drainage strategy and maintenance plan. These conditions shall be imposed upon any consent granted to ensure the development adopts sustainable drainage methods in accordance with policies 31 and 32 of the Cambridge Local Plan 2018.

## **Trees/Landscaping**

- 8.33 There is a mature row of conifer trees along the rear boundary which are to be removed to accommodate flats 5 and 6. The conifer trees generally do not contribute any significant visual amenity to the area and therefore their loss is not significantly harmful in this instance. The applicant is proposing to plant trees and introduce soft landscaping within and around the site to accommodate for the loss of the trees. A landscape maintenance plan shall be imposed upon any consent granted to ensure the landscaping details are implemented and retained for the lifetime of the development.
- 8.34 The Landscape Officer has been consulted on the application and has raised no objections, subject to conditions regarding hard and soft landscaping details and green roof details. These conditions are considered necessary and reasonable to ensure the development is satisfactorily assimilated within the site.

## **Affordable Housing**

- 8.35 The proposed development is for a scheme of 6 units, with a net gain of 5 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).

## **Other Matters**

- 8.36 To ensure compliance with policy 28 (sustainability) condition 8 is proposed in relation to carbon reduction measures and condition 9 in relation to water efficiency standards. To ensure compliance with biodiversity requirements arising from policies 59 and 69, condition 12 is proposed seeks details of bird and bat box provision. Condition 10 seeks to ensure gaps in fencing for hedgehogs as part of the hard and soft landscaping condition. As the rear blocks are to be flat and green roofed, condition 13 seeks for the submission and approval of the detail of the green roof make-up. To ensure the privacy screens to the rear of the frontage flats are installed, condition 21 is proposed seeking their installation prior to the occupation of flats 3 and 4. As none of the units, particularly the dwellings to the rear, would be appropriate to extend in any fashion because of the site constraints, condition 22 seeks to remove permitted development rights under class A.

## **9.0 CONCLUSION**

- 9.1 In conclusion, the current application is considered to have overcome the previous reasons for refusal as outlined within this report. The proposed development would be in keeping with the scale and form of development within the local area and adequately respects the amenities of neighbouring properties.

**10.0 RECOMMENDATION: APPROVE** subject to the following conditions and informatives:

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

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

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

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

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

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

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

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

5. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

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

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

6. No development or demolition 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. 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).

8. No development above slab level shall commence until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:



- a. Levels of carbon reduction achieved at each stage of the energy hierarchy; and
- b. A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit.

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

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

There shall be no occupation of the development until the carbon reduction measures have been implemented in accordance with the approved details.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Carbon Reduction Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36 and Greater Cambridge Sustainable Design and Construction SPD 2020).

9. No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and 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 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

10. 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 including provision for gaps in fencing for hedgehogs; 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.

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).

11. 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).

12. 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 internal and / or external bird boxes on the new buildings. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species on the site (Cambridge Local Plan 2018 policies 59 and 69)

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

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).

14. Prior to the commencement of development, other than demolition, a scheme for surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

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

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

3) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;

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

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

6) Site Investigation and test results to confirm infiltration rates

7) Full details of the maintenance/adoption of the surface water drainage system;

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

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).

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

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework and policy 31 and 32 of the Cambridge Local Plan 2018.

16. Notwithstanding the approved plans, the flats 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).

17. The development hereby approved, shall be carried out in accordance with the materials as detailed on the approved plans/documents.

Reason: To ensure the development is satisfactorily assimilated within the local area (Cambridge Local Plan 2018 policy 55).

18. Visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety, in accordance with paragraphs 108 and 109 of the NPPF and Cambridge Local Plan 2018 policy 81.

19. The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway and 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: To maintain the safe and effective operation of the highway, in accordance with paragraphs 108 and 109 of the NPPF and Cambridge Local Plan 2018 policy 81.

20. Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall enter or leave the site only between the hours of 09.30hrs -15.30hrs.

Reason: To maintain the safe and effective operation of the highway, in accordance with paragraphs 108 and 109 of the NPPF and Cambridge Local Plan 2018 policy 82.

21. Flats 3 and 4 shall be installed with the slatted screens to the rear facing first floor balconies in accordance with the approved details prior to the occupation of flats 3 and 4. The first floor side facing window to flat 4 shall be obscure glazed to Pilkington obscurity level 3 or greater and shall be non-openable. The slatted screens and obscure glazing shall be retained in accordance with the approved details.

Reason: In order to safeguard residential privacy (Cambridge Local Plan policy 52)

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

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

The granting of planning permission does not constitute a permission or licence to a developer to carry out 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.

Before the existing property is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.

There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.

Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump application to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

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