



## Cambridge City Council Planning

**Date:** Wednesday, 2 December 2020

**Time:** 10.00 am

**Venue:** This is 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: Not applicable
- **Part Two**  
Minor/Other Planning Applications  
Start time: 10am
- **Part Three**  
General and Enforcement Items  
Start time: Not applicable

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

If the meeting should last to 6.00pm, the Committee will vote as to whether or not the meeting will be adjourned.

#### 2 Apologies

#### 3 Declarations of Interest

#### 4 Minutes

(Pages 7 - 26)

## **Part 2: Minor/Other Planning Applications (10am)**

5	20/04395/PRI18A - Cambridge Railway Station	(Pages 27 - 46)
6	20/04083/FUL - 39 Akeman Street	(Pages 47 - 56)
7	20/01925/FUL - 1 Clarkson Close	(Pages 57 - 76)
8	20/02965/S73 - Grosvenor Court	(Pages 77 - 94)
9	20/03250/HFUL - 3 Bradrushe Fields	(Pages 95 - 104)

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

**Alternates:** Bird

## Information for the public

Details how to observe the Committee meeting will be published no later than 24 hours before the meeting.

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.

Any person who participates in the meeting in accordance with the Council's public speaking time, is deemed to have consented to being recorded and to the use of those images (where participating via video conference) and/or sound recordings for webcast purposes. When speaking, members of the public should not disclose any personal information of any individual as this might infringe the rights of that individual and breach the Data Protection Act.

If members of the public wish to address the committee please contact Democratic Services by 12 noon two working days before the meeting.

For full information about committee meetings, committee reports, councillors and the democratic process:

- 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**

7 October 2020

10.00 am - 12.50 pm

**Present:**

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

**Officers:**

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Principal Planner: Emma Ousbey

Senior Planner: Aaron Coe

Senior Planner: Luke Waddington

Senior Planner: Alice Young

Planner: Rebecca Claydon

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Meeting Producer: Gary Clift

**FOR THE INFORMATION OF THE COUNCIL****20/49/Plan Apologies**

Apologies were received from Councillors Thornburrow [Alternate: Bird] and Tunnaclyffe.

**20/50/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 Bird	20/53/Plan	Personal: Application in East Chesterton Ward where she is a councillor.  Member of Housing Scrutiny

		Committee. Discretion unfettered from discussions.
Councillor McQueen	20/53/Plan	Personal: Application in East Chesterton Ward where she is a councillor.
Councillor Porrer	20/53/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.
Councillor Smart	20/54/Plan	Personal: Discretion unfettered although he knows the family living at 23A Hooper Street.
Councillor Smart	20/57/Plan	Personal: Application in Kings Hedges Ward where he is a councillor. Discretion unfettered.

## 20/51/Plan Minutes

The minutes of the meeting held on 2 September 2020 were approved.

## 20/52/Plan 20/02389/S73 - 291 Hills Road

The Committee received a Section 73 application to vary condition 2 of (approved plans) of planning permission 17/1372/FUL (residential development containing 15 flats comprising 8 x 2- bed units and 7 x 1-bed units, along with access, car parking and associated landscaping following demolition of the existing buildings) – to allow amendments including changes to the fenestration and amendment to the height of the central link to suit the proposed lift system and provide M4(2) accessibility to all levels.

The Principal Planner updated her report by recommending an additional informative stating that s106 agreement terms would apply to this and any future Section 73 applications.

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



The Committee:

**Unanimously resolved** to grant the Section 73 application 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 including the informative relating to the existing s106 Agreement attaching to planning permission 17/1372/FUL.

**20/53/Plan 20/02998/FUL - Land at Dundee Close**

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garages and hardstanding to provide 4 modular homes.

The Principal Planner updated her report by referring to updated condition wording and removal of three conditions detailed on the Amendment Sheet.

The Committee received a written representation in objection to the application from a resident of Elmfield Road [read by the Committee Manager]:

- i. As a landlady of the ground adjacent to Dundee close (CB4), this issue is extremely important to me because it will radically change the landscape and the social life of the neighbourhood.
- ii. There is more than one reason to reject this planning permission.
- iii. A couple of months ago, during the discussion between the local council (Cambridge City) and the planning committee, some concerns were raised by the planning committee about the size of the "micro-home" and the impact of this type of accommodation on the territory.
- iv. There is an evident conflict of interest in the decision making for this case.

On one end the applicant has previously clearly defined the minimum required standard size for new houses ensuring a dignified quality of life, on the other hand the same applicant is called to decide over an exception to the same rules which has no character of urgency and represents a deviation of 30% from the norm (13 sqm less than expected). This anomaly would set a precedent undermining the transparency and fairness of the planning permission process, hence the application should be rejected. Surely, the proposal does not encounter the support of the local

residents, as only objections have been submitted online for an arrangement out of character and context in an area without other pods. Moreover, the lack of details and criteria in the selection and management of the occupancies does not guarantee the most in need will access and benefit from the new micro dwellings in a responsible and sustainable way.

- v. Finally, I would like to remind this Committee that I submitted a planning request to gain access from Dundee Close to the back of my property and at this stage it is close to being evaluated, so your decision will impact my right to get access to Dundee close. Please consider postponing your decision until this situation is resolved.

Mr Lowings (Agent's representative, City Council) addressed the Committee in support of the application.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer in the Officer's report, as amended on the Amendment Sheet, including:

- i. revised wording to conditions 12 (dust mitigation and management), 14 (carbon emissions) and 16 (surface and foul drainage);
- ii. deletion of conditions 4 (closure of public highway), 11 (piling) and 17 (flood resilient construction);
- iii. rewording of conditions 19 and 20 to make reference to condition no. 15, not 18, due to re-numbering of the proposed conditions list.

#### **20/54/Plan 20/02619/S73 - 23A Hooper Street**

The Committee received a Section 73 application to vary condition 5 of planning permission 19/0902/FUL (Change of use from existing automobile repair shop (vacant unit) to a mixeduse Class B2 (microbrewery) and Class A4 (drinking establishment) and installation of cycle storage facilities) to read: The Premises shall only be open to the public at the following times: Tuesday-Friday 16:00hrs-23:00hrs; Saturday: 11:00hrs-23:00hrs.

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

- i. Drinkers did not wish to remain indoors [within 23A Hooper Street]. This led to anti-social behaviour which affected nearby residents.
- ii. Requested the hours of operation be reduced and drinkers be required to remain indoors.
- iii. New residents were moving into Hooper Street who may not be aware of these proposals.
- iv. A poorly run pub would lower local property prices.

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

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

- i. He was incorrectly referred to as "Councillor Roberts" instead of "Councillor Robertson" in the Officer's report.
- ii. Pubs created noise, but residents should expect this when moving into new homes being built near the pub in Hooper Street.
- iii. The situation would be different if a [new] pub opened when housing was already in place as per the Calvery Brewery.
- iv. Other pubs in the area that were linked with noise and anti-social behaviour faced prosecution and their licence was at risk.
- v. Conditions were put on the 23A Hooper Street pub application in 2019 to restrict noise by drinkers, and a noise management plan put in place.
- vi. Lockdown has affected pubs. Drinkers' behaviour affected residents. The current application should address these issues. If not, residents should report noise and anti-social behaviour concerns to the City Council's Environmental Health Officers.

Councillor Porrer proposed an amendment to the Officer's recommendation to include measures to control external area drinking and spillage of drinkers/patrons into the street.

This amendment was **carried unanimously**.

The Committee:

**Resolved (by 5 votes to 2)** to grant the Section 73 application 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 including the amendment to condition 2 concerning measures to limit disturbance to

residents through the control of external area drinking, a managed exit out of hours and spillage of drinkers/patrons into the street.

Delegated authority given to Officers to draft the conditions in consultation with the Chair and Spokes.

### **20/55/Plan 18/2035/FUL - 98A Shelford Road**

The Committee received an application for full planning permission.

The application sought approval for erection of a single storey 3-bedroom dwelling to the rear of 98A and 98B Shelford Road, with parking space.

The Planning Officer updated her report by referring to the Amendment Sheet. Pre-Committee Amendments to Recommendation: delete condition 15, which is a repeat of condition 6.

Councillor Baigent proposed an amendment to the Officer's recommendation to include an informative on any planning permission in relation to fire engine access.

This amendment was **carried unanimously**.

#### The Committee:

**Resolved (by 5 votes to 1 with 1 abstention)** 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 including the informative relative to fire engine access.

### **20/56/Plan 20/02223/FUL - 34 Huntingdon Road**

The Committee received an application for full planning permission.

The application sought approval for a new 1.5 storey dwelling with basement to replace the existing garage at the rear of 34 Huntingdon Road.

The Committee received a representation in objection to the application from a resident of Huntingdon Road.

The representation covered the following issues:

- i. Concerned that the proposed addition of the basement will result in the loss of their fence and damage to the established planting and adjacent garage.
- ii. Concerned by the loss of 40sqm of the garden space serving the host dwelling at No.34.

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. Informatives on any planning permission to ensure party wall agreement is in place before development commences;
- ii. Informative to ensure residents of the proposed property would not benefit from the resident's parking scheme.

Councillor Smart proposed an amendment to the Officer's recommendation to include an informative that the arrangements with neighbouring roofs, gutters and boundaries were satisfactory.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report; and
- ii. delegated authority to Officers, in consultation with the Chair and Spokes, to draft and include the following additional informatives to:
  - a. ensure a party wall agreement is in place before development commences;
  - b. ensure residents of the proposed property would not benefit from the residents' parking scheme;
  - c. ensure arrangements with neighbouring roofs, gutters and boundaries were satisfactory.

#### **20/57/Plan 20/02871/FUL - 30 Caravere Close**

The Committee received an application for full planning permission.

The application sought approval for the erection of a two-storey two-bedroom dwelling with associated amenity space and associated soft landscaping.

The Senior Planner updated her report by referring to the Amendment Sheet. Pre-Committee Amendments to Recommendation:

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

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

Councillor Porrer proposed an amendment to the Officer's recommendation that the landscape condition should be amended to explicitly say there would be a net gain in biodiversity.

This amendment was **carried unanimously**.

Councillor Smart proposed an amendment to the Officer's recommendation that an informative be included on any planning permission linked to the landscape condition in as much that two new trees should replace the two which are to be lost.

This amendment was **carried unanimously**.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. the inclusion of the M(4)2 condition detailed in the Amendment Sheet; and
- iii. delegated authority to officers, in consultation with the Chair and Spokes, to draft and include the following amendment to condition 11: the landscape condition should be amended to explicitly require a net gain in biodiversity.
- iv. an informative should be linked to condition 11 that two new trees should be put in place of the two that had been lost.

The meeting ended at 12.50 pm

## **CHAIR**

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# Public Document Pack

Planning	Plan/1	Wednesday, 4 November 2020
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## PLANNING

4 November 2020  
10.00 am - 3.45 pm

### Present:

**Planning Committee Members:** Councillors Baigent (Vice-Chair, in the Chair), Green, Page-Croft, Porrer, Thornburrow and Tunnacliffe

### Officers:

Delivery Manager Development Management: Nigel Blazeby  
Area Development Manager: Lorraine Casey  
Principal Planner: Ganesh Gnanamoorthy  
Principal Planner: David Norris  
Senior Planner: Luke Waddington  
Planning Project Officer: Dean Scrivener  
Legal Adviser: Keith Barber  
Committee Manager: Meeting Producer: Liam Martin

### Other Officers Present:

Area Development Manager: Toby Williams

## FOR THE INFORMATION OF THE COUNCIL

### 20/67/Plan Apologies

Apologies were received from Councillors McQueen and Smart.

### 20/68/Plan Declarations of Interest

Name	Item	Interest
Cllr Baigent	All	Personal - Member of Extinction Rebellion and the Cambridge Cycling Campaign.
Cllr Porrer	20/70/Plan	Personal and Prejudicial - Spoke as a Ward Councillor.  Withdrew from discussion and did not vote.

Cllr Tunnacliffe	20/71/Plan	Personal and Prejudicial - Knew people living in the immediate vicinity.  Withdrew from discussion and did not vote.
Cllr Porrer	20/72/Plan	Personal – Application was located within her ward division but she had not discussed it or fettered her discretion.
Cllr Thornburrow	20/72/Plan	Personal and Prejudicial – Was acquainted with the Applicant.  Withdrew from discussion and did not vote.

### **20/69/Plan Minutes**

The minutes of the meeting held on 10 September were approved as a correct record and signed by the Chair.

### **20/70/Plan 20/03373/S73 - Park Street Car Park**

The Committee received a Section 73 application to vary 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 sought 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.

The Principal Planner referred to details on the amendment sheet.

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

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

- i. Welcomed removal of gas from the scheme and understood additional planting on the roof was related to this.
- ii. Regretted as Ward Councillor that the opportunity wasn't taken to look at toilet provision, including disabled access.
- iii. As a current mobile phone mast was to be removed from the roof, would like to note concern around where the mast would be reinstated if new plant works no longer allowed it to be located on the roof. Especially as a potential replacement location[s] could be a green space such as Jesus Green.

Councillor Porrer withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee:

**Resolved (by 4 votes to 0 with 1 abstention)** to grant the Section 73 application in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to the planning conditions recommended by the officer in the report and amendment sheet.

**20/71/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).

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

Councillor Tunnacliffe withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee:

**Resolved (by 5 votes to 0)** 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.

### **20/72/Plan 20/0034/FUL - Jesus Green Moorings, Thompsons Lane**

The Committee received an application for full planning permission.

The application sought approval for extension of the existing pontoon.

The Committee received a representation in objection to the application from the Company Secretary for Beaufort Place.

The representation covered the following issues:

- i. The punting station was granted by St John's College to the county council as a public punting station and this application would prevent the location being used as a community facility, cementing its use as a commercial centre.
- ii. The punting operation of 28 punts continues through 365 days per year, from early morning to late at night, up to 2am in summer months. The punting companies actively encouraged the use of punts for stag parties and similar uses, drunken behaviour linked to this had a dramatic detrimental effect on the peace and enjoyment of residents.
- iii. There had been a lack of consideration and consultation with the residents of Beaufort Place over a change of use from what was intended to be a small public punting station to a commercial centre similar to a nightclub or hospitality event.

Ms Wynne from Rutherford's Punting Company (Applicant) addressed the Committee in support of the application.

#### The Committee:

Councillor Thornburrow withdrew from the meeting during this item and did not participate in the discussion or decision making.

**Resolved (by 4 votes to 0 with 1 abstention)** to reject the Officer recommendation to approve the application.

Members proposed draft 'minded to' reasons for refusal which were re-worded by Officers into a format for the minutes. Members **resolved (by 5 votes to 0)** to accept both reasons for 'minded to' refusal and the wording therein.

**Resolved (by 5 votes to 0)** to refuse the application contrary to the Officer recommendation for the following reasons:

- i. By virtue of the scale of the proposed extension to the pontoon, the scissor lift and associated works, the development would increase the presence and urbanise the appearance of the existing facility. In doing so, it would result in less than substantial harm to the character and appearance of the Conservation Area and the setting of nearby Listed Buildings, and would also harm the special landscape qualities of the River Cam and Protected Open Space. Whilst the works are intended to improve accessibility to this punting operation and improve loading and unloading arrangements, these benefits are considered to be predominantly confined to users of the punt operation and to be of limited wider public benefit. As such, they do not outweigh the identified less than substantial harm to the heritage assets, as set out in Paragraph 196 of the National Planning Policy Framework 2019. Consequently, the proposal would be contrary to Policies 7, 55, 61, 65 and 67 of the Cambridge Local Plan 2018.
- ii. The applicant had failed to demonstrate that the proposed development would not give rise to an intensification in the use of the pontoon and associated pedestrian activity in this area of Jesus Green, which already suffers from pedestrian congestion. As such, the proposal may impede the free flow of pedestrian movement, contrary to Policies 56, 65 and 80 of the Cambridge Local Plan 2018, and to Paragraph 110 of the National Planning Policy Framework 2019.

## **20/73/Plan 20/01738/FUL - Land at Lilac Court**

The Committee received an application for full planning permission.

The application sought approval for 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.

The Senior Planner referred to details on the amendment sheet.

Mr McKeown (Applicant's Agent) addressed the Committee in support of the application. His written statement was read by the Committee Manager.

The Committee received a representation in objection to the application from residents of Hinton Avenue, Courtland Avenue, and Lilac Court.

The representation covered the following issues:

- i. There was a dangerous potential for vehicle strike due to tight constraints of the development, also impacting the current on-street vehicle parking and the safety of residents exiting properties.
- ii. A lack of footpaths outside proposed houses would lead to a requirement for dropped kerbs for wheelchair/buggy use, displacing required parking. A reduction in the southern turning circle would lead to increased danger from larger vehicles.
- iii. New dwellings would overlook and intrude on surrounding residents, including windows and balconies facing habitable rooms. Additionally several of the new dwellings included no proper amenity space.
- iv. Tree officers did not support the application as several trees would have to be felled.
- v. The Applicant's claim that the garages were not in use and a site of antisocial behaviour were inaccurate. Also, the designated site was not available for development as several residents have access rights across it to access their freehold and leasehold garages.

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

- i. Was pleased this had come to committee as there had been two applications, one of which was withdrawn before a decision notice could be issued.
- ii. Took issue with the accuracy of details previously submitted by the Applicant and stated inaccurate material had been provided previously regarding tree surveys and computer-generated images.
- iii. The 11m width of the designated area was too small for this type of development and the close proximity to current properties which had large habitable room windows would lead to new properties requiring significant measures to obscure their views. This would impact on existing residents' privacy and amenity.
- iv. Asked the committee to consider/review text in the existing reasons for refusal, but there were several strong reasons included, so please support the officer recommendation to refuse. The application would exacerbate existing issues in the area such as traffic and refuse (waste) collection lorry manoeuvrability in the turning head.

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. Reason for refusal 5 should include a note that there would be a net loss of biodiversity from the development.
- ii. The louvred windows in bedrooms would mean a lack of appropriate amenity and light.

Councillor Thornburrow proposed an amendment to the Officer's recommendation. The description within the reason for refusal 6 should make mention that the development is of eight 3 bedroom houses, not two 3 bedroom houses and six 2 bedroom houses, which strengthened the issues of inadequate cycle storage and not meeting M4(2) accessible homes standards.

The Committee:

**Resolved (by 4 votes to 2)** to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report and amendment sheet, including the amendment to:

- i. Reason for Refusal 5, to include that the proposal will result in a net loss of biodiversity.
- ii. Reason for Refusal 6, to reword to include that the proposal failed to provide adequate levels of cycle parking provision for the dwellings proposed.
- iii. Draft an additional reason for refusal, relating to poor amenity for future occupants of the dwellings, due to the louvred windows being the only windows in certain bedrooms.

Delegated authority was given to officers, to draft the conditions in consultation with the Chair and Spokes.

**20/74/Plan 20/0050/FUL - 54A Cherry Hinton Road**

The Committee received an application for 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).

The Committee received a representation in objection to the application from a resident of Cherry Hinton Road:

- i. Would be significantly negatively impacted by the applicant's proposed overbearing development.
- ii. Was speaking on behalf of herself and the local Residents' Association who were very concerned that their concerns had not been addressed.
  - a. Over development - B1, C3, D1 together with the current A1 use on the footprint of a Victorian end of terrace house with a narrow garden was unacceptable.
  - b. Loss of residential space.
  - c. Scale and mass - This was far more than a typical 'back of house extension' as mentioned in 'Local Character' in the 'Design and Access Statement'. Although the design was described as one storey and in keeping with domestic scale it would protrude massively above the existing wall and fence lines and crosses the 45 degree line from speaker's 1<sup>st</sup> floor back bedroom.
  - d. Loss of amenity –
    - 1. No updated shadow statement to show the effect on 52 Cherry Hinton Road. Expressed concern that speaker's right to light would be lost on the basis that artists require a minimum ceiling height of 2.4m for aesthetic purposes.
    - 2. No plan to replace the trees already been lost to the barber shop car park, or the tree that will be lost to future development.
  - e. Parking – The development would exacerbate existing problems. No parking study has been carried out. Spaces won't cater for the number of users.
  - f. Safety –
    - 1. The lane has a 3 ton carrying capacity so was unsuitable for delivery vehicles.
    - 2. In places there is no footpath and only space for a small vehicle to navigate.
    - 3. There was no turning head or barriers to prevent customer access onto private property.
    - 4. No statement about safety of cyclists and pedestrians using the lane.
  - g. Future use - There were no guarantees that the buildings will not be used for light industrial use in the future.



- iii. Councillor Colin McGerty made the point on a site visit that there would be a 'canyon of buildings' in that section of the lane if the proposed development behind EACH goes ahead too. This reflects how under siege residents felt about development on these very small patches of land.

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

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

- i. An informative to ensure residents of the proposed property would not benefit from the resident's parking scheme.
- ii. A condition to retain one accessible car parking space.

The amendments were **carried unanimously**.

#### The Committee:

**Unanimously resolved** to grant the application for change of use 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 including the amendments to include:

- i. An informative to ensure that residents of the proposed property would not benefit from the resident's parking scheme.
- ii. A condition to retain one accessible car parking space.

#### **20/75/Plan 20/03202/FUL - 523 Coldhams Lane**

The Committee received an application for full planning permission.

The application sought approval for erection of 6 No. 1-bed dwellings following the demolition of an existing building.

The Committee received a representation in objection to the application from a resident of Fulbourn Old Drift:

- i. 523 Coldhams Lane had off road parking with a garden behind it. The application would set a precedent for garden development.
- ii. The application was near the green space around St Andrew's Church and could negatively impact on the amenity of groups who used the

green space. It was the only space that could be used for concerts in the area.

- iii. Recent developments in the area had increased the demand to use the open space around St Andrew's Church for community purposes.
- iv. The Church could 'go out of business' if it lost its parking spaces and delicate eco-systems.

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

- i. A condition to retain the green roof in perpetuity.
- ii. A condition to retain new/existing trees.

The amendments were **carried unanimously**.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. the following additional conditions, with delegated authority to Officers to draft the conditions in consultation with the Chair and Spokes:
  - a. A condition to retain the green roof in perpetuity.
  - b. A condition to retain new/existing trees.

The meeting ended at 3.45 pm

**CHAIR**

## PLANNING COMMITTEE

2<sup>ND</sup> DECEMBER 2020

<b>Application Number</b>	20/04395/PRI18A	<b>Agenda Item</b>	11
<b>Date Received</b>	23rd October 2020	<b>Officer</b>	Luke Waddington
<b>Target Date</b>	17th December 2020		
<b>Ward</b>	Trumpington		
<b>Site</b>	Cambridge Railway Station, Station Road		
<b>Proposal</b>	Prior approval for the construction of a carriage wash enclosure on the railway siding to the north of Mill Road west of Great Eastern Street.		
<b>Applicant</b>	Steve Taylor 5th Floor 1 Eversholt Street London NW1 2DN		

SUMMARY	<p>-The location for the Carriage Wash Machine (CWM) building enclosure is justified, it could not reasonably be carried out elsewhere.</p> <p>-The visual and heritage amenity impacts arising from the CWM building enclosure are acceptable.</p> <p>-Overshadowing and enclosure amenity impacts are acceptable.</p> <p>-Formal written advice is awaited from the Council's Environmental Health Team regarding, in particular, the associated noise impacts of the proposal. Officers cannot conclude their recommendation without this advice which must be balanced against the fall-back of the CWM plant only being capable of being installed under permitted development rights afforded under Part 8 of the Permitted Development Regulations.</p>
RECOMMENDATION	-To be reported on the Amendment Sheet and subject to Environmental Health advice.

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

- 1.1 The application site is an area of land 1,163m<sup>2</sup> in size located within the Cambridge Railway boundary, approximately 90 metres to the north of the Mill Road Bridge. The site includes railway tracks (sidings) and is located east of the new residential development at the former Cambridge Council Depot site on Mill Road /Hooper Street. The site is located to the west of dwellings on Great Eastern Street, the rear elevations and rear gardens of which face towards the site. The Chisholm Trail is proposed to run parallel to the site on its eastern side, between the site and the dwellings on Great Eastern Street.
- 1.2 The application site is close to the edge of the Mill Road Conservation Area, that spans the length of Mill Road and includes the immediate surrounding streets. The boundary of the Conservation Area narrows at the train line and includes Mill Road bridge but excludes all of the surrounding railway area. The Conservation Area includes Great Eastern Street to the east of the site and the Mill Road Depot site to the west. The application therefore has the potential to impact upon the setting of the Mill Road Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 This is an application for Prior Approval for the erection of a building to enclose a new Carriage Wash Machine (CWM). The CWM building would be located on a section of track linking the two separate north and south yards of the Cambridge Rail depot, which are divided by Mill Road bridge.
- 2.2 The proposed CWM building at this site would replace a previous carriage wash at the south yard, and according to the information submitted in support of the application, is required to allow room for newer larger trains to be washed and to reduce the number of rolling stock movements required for washing operations prior to stabling (parking) trains.
- 2.3 The applicant sets out the context of the proposal as part of their supporting Planning Statement as follows:

*‘Govia Thameslink Railway (“GTR”) has been contracted by the Department for Transport (“DfT”) to undertake enhancements to the network sidings and depot carriage sidings at Cambridge as*

*part of works to provide increased stabling capacity for both GTR and Greater Anglia's (GA) new fleets of rolling stock, vehicle servicing provisions, new improved train presentation and staff welfare facilities (the "Project"). The proposed works will also bring redundant and underused sections of track back into use to provide stabling for the new class 700 Siemens trains on the recently upgraded Thameslink route and provide stabling for the new Bombardier and Stadler trains on the GA routes which will provide enhanced passenger services for the residents of Cambridge.*

*Part of those works includes the provision of a new Carriage Wash Machine ("CWM") facility – which is being re-sited from a southern area of the site (south yard) to the north yard, on/near the site of the previous Network Rail Maintenance Delivery Unit and sidings for diesel powered 'Yellow maintenance plant / trains', which have been removed. The proposed works are within the existing boundary of the operational railway at Cambridge Depot and Railway Station.'*

- 2.4 The CWM enclosure itself would be a rectangular building 34 metres long and 7 metres wide, aligned north to south, with a dual pitched gable roof. At the roof ridge the enclosure would be 8.5 metres high and the enclosure would be approximately 18.9 metres to the west of the rear gardens on Great Eastern Street. There would be openings at both ends of the enclosure for entry/exit of trains. The enclosure would be constructed from sheet metal and would be beige in colour.

### **3.0 PLANNING HISTORY**

#### **3.1 Summary of relevant planning history:**

<b>Planning Reference</b>	<b>Description</b>	<b>Outcome</b>
18/1372/CAP18	Application for Prior Approval under Part 18 for construction of new gated east side stairway from Mill Road to provide access to train	Granted 11.01.2019

20/03732/PRI18A	<p>drivers walkway, including alterations to arches 5 and 6 to facilitate new sidings, walkway and passive provision for Chisholm Trail.</p> <p>Prior approval for the construction of new gated east side stairway from Mill Road to provide access to train drivers walkway, including alterations to arches 5 and 6 to facilitate new sidings, walkway and passive provision for Chisholm Trail.</p>	Granted 29.10.2020
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#### 4.0 PUBLICITY

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

- 4.1 Officer note: There is no requirement for the Local Planning Authority to advertise this type of Prior Approval application under the relevant planning legislation, but it has done so because of the wider public interest in the proposal.

#### 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 24 28, 34, 35, 36 55, 56, 61, 71, 80

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

Central Government Guidance	National Planning Policy Framework July 2019  National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards  Circular 11/95 (Annex A)
Supplementary Planning Documents	Greater Cambridge Shared Planning Sustainable Design and Construction SPD (2020).  Mill Road Area Conservation Area Appraisal 2011
Material Considerations	<u>City Wide Guidance</u>  Air Quality in Cambridge – Developers Guide (2008)  Cambridge City Council Draft Air Quality Action Plan 2018-2023

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Management)

#### 6.1 No comment on behalf of the Local Highway Authority

## **Environmental Health**

- 6.2 The Council's Environmental Health and Planning teams have discussed the submitted Noise Assessment Report by Atkins dated 8<sup>th</sup> January 2020. The Environmental Health team has raised a number of technical issues with the conclusions and recommendations of the Report, and clarification is currently being sought by Officers upon these issues from the applicant. Following clarification full comments from Environmental Health will be provided on the Amendment Sheet. Nevertheless, it is evident from the submitted Report that there would be the potential for adverse impact upon nearby residential properties as a result of the operations of the CWM.

However, the Environmental Health team note the permitted development fallback available to the applicant under Part 8, Class A of Schedule 2 of the General Permitted Development Order 2015 (railway or light railway undertakings) that would allow erection of an unenclosed CWM without further planning control (constituting plant). In light of this, the Planning and Environmental Health teams have concluded that the provision of a building to enclose the CWM would provide a better means of mitigating the noise impacts associated with the CWM upon residential amenity than the absence of an enclosing building.

## **Urban Design and Conservation Team**

- 6.3 Conservation Officer: No objection. The proposed washing enclosure is of quasi-industrial appearance similar to buildings built in support of the railway's function since the railway use began; in other words it is the sort of building of the sort of scale that many people would expect to see in such a location. The pitched roof design and colour of the sheet metal cladding appear to work well with the surroundings and should have no adverse visual impact on the LB [the historic railway station] or the traditional housing nearby. Taking the above into account, it is considered that the proposal will not adversely affect the character of the Listed Building and that the proposal will preserve or enhance the character and appearance of the conservation area.

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

- 6.4 No comments received at the time of writing



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

- 6.5 No objections to the application subject to imposition of conditions requiring submission of an arboricultural method statement and tree protection plan prior to commencement of the development.

## **Refuse and Recycling**

- 6.6 No comments received at the time of writing
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 At the time of writing this report, eleven objections have been received from the below addresses, and are summarised in the following bullet points.

Numbers 11, 30, 33A, 47, 53 and 72 Great Eastern Street, 25 Headley Street, 105 Cavendish Road

- GTR have not involved residents with regard to the overall works at the station
- No information on the chemicals that are going to be used in the train wash despite requests
- Clarity required regarding noise levels to be expected
- Noise from idling trains awaiting washing
- Inappropriate survey has been carried out regarding how the facility will affect its surroundings
- Piling noise already affecting residents
- Noise of carriage wash machine operation will be constant and will adversely impact residents
- The machinery will run 7 days a week and during the night with residents not able to relax
- The enclosure building is large and unsightly
- Large visual impact from enclosure building upon properties on Great Eastern St
- The planning application should have included both the plant and the enclosure
- Application site is too close to residential streets

- Inappropriate within the conservation area
- Land at Cambridge North was to be used originally
- Vibration of construction works will cause structural issues to nearby properties
- If approved there should be conditions addressing the visual impact of the building, hours of operation, acoustic panels and ongoing environmental monitoring
- Trains should be required to turn engines off during cleaning
- The carriage wash will cause constant and persistent background drone and vibrations
- Possibility of a fine mist of cleaning agents released
- Potential for light pollution
- Potential for chemicals to escape
- Loss of property value

7.2 One representation of support for the proposals has been received from no.12 Great Eastern Street and is summarised below:

- A train wash is a necessary part of a functioning railway
- From the applicant's presentations, they have considered all possible sites and this is the best one.
- The environmental impact study seems sound
- It should be taken into consideration that residents already live next to a working railway

7.3 It is likely that more representations will be received post the completion of this report and these will be reported on the Amendment Sheet together with the advice from Environmental Health. The comments reported above are a summary of the representations received. Full details of the comments can be viewed on-line using Public Access.

## 8.0 ASSESSMENT

### Legal and Planning Policy Context

8.1 This is not an application for planning permission and members do not have the wide scope of consideration afforded to them as they ordinarily would. This is an application for **Prior Approval**. The application is made under Part 18 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended ('GPDO').

- 8.2 The scope for consideration by members of the Planning Committee is limited to the location and the design and external appearance of the development and whether the proposal would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.
- 8.3 The prior approval application is subject to a limited time period within which the Council must make its decision, unless a longer period has been agreed by the applicant and the Council in writing. In this case, the time-period for making a decision is 56 days, starting from 23 October and ending on the 17<sup>th</sup> Dec 2020. Members of the Planning Committee are strongly encouraged to either approve or refuse the proposal at this meeting.
- 8.4 Part 18 of the GPDO allows development for a building to come forward under a prior approval process that has been authorised by a local or private Act of Parliament. In this matter for Network Rail, this is the nineteenth century Act of Parliament under which the Railway was built. Section 16 of The Railway Clauses Consolidation Act 1845 confers powers for the Railway Company and its successors in title (now Network Rail) to construct works such as bridges, tunnels and embankments, etc as the Company sees fit, and *'erect and construct such houses, warehouses, offices, and other buildings, yards, stations, wharfs, engines, machinery, apparatus, and other works and conveniences, as they think proper'*. The applicant has confirmed that the railway in this location was authorised by the Eastern Counties Railway (Brandon and Peterborough Extension) Act 1844. The subsequent Great Eastern Railway Act 1862 applied the Railways Clauses Consolidation Act 1845 (RCC Act 1845) general provisions to all of the Great Eastern Railway.
- 8.5 The site of the current proposed development was acquired under the Great Eastern Railway Act 1874. By section 2 of the 1874 Act, the Railways Clauses Consolidation Act 1845 was incorporated. The 1862 Act (in its application to the railway authorised by the 1844 Act) and the 1874 Act designate the land upon which the proposed works is to be carried out pursuant to section 16 of the 1845 Act.
- 8.6 Officers are satisfied that the proposed CWM building enclosure can be dealt with as a Prior Approval application under Part 18

Class A of the GPDO, and does not require express planning permission, subject to the limitations set out in the GPDO.

- 8.7 As set out above, part 18 Class A of the GPDO permits development on the condition that prior approval of the detailed plans and specifications of any building is first obtained from the Local Planning Authority. In its evaluation the Local Planning Authority can only consider:
- a) Location.
  - b) Design and external appearance of a development.
- 8.8 The GPDO states that development is not to be refused, nor are conditions to be imposed unless:
- a) The development ought to be and could reasonably be carried out elsewhere on the land; or
  - b) The design or external appearance of any building or bridge would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.
- 8.9 A “building” for the purpose of the GPDO includes “any structure or erection and... includes any part of a building... and... does not include plant or machinery and... does not include any gate, fence, wall or other means of enclosure” (Article 2.1). As such Prior Approval is only required for the CWM building (enclosure) over the Carriage Wash Machine. The Carriage Wash Machine itself and plant room are in the view of officers permitted development by virtue of Part 8, Class A of the GPDO, constituting plant.
- 8.10 It follows that unless the Local Planning Authority considers that the location of the development ought and could be reasonably carried out elsewhere *or* the design or appearance adversely affects (injures) the amenity of the neighbourhood *and* is not reasonably capable of modification, Prior Approval must be granted.

### **Planning assessment**

- 8.11 In accordance with Part 18 of the GPDO, the following matters are material to this assessment:

- Location
- Design and external appearance

### **Location**

- 8.12 The proposal seeks to provide a building for the enclosure of a Carriage Wash Machine (CWM) that would be sited approximately 100 metres to the north of Mill Road Bridge within the area of the Cambridge Depot known as the north yard.
- 8.13 The supporting statement for the application sets out in detail a number of reasons for the selection of this particular site. Firstly, it addresses the reasoning for the selection of the Cambridge depot rather than an alternative location such as Cambridge North as suggested within 3<sup>rd</sup> party representations. It then explains the applicant's choice of location within the Cambridge Depot itself. The reasoning is summarised below.
- 8.14 Alternative locations such as Cambridge North were ruled out as lacking resilience, efficiency and the ability to meet timetables due to the additional distance to be travelled at the end of service and the number of additional movements required to accommodate the maintenance and cleaning requirements for the rolling stock.
- 8.15 The applicant states that due to the intensity of the increased passenger services, new fleets of 10 and 12 carriage rolling stock, the depot and associated facilities have had to be sited as close as possible to the station platforms to be able to maintain the departure times of the published timetables; Cambridge North also currently lacks sufficient platform space and would necessitate significant Network Rail infrastructure improvements that are not included in the current 5-year rolling plan for the rail station.
- 8.16 It is stated that other sites would also result in changes to timetables to accommodate shuttle moves, as well as increases in signaller workload leading to an overall reduction in passenger services. It is asserted that alternative depots with cleaning facilities are located a significant distance by journey time from Cambridge and therefore are not practicable.
- 8.17 The former carriage wash at Cambridge was located in the south yard. Its positioning was such that trains were required to

pass through the carriage wash, stable (park) on a terminating road (track), before the driver walks back to the opposite end of the train to drive it into the north yard (via a National Rail signalled area) to stable for the night. This so called “double shunt”, manoeuvre is stated to be inefficient and limits the number of trains that could be washed within the depot.

- 8.18 Additionally, the existing termination road in the south yard road only had capacity to stable an 8-car train unit, while the new Govia Thameslink Railway and Greater Anglia rolling stock are of 10 and 12 car configurations. As such, the proposed CWM location would require a through road with 12 car stabling available at either end.
- 8.19 These constraints directed that the most logical location for the CWM is on the road connecting the north and south yards passing under Mill Road Bridge, being a through road which is also long enough to accommodate new rolling stock as it passes through to stable. This also eliminates the need for communications with the Network Rail Signaller at the Signal Box for train washing activities and allows for efficient shunting activities. To provide greater flexibility and control for the Depot, an additional road will be installed under Mill Road Bridge which is entirely within the Depot's control.
- 8.20 Due to the Overhead Line Equipment (OLE) height restrictions, the CWM building on the connecting road must be located at least 100m north from Mill Road Bridge. Of the options on the connecting road in the north yard, the proposed location north of Mill Road Bridge is considered by the applicant to fit well within the existing constraints in the north yard and requires only minor amendments to the north yard track layout.
- 8.21 Relocating the CWM further to the north in the north yard is not considered feasible by the applicant as it would create the same issues present in the south yard and would require significant remodelling of the north yard and the Coldhams Lane Depot entrance which would then require the relocation of the Greater Anglia and Arriva depot operations for a significant length of time.
- 8.22 Officers consider that taking the constraints set out in the Supporting Statement into account, the selected location appears logical from an operational perspective and there is no

compelling evidence presented that the erection of the CWM building ought to be or could reasonably be carried out elsewhere on the land, without adversely impacting passenger services and the wider operation of the Cambridge depot.

## **Design and external appearance**

- 8.23 The proposal seeks approval of the CWM building. As stated above, the proposed building would be sited in close proximity to, and within the setting of, Mill Road Conservation Area. As stated by the Conservation Officer, the railway operations in this part of Cambridge have often resulted in ancillary buildings being erected along the tracks, usually in support of the function of the railway. In this respect, the proposed building is in keeping with its surroundings, being a building of quasi-industrial appearance that is not unexpected in a railway setting. The pitched roof and beige colour are in keeping with the surroundings and would aid the building in integrating with its surroundings. As such the proposed building is considered to preserve the setting of the character and appearance of the Mill Road Conservation Area. No detrimental impact on the setting of the Grade II listed Cambridge Railway Building or other heritage assets is anticipated.

### *Residential Amenity: overshadowing and enclosure*

- 8.24 The proposed enclosure would be located approximately 18.9 metres from the rear boundaries of gardens on Great Eastern Street. Officers acknowledge that the building would be visible from these gardens. However, given the separation distance, and the pitched roof design of the enclosure, Officers consider that the design and appearance of the CWM building would not result in significant overshadowing or enclosure upon dwellings on Great Eastern Street. Visualisations and cross-sections provided by the applicant support this assertion as do a series of overshadowing plans which compare an earlier iteration of the design of the building (prior to the application being made) which incorporated a flat roof and was a bulkier proposal (9.3m high) to the current proposal. The overshadowing plans show the earlier flat roof design providing a limited additional degree of overshadowing in the rear gardens of Great Eastern Road properties at 8pm on 1 June, with the current proposal providing no additional overshadowing at this time and date over and above that created by the redeveloped Mill Road Depot site.

The overshadowing impact on the gardens of these properties is entirely acceptable.

### *Landscaping*

- 8.25 Conditions have been requested by the Tree Officer to secure an arboricultural method statement and tree protection plan, in the interests of trees within the rear gardens of residences on Great Eastern Street. Conditions can only be applied to the development in the circumstances identified previously in the 'Planning policy context' section of this report. As set out above it is not considered that the development ought to be and could reasonably be carried out elsewhere on the land. As to whether the design and appearance of the building would injure the amenity of the area in terms of its impact on trees, it is noted that the boundary of the application site is approximately 10 metres from the rear boundary with Great Eastern Street, and the CWM building is to be sited approximately 18.9 metres from the rear boundary over an area of existing railway track. At these distances it is not considered that the proposed development would result in a significant adverse impact to trees within the rear gardens of dwellings on Great Eastern Street.

### *Noise and Vibration*

- 8.26 A number of representations from residents have been received expressing concerns with the potential for noise, vibration and disturbance impacts of the CWM building. Officers note that the application for prior approval relates to the building enclosure rather than the CWM itself. However the enclosure and the CWM are part and parcel with one another as the enclosure would house the CWM and as set out in the submitted Supporting Statement the CWM is reliant on the enclosure for its correct operation, including the mitigation of noise impacts. As such it is considered appropriate to assess the impact of the design of the enclosure on the amenity of the neighbourhood in terms of noise and vibration.
- 8.27 A Noise Survey & Assessment by Atkins has been provided by the applicant and is summarised in the Supporting Statement. The predicated noise profile used in the Atkins survey is taken from an existing covered CWM at Hornsey Depot, London. It is stated that the CWM at Hornsey utilises a different CWM



installation which includes air blowers, whereas the proposed Cambridge CWM uses brushes and hot water wash. It is stated that the use of air blowers is an intrinsically noisy aspect of the washing operation. As there are no blowers in the proposed CWM the applicant asserts that the noise emitting assets to be installed at Cambridge are less noisy by comparison.

- 8.28 Sound attenuation is intended to be provided by the building enclosure itself and so the report concludes that it is properties in line of sight of the open ends of the building that would be most affected by operational noise. This noise impact is most likely to be experienced during the night, between 11pm and 6am when most trains are not timetabled to run, the rolling stock is available for cleaning and people are sleeping or attempting to sleep. Trains are likely during this period to be cleaned in the CWM building at no more than 15 min intervals.
- 8.29 The report states that predicted noise levels at the worst affected property (11 Great Eastern St), would result in an excess of Rating Level over Background Noise Level of 6 decibels (dB). This predicted Rating Level at the worst affected property is at a threshold at which there is an indication of an adverse impact, according to British Standard BS4142.
- 8.30 However the applicant anticipates noise levels at the Cavendish Road and Great Eastern Street properties to be lower overall than predicted in the report, due to the reduced noise of the proposed configuration of the Cambridge CWM in comparison the Hornsey CWM used as a baseline for the report.
- 8.31 The noise report recommends that noise measurements are undertaken upon commissioning of the CWM building, at which time additional mitigations may be implemented if necessary, such as an acoustic fence running for 23 metres to the north and south of the entrances to the CWM enclosure, at a height of 3 metres. The Supporting Statement concludes that a 3m fence would be most appropriate given the potential for visual intrusion and piled foundations needed for fences in excess of 3 m high. It is predicted by the applicant that a 3m high fence of the length and location described above would result in a reduction in the noise levels reaching 11 Great Eastern Street of 2.5 dB at ground floor and 1.9 dB at first floor. The provision of any such fences would fall within permitted development within Part 8 Class A. Officers are exploring with the applicants

the feasibility and necessity of conditioning this acoustic fencing as part of any approval.

- 8.32 While the report makes an assessment of the noise impacts on Great Eastern Street, it is noted that it does not include an assessment of potential noise impact upon residential development coming forward on the former Council Mill Road Depot site to the west of the site.
- 8.33 The Council's Environmental Health team has been consulted for its view on the impacts of the CWM building enclosure upon residential amenity. The GDPO places a time limit of 56 days for the Local Planning Authority to determine applications for Prior Approval. Should no response be received by the applicant from the LPA within 56 days the applicant may commence the operations. Due to this time limit and the need to complete this report for publication prior to consideration of the application at Planning Committee, the available time for review and consideration of the complex supporting information by the Environmental Health team has been limited. As such the comments and recommendation of the Environmental Health team will be included within an update to this report prior to the Planning Committee meeting.
- 8.34 As such this report is written without a final recommendation in respect of the noise impacts of the scheme, subject to the comments of the Environmental Health team. The Officer recommendation, following receipt of comments from Environmental Health, will be addressed within a written update to this report on the Amendment Sheet prior to the planning committee meeting.

#### *Other Third Party Environmental Concerns*

- 8.35 Third party representations have been received in respect of noise and vibration of construction works currently underway at Cambridge Rail Station. Specific works have not been identified within the representations and as these works are currently underway elsewhere within the wider Rail Station site, they are not material to the assessment of the present application for prior approval of the CWM building.
- 8.36 A third-party representation has raised concerns regarding fine spray and mist of cleaning fluids that may emanate from the

enclosure. While no specific details of this are provided within the application it is noted within the Supporting Statement that the prewash and final rinse sprays of the CWM are located at least 3 metres within the ends of the enclosure which is intended to minimise any overspray. The choice of use of which cleaning products / detergent to utilise is beyond planning control but in any event is covered through Health and Safety legislation which the Environmental Health officer is anticipated to note.

### **Environmental Impact Assessment (EIA) Regulations 2017**

- 8.37 The applicants are of the view that the proposal is exempt from the requirement for an EIA. They have not sought a screening opinion in relation to the prior approval application. They cite case law (the Euston case) in order to confirm this conclusion. In the Euston case, reliance was placed by Network Rail on Part 18, Class A, of the General Permitted Development Order (GDPO) where both the Planning Inspector and the Secretary of State held that the disapplication of the need for consideration to be given to environmental assessment of the proposed railway works applied. This 'disapplication' is set out in the GDPO at Article 3(12)(b)).
- 8.38 The applicants set out that the Cambridge Depot precedes the related European Directive (in respect of EIA development), having been authorised by a private Act (1845) which preceded EIA legislation and that the proposed works are therefore not required to be the subject of an EIA. Officers have no reason to disagree with this assessment.
- 8.39 One of the key environmental impacts arising from the proposal relates to noise and disturbance from the operation of the cleaning apparatus within the CWM building and the timing of this (overnight). This impact is assessed within the Atkins Noise Assessment (summarised above) submitted post submission of the prior approval application on 10 November which is subject to review by the Council's Environmental Health Team. The impacts are localised and are defined within the context of the wider railway improvement project defined by the applicants in their Planning Statement to undertake enhancements to the network sidings and depot carriage sidings at Cambridge as part of works to provide increased stabling capacity for both GTR and Greater Anglia's (GA) new fleets of rolling stock,

vehicle servicing provisions, new improved train presentation and staff welfare facilities (the “Project”). There are no additional environmental impacts arising from these wider project works that require further assessment as far as the prior approval application and submitted noise assessment are concerned.

### **Other matters**

- 8.40 As confirmed in Paragraph 4.0 above, officers are satisfied that the public consultation carried out for the purposes of this Prior Approval application was appropriate for this type of application.
- 8.41 Officers note the third-party criticisms regarding the lack of involvement of stakeholders in the Applicant’s proposals. Officers are aware that a number of public meetings have been held by the applicant with regards to works at Cambridge Rail Station including the proposed CWM and building enclosure.
- 8.42 Loss of property value is not a material planning consideration.
- 8.43 Prior approval is not sought for any external lighting.

## **9.0 CONCLUSION**

- 9.1 It is considered that the development cannot reasonably be carried out elsewhere on the land, and so condition A.2 a) of Part 18 of the Class A of the GPDO is satisfied.
- 9.2 In respect of condition A.2 b) the design and external appearance of the proposed CWM building is not considered to result in injury to the amenity of the neighbourhood in terms of its impact on heritage assets, including the Mill Road Conservation Area, other heritage assets or impact on residential amenity of properties nearby in terms of enclosure or overshadowing.
- 9.3 As to whether the CWM building would injure the amenity of the neighbourhood through failure of the design to sufficiently mitigate amenity impacts, and whether any further modifications to the design and external appearance of the CWM building could be reasonably carried out to limit amenity impact, a written update regarding the officer recommendation will be

provided on the amendment sheet prior to the planning committee meeting following the receipt of Environmental Health advice.

- 9.4 Notwithstanding Environmental Health advice, there is a fall-back position available to the applicants under Part 8, Class A of the GPDO to install the CWM only absent of a building enclosure because it would amount to plant. Officers are of the view that there is a reasonable prospect of the applicants installing the CWM plant only should prior approval be refused. Officers are in agreement that the presence of an enclosing building, and the resultant opportunity for noise mitigation measures provided by the building, would be preferable to an alternative scenario where no building is erected, in terms of the potential impacts upon residential amenity. Members should bear this scenario in mind when considering the proposal.

## **10.0 RECOMMENDATION**

10.1 None.

10.2 Pending advice from the Council's Environmental Health team.

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## PLANNING COMMITTEE

2nd December 2020

<b>Application Number</b>	20/04083/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd October 2020	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	3rd December 2020		
<b>Ward</b>	Arbury		
<b>Site</b>	39 Akeman Street		
<b>Proposal</b>	Continuation of temporary use as a community centre office and activities for a period of 52 weeks from 5/11/2020.		
<b>Applicant</b>	Mr Paul Gray Housing Development Agency Mandela House 4 Regent Street Cambridge CB2 1BY		

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

## **0.0 BACKGROUND**

- 0.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to deliver 500 net new council rented homes across the City using mainly council owned sites/assets. The City Council has received £70 million support from central government as part of the Devolution Deal to help achieve this target.
- 0.2 Planning permission was granted on 14<sup>th</sup> August 2019 for the Temporary change of use of 39 Akeman Street as a Community Centre Office for a period of 55 weeks involving the widening of a rear door and the installation of an access ramp. This application came before the Planning Committee On 3<sup>rd</sup> July 2019.

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

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

## **2.0 THE PROPOSAL**

- 2.1 This application proposes the continued use of the property for use as a community centre (Use Class D1) and associated office for a further period of 52 weeks.
- 2.2 A separate planning application has been granted permission on 11<sup>th</sup> October 2019 for the redevelopment of 74-82 Akeman Street for the erection of 3 no. retail units (2 x use class A1 and 1 x use class A5), 1no. Community Centre (use class D1) and provision of 14 no. dwellings (8 flats and 6 maisonettes) following demolition of existing units and flats).



2.3 The temporary change of use at 39 Akeman Street would ensure that the existing community use at 82 Akeman Street is not lost during the proposed wider redevelopment. The need for the extension of the temporary use of 39 Akeman Street as a community facility is, in part, due to the coronavirus pandemic causing delays with the construction of the redevelopment of 74-82 Akeman Street. Construction commenced in November 2019 and is now due to be completed in June 2021.

2.5 The application is accompanied by the following supporting information:

- Floor plans
- Site location plan
- Design and Access Statement

### **3.0 SITE HISTORY**

3.1 18/1859/FUL – Permission granted on 14<sup>th</sup> August 2019 for the temporary change of use of 39 Akeman Street as a Community Centre Office for a period of 55 weeks involving the widening of a rear door and the installation of an access ramp.

### **4.0 PUBLICITY**

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

### **5.0 POLICY**

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge	Local	1, 3, 55, 56, 59, 73, 81, 82
Plan 2018		

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

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

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways Development Management)

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

#### Environmental Health Officer

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

## 7.0 REPRESENTATIONS

- 7.1 No letters of representation have been received.

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 73 of the Cambridge Local Plan (2018) seeks to ensure that community facilities are only lost where it is demonstrated that there is no requirement for the use, or where it can be replaced elsewhere.

8.3 Although this proposal does not involve the loss of a community facility, it seeks to ensure that an established community use is able to continue operating on a temporary basis whilst the approved permanent facility in the development at 74-82 Akeman Street is constructed.

8.4 Policy 3 of the Cambridge Local Plan (2018) resists the loss of residential uses, except in exceptional circumstances. This proposal would result in the continued loss of a residential dwelling although it would be for a temporary period of time, and would be to facilitate the provision of an overall increase in housing, and affordable housing, in the City Council's boundaries.

Para 014 Reference ID: 21a-014-20140306 of the National Planning Practice Guidance states; it will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). It is considered that the change in circumstances with regard to the construction of a new community centre provides clear justification for a second temporary permission.

8.5 With the above in mind, the proposal is considered to comply with national planning guidance and policies 3 and 73, and the principle of development is considered acceptable subject to the

material considerations discussed below being satisfactorily met.

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

- 8.6 The site is located within a predominantly residential area with some commercial uses present. The site is not located within a conservation area, and the building is not listed.
- 8.7 The proposed development would result in no external alterations to the front of the building. The proposal would not, therefore, have an impact on the streetscene.
- 8.8 To the rear of the site, no new alterations are proposed either.
- 8.9 Officers consider that the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, and 59.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.10 No representations have been raised from neighbouring properties.
- 8.11 With regard to the external alterations that have taken place, these were considered in the previously approved application to not have an adverse impact on the amenity of neighbouring properties with regard to sunlight/daylight receipt, overlooking, overshadowing, loss of privacy and outlook. No new alterations are proposed.
- 8.12 The continued change of use does, however, create the possibility for the property to have a different impact on neighbouring properties with regard to noise creation than the former residential use. A condition was attached to the previous consent, which should be applied again, in order to restrict hours of use to minimize disturbance for neighbouring properties.
- 8.13 The previously approved application had been supported by a Sound Insulation Prediction data sheet

- 8.14 The conclusions of the document were that the proposed use could have an impact at ground floor level to the adjoining property, and that sound insulation should be added to this wall. A condition requiring this to be installed prior to first use was imposed, and the works were duly carried out.
- 8.15 The Council's Environmental Health Team have been consulted on the proposal, and have raised no objection subject to the imposition of a condition restricting the hours of operation of the premises, number of users per room, insulation being provided to the shared party wall at ground floor level, and controls on music/amplified noise.
- 8.16 As with the previous consent, Officers consider it important to mitigate against potential noise by restricting hours of use (09:00 to 18:00 Monday to Friday). Requests to condition the number of users per room are not supported however, as this would not be enforceable and would, therefore, fail the tests which all conditions must meet as set out in Circular 11/95. The request to prohibit music and amplified voice would also be unenforceable, and given the heavily restricted hours of operation this is not considered to be necessary.
- 8.17 Officers have assessed the potential impact on the residential amenity of the surrounding occupiers in terms of sunlight, daylight, overlooking, overbearing sense of enclosure and overshadowing. Furthermore, the use has been in operation for over 12 months without complaint. Therefore, officers are satisfied that the proposal for continued temporary use of the property as a community centre would not have a significant adverse impact on the residential amenity of the neighbouring occupiers.

### **Highway Safety**

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

## **Car Parking**

- 8.21 Officers consider that the proposed hours of operation mean that the likely demand for parking would be during hours when parking demand would likely be at its lowest. In addition, the site is not in a Controlled Parking Zone and the LPA are unaware of any issues that have risen as a result of the use of the property as a community centre to date.
- 8.22 Officers considered in the previous application that the proposal would have an acceptable impact of car parking, and there are no material changes to consider otherwise at this time. With this in mind, it is considered that the proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **9.0 CONCLUSION**

- 9.1 The proposed is for the continuation of a temporary change of use to provide a community facility.
- 9.2 The proposal would allow for the continued provision of a community use while a redevelopment of an existing site would provide an upgraded community facility, new retail premises and new housing.
- 9.3 The application has been considered against the relevant policies, and upon assessment, is considered to comply with national and local policies, and should, therefore, be granted planning permission subject to appropriate planning conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. The community use hereby permitted shall expire after 52 weeks from the date of this decision notice. The premises shall then revert back to residential use after this date.

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

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

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

3. The F2 use hereby permitted shall be operational between 09:00 and 18:00 Monday to Friday only.

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

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<b>Application Number</b>	20/01925/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1 <sup>st</sup> May 2020	<b>Officer</b>	Aaron Coe
<b>Target Date</b>	27th May 2020		
<b>Ward</b>	Newnham		
<b>Site</b>	1 Clarkson Close		
<b>Proposal</b>	Demolition of existing dwelling and replacement with 5 bedroom dwelling.		
<b>Applicant</b>	Mrs Rachel Xuereb		

<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 conservation area.</li> <li>- The proposed development respects the residential amenity of the neighbouring properties.</li> <li>- The proposed development would provide a high quality living environment for the future occupiers.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No.1 Clarkson Close is a detached two-storey dwelling located within the West Cambridge Conservation Area. Clarkson Close is a small cul-de-sac located to the south of Clarkson Road.
- 1.2 The immediate surrounding character is predominantly residential properties within sizeable plots. The southern boundary of the application site is defined by mature trees whilst the east and west boundary treatments consist of hedgerows and fencing.

- 1.3 No.3 Clarkson Road located to the North East of the application site is a Listed Building, immediately to the south of the site is an area of Protected Open Space (Trinity College Playing Field). There are no other relevant site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes the demolition of the existing property and erection of a replacement two storey detached dwelling with a garage at the front of the property set off the western boundary. The replacement dwelling would be a substantial property with an 'L' shaped layout and the appearance of an Edwardian architectural style.
- 2.2 In terms of materials the proposal involves a red multi stock brick with matching brick plinth, painted timber windows and a natural slate roof.
- 2.3 During the course of the application the scheme has been amended:
- The proposed house layout has been "flipped" in order to relocate the front projection to the eastern side of the plot to minimise the impact on No.4 Clarkson Close.
  - Windows on the first-floor western and eastern elevation are obscured
  - Provision for cycle parking in the garage.
  - Provide provision for bin storage.
  - Provide landscape boundary treatment on the common western boundary with No.4 Clarkson Close.
- 2.4 In addition to the application form and plans, the application is accompanied by the following supporting information:
- Design & Access Statement
  - Heritage Statement
  - Arboricultural Impact Assessment
  - Ecological Appraisal
  - Daylight and Sunlight assessment

## **3.0 SITE HISTORY**

- 3.1 C/67/0039- Extension and alterations to dwelling- Approved.  
C/76/0061- Single storey side extension- Approved.

06/1326/CAC- Demolition of garage- Approved.  
 06/1327/FUL- Additional dwelling- Approved.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge	Local	1, 3
Plan 2018		31, 34, 35, 36
		50, 51, 52, 55, 56, 57, 59
		61, 67
		70, 71
		81, 82

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

Central Government Guidance	National Planning Policy Framework February 2019  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
Supplementary Planning	Greater Cambridge Sustainable Design and Construction (Jan 2020)

Guidance	
Area Guidelines	West Cambridge Conservation Area

## 6.0 CONSULTATIONS

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

- 6.1 No comment on behalf of the Highway Authority.

#### **Drainage Officer**

- 6.2 No objections subject to conditions requiring surface water drainage, maintenance details and finished ground floor level details.

#### **Environmental Health**

- 6.3 No objection subject to the inclusion of conditions regarding construction hours, collection during construction, piling, dust and requirement for EV charging point.

#### **Cambridge City Council Nature Conservation Officer**

- 6.4 Content with the survey and support recommendations for ecological sensitive external lighting and bat box provision. In addition to tree mounted bat boxes it is suggested that integrated boxes be explored to secure more permanent features. The retained garden has potential to provide a biodiversity net gain through appropriate landscaping and management. This should be detailed within a landscape plan for the site which might include wildflower meadows and / or pollinator friendly planting, habitat piles, bird boxes and hedgehog gaps in boundary features. The specification, location and number of biodiversity features should be shown on an approved drawing or secured via condition.

#### **Landscape Architect**

- 6.5 A tree impact assessment must be completed as there are large off site trees which may be affected by the development and mitigation measures must be included as part of the application.

Refer to more detailed requirements from the Arboricultural Officer. Equally, no storage areas for cycles has been included in the proposals. Policy 82/Appendix L outlines the requirements for residential cycle parking provision. Please submit additional information requested above for review.

### **Streets and Open Spaces (Tree Officer)**

- 6.6 Acceptable subject to conditions.

### **City Council Conservation Officer**

- 6.7 Following the submission of a Heritage Statement, advises that the existing building is not of particular architectural merit, and its demolition and replacement can therefore be supported providing the replacement preserves or enhances the character of the Conservation Area. The proposed building is significantly larger than the existing and its neo-Edwardian character makes no reference to the design of buildings in the locality. However, there is an eclectic mix of designs in and around Clarkson Close, and extensive tree planting means that houses are generally seen individually rather than as part of a group. Taking these points into account, it is considered the proposed development would not harm the character of the conservation area and would comply with Cambridge Local Plan policy 61 subject to an external materials condition.
- 6.8 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 As originally submitted the owners/occupiers of the following addresses made objections:
- 4 Clarkson Close
  - 6 Clarkson Road
  - 11 Clarkson Road
  - 9 Wilberforce Road
- 7.2 The objections can be summarised as follows:

- o Concerned by the potential impact on Adams Road Bird Sanctuary, a County and City Wildlife Site
- o Negative impact on the conservation area
- o Light and noise pollution during construction
- o Negative impact on trees
- o Existing dwelling is sympathetic and sits well in the plot unlike the proposed development
- o The proposal extends further southwards and involves an increase in height which will result in a loss of privacy, loss of outlook and overbearing impact on the neighbouring property.

7.3 As amended the owner/occupier of the following addresses have made objections:

- 4 Clarkson Close
- 11 Clarkson Road

7.4 The objection can be summarised as follows:

- Remain concerned that the proposed development will result in a loss of outlook, have an overbearing impact and result in loss of light to No.4.
- Revisions do not alter concerns regarding loss of original house, massing, and effects on the County Wildlife Site.

7.5 The owner of 19 Clarkson Road has submitted a neutral comment suggesting that a Cambridge rather than red brick be used as this is traditional for the area.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces, including impact on landscaping and trees
3. Residential amenity
4. Surface water drainage and flood risk

5. Ecology
6. Refuse and cycle storage
7. Highway safety
8. Third party representations

## **Principle of Development**

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

## **Context of site, design, external spaces and impact on the Conservation Area and setting of adjacent Listed Building**

- 8.3 The application proposes a replacement dwelling that would occupy a larger footprint and also be higher than the existing property, increasing the ridge height from 5.7m to 8.9m and eaves height from 5m to 5.7m. The principal elevation of the dwelling would be set 3.5m further southwards than the existing dwelling and extend a further 7.5m southwards into the rear garden of the existing property. A single-storey element with a lean-to roof is proposed along the eastern elevation which would have a height of 2.3m to the eaves. A double garage is proposed to the north west of the application site which would have a height of 5.2m to the ridge, width of 7.4m and depth of 7.5m.
- 8.4 The cul-de-sac at Clarkson Close is characterised by large detached dwellings sited within substantial plots. The age, form and design of the surrounding dwellings is very varied and there is therefore no single defining architectural style that needs to be adhered to. In terms of height it is acknowledged there is a significant increase in ridge height, however, as shown on the street scene elevations the ridge height would not exceed the height of the neighbouring dwelling at No.4 Clarkson Close. Moreover, sufficient separation is maintained from the boundaries with neighbouring properties to the east and west which demonstrates the site can accommodate a property of the proposed scale and massing. The forward projecting garage means that the built form would be significantly closer to the road than the existing house. However, due to the relatively modest scale of the proposed garage it is considered to be acceptable in this instance as it is not considered to harm the character or appearance of the area.

8.5 In terms of impact on the Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Area. Paragraph 189 of the NPPF states: 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. [...] As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.' Given that the existing building is not identified as positive in the conservation area appraisal and not of any particular architectural merit the loss of this building is considered acceptable subject to the replacement building preserving or enhancing the West Cambridge conservation area. Whilst it is acknowledged the proposed replacement building is much larger than the existing property, the surrounding character involves large detached properties on reasonably large plots and as the proposal is considered to be in keeping with this surrounding character the proposal is not considered to harm the character of the conservation area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities to pay special attention to the desirability of preserving Listed Buildings or their settings. Number 3 Clarkson Close is a Grade II Listed Building located to the north of the application site. However, due to the mix of designs in and around Clarkson Close, and the extensive tree planting it results in the houses being seen individually rather than as part of a group of buildings. It is considered that the site plays no part in the setting of the listed building at 3 Clarkson Road, and a new building would not therefore have any impact on that setting. The application has been reviewed by the City Council conservation team who have considered the scheme complies with Cambridge Local Plan 2018 policy 61. This view is supported by officers.

- 8.6 The design of the proposal is considered to be acceptable and in accordance with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 61.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers



- 8.7 The site is adjoined by No.4 Clarkson Close to the west and No.3 Clarkson Close to the east.

*Impact on No.4 Clarkson Close:*

*Overbearing and Loss of Light*

- 8.8 No.4 Clarkson Close has an uncommon extensive fenestration on the eastern elevation with kitchen windows being sited approximately 1.7m from the boundary of no.1. This kitchen area also receives light from a row of rooflights in the lean-to roof slope. As originally submitted the dwelling was proposed to run along the entire length of the eastern elevation of No.1 Clarkson Close at two storeys, this was considered by officers to cause an unacceptable overbearing impact on the living spaces and result in a significant loss of outlook from the kitchen space caused by a two storey mass of wall being introduced along the entire eastern elevation of No.1 Clarkson Close. Subsequently, during the course of the application the layout has been “flipped” in order to relocate the front projection to the eastern side of the plot to minimise the impact on No.4 Clarkson Close. Whilst it is acknowledged the ‘flipping’ of the proposed scheme results in the two storey element moving 1m closer to No.4 on the western boundary of the site, it is considered that the overbearing impact is minimised by the reduction in the length of the proposed western elevation from 18m to 12.25m and this elevation is proposed to be set 5.7m from the common boundary.
- 8.9 The applicants have submitted a daylight and sunlight study which has been carried out in accordance with BRE guidance and this study is considered by officers to have assessed the impact on appropriate windows at No.4 Clarkson Close. Two tests have been carried out to assess the amount of daylight that will be received by these windows, the Vertical Sky Component (VSC) test revealed that four of the windows on the ground floor of the eastern elevation will experience a reduction in VSC of 23% which is marginally above the suggested maximum reduction of 20%. However, the No Sky Line (NSL) analysis has been carried out on these windows and a reduction in NSL of 6%, which is much less than the recommended maximum of 20%. The proposed development will not therefore lead to a noticeable reduction in daylight in the kitchen and living room and the proposed development complies with the BRE guidance.

- 8.10 In terms of sunlight the applicants have assessed the Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH), the results highlight that the windows at No.4 will still experience 1,110 sunlight hours every year. This is almost three times the minimum recommended. The assessment demonstrates that the proposed development complies in full with BRE guidelines on light.

*Overlooking and loss of privacy*

- 8.11 In relation to overlooking and loss of privacy, the proposal involves two first floor windows on the west elevation with direct views towards No.4 Clarkson Close, both of these windows are shown on the plans to be obscure glazed. A condition is recommended to be attached to any permission granted to secure this detail. The first floor windows proposed on the rear elevation (including a projecting bay window) will have views into the rear garden space of No.4, given the suburban character of the area an element of mutual overlooking into the rear garden spaces is considered acceptable.

*Loss of outlook*

- 8.12 As submitted officers raised concerns on the impact of loss of outlook from the kitchen/ living space at No.4 Clarkson Close. However, the revised submission now provides relief along the western boundary of the application site and the occupants of No.4 will have clear views to the north east and retain the primary outlook southwards from the primary windows that serve this living space.

*Impact on No. 3 Clarkson Close*

- 8.13 The proposed development would be set 5 metres from the common boundary with No.3 Clarkson Close and the built form would be situated approximately 15 metres from the side elevation of the property. A single storey lean to element along the east elevation is also proposed which further minimises the impact on this property. Given the separation distance proposed it is considered there would not be a significant impact on No.3 in terms of overbearingness or loss of light.

- 8.14 Overall, the proposal is considered to respect the amenity of neighbouring properties and is in accordance with Cambridge Local Plan 2018 policies 55 and 57.

Amenity for future occupiers of the site

- 8.15 The dwelling would clearly comply with the space standards set out within Policy 50 of the Local Plan, whilst the Design and Access Statement confirms it would meet the requirements of Part M4(2) of the Building Regulations, thereby complying with Local Plan Policy 51. This can be secured by condition. The gross internal floor space measurements for the unit in this application is shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	5	10	2	128	440	+312

- 8.16 The Environmental Health Officer has recommended a number of conditions. Officers consider that all conditions designed to protect the amenities of neighbours are reasonable. The applicants have shown the location of an EV charging point on the plans submitted, the environmental health officer has recommended a condition to secure this detail. Officers consider this condition to be reasonable.
- 8.17 The proposal provides an acceptable living environment and an appropriate standard of residential amenity for future occupiers in accordance with Cambridge Local Plan (2018) policies 50 and 51.

**Surface water drainage and flood risk**

- 8.18 The Drainage Officer has not raised any objections and considers that the surface water drainage implications of the additional footprint of the property can be adequately controlled by way of planning condition.

**Ecology**

- 8.19 The application is accompanied by an ecological appraisal which includes an assessment of the proposed developments impact

on the Adams Road Bird Sanctuary. This has been reviewed by the City Council's Nature Conservation Officer and has been considered acceptable subject to conditions securing ecological enhancements. The proposals are considered to comply with Cambridge Local Plan 2018 policy 70.

### **Refuse and cycle storage**

- 8.20 Adequate cycle parking is proposed within the garage space and a bin store is proposed on the eastern boundary. The proposal is considered to be compliant with Cambridge Local Plan (2018) policies 57 and 82.

### **Highway Safety**

- 8.21 The Highway Authority has been consulted as part of the application and is satisfied there would not be any adverse impact upon highway safety. The proposal is therefore compliant with Cambridge Local Plan (2018) policy 81.

### **Car Parking**

- 8.22 The proposed dwelling would have off-street car parking spaces within the proposed private driveway. The applicants have indicated EV charging for vehicles and this detail has been secured by condition. The proposal is considered to be compliant with policy 82 of Cambridge Local Plan (2018).

### **Third party representations**

- 8.23 A number of the third party representations have been addressed in the above section of the report. However, other comments are addressed below:

<b>Representation</b>	<b>Response</b>
Negative impact on the conservation area	Addressed at paragraph 8.3-8.6
Light and Noise pollution during construction.	The application has been assessed by City Council Environmental health in terms of light and noise impacts and is considered acceptable subject to conditions.

Impact on Trees	The City Council Tree Officer has assessed the application and supporting documents and the development is considered acceptable subject to tree conditions.
Overlooking, Overbearing, Loss of light and outlook issues	Addressed at paragraphs 8.14-8.16

## 9.0 CONCLUSION

- 9.1 The proposed development would not have an adverse impact upon the character of the area, the amenity of neighbouring properties or upon trees of amenity value.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

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

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

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

4. The finished ground floor levels shall be set no lower than 300 mm above existing ground level the existing floor levels.

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

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

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

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

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

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

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

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

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

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

9. No permanent connection to the electricity distribution network shall be undertaken until a dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that at least one active electric vehicle charge point will be designed and installed with a minimum power rating output of 7kW to serve at least one of the approved allocated parking spaces for the proposed residential unit.

The approved scheme shall be fully installed before the development is occupied and retained as such.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality (Cambridge Local Plan 2018 policies 36 and 82 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 and these works shall be carried out as approved. These details shall include proposed finished levels or contours; boundary treatments; hard surfacing materials and refuse storage unit details. 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. Notwithstanding the approved plans, the dwellings hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

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



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

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

13. The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

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

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

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

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

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 and 61.)

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

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

17. Prior to the occupation of the development a plan shall be 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 buildings, hedgehog boundary access features and proposed native planting. The installation shall be carried out and subsequently maintained thereafter in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species on the site. In accordance with Cambridge Local Plan policy 70.

#### Dust Informative

If a construction dust assessment and management plan is required reference and regard shall be given to various national and industry best practical technical guidance such as:

- o Cambridge Sustainable Design and Construction Supplementary Planning Document, (Adopted January 2020)' <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd>
- o Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016)
- o Guidance on Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018)
- o Control of dust and emissions during construction and demolition -supplementary planning guidance, (Greater London Authority, July 2014).

#### Smoke Control Area Informative

The applicant is advised that the development site is located within a Smoke Control Area (SCA) made under the provisions of the Clean Air Act 1956 / 1968 (as consolidated by the Clean Air Act 1993).

It is an offence to burn any fuel in a fireplace, burner or stove unless it is a special smokeless fuel or specifically exempted by Law. This applies to any stove or appliance that is vented by a chimney. As such, it is important to ensure that any solid fuel appliance is either an 'exempted appliance' or is only going to burn an approved smokeless fuel.

Further information and a map showing the extent of the SCA can be found at <https://www.cambridge.gov.uk/smoke-pollution>

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## PLANNING COMMITTEE

2<sup>ND</sup> DECEMBER 2020

<b>Application Number</b>	20/02965/S73	<b>Agenda Item</b>	
<b>Date Received</b>	7th July 2020	<b>Officer</b>	Mary Collins
<b>Target Date</b>	1st September 2020		
<b>Ward</b>	Castle		
<b>Site</b>	1 Grosvenor Court		
<b>Proposal</b>	Section 73 application to vary condition 2 (approved plans) of planning permission 19/1250/S73 to permit changes including changes to the car port, plant room, roof profile and windows		
<b>Applicant</b>	Mr John Wilson Unit 10716 Lytchett House 13 Freeland Park Wareham Road Lytchett Matravers BH16 6FA		

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 existing building and the surrounding area.</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

## SITE DESCRIPTION/AREA CONTEXT

- 1.1 Grosvenor Court is situated on the northern western side of Woodlark Road. It is a detached two storey building in red brick with a hipped roof which comprises

two flats on the ground floor and two flats on the first floor.

- 1.2 The building is currently undergoing conversion and extension to create 8 flats.
- 1.3 Woodlark Road is characterised by pairs of dwellings of a similar age and style
- 1.4 Grosvenor Court is set back behind the pavement edge and the established residential building line behind a gravelled front garden with a bungalow and a detached two storey dwelling immediately adjacent to the application site.
- 1.5 To the side there is a driveway accessing the single garage serving 11 Woodlark Road.
- 1.6 To the rear of the application site is the Darwin Green development.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought under Section 73 to vary condition 2 (approved plans) of planning permission 19/1250/S73 to permit changes including changes to the car port, plant room, roof profile and windows

The principal changes are

- Alterations to the car port, bike store and plant room at the side of the site, to raise the height of the roof by approximately 500mm compared to the approved scheme. The extra height is needed in the plant room to allow the installation of the low-carbon M&E equipment, for which the full specification was not known at the time of the previous application. This brings the new structure to the same height as the front of the neighbouring garage, and the garages that were previously in this location.
- One parking space has been removed from the car port and was originally proposed to be relocated next to the approved parking area to the front in the blue boundary. This allows an additional 6 bike spaces to be installed

within the secure storage area. A revised drawing has been received showing the relocated parking space removed from the proposal.

- New windows added at first floor in the rear extensions, to provide a view out to improve the quality of the main living space.
- Change to the pitch of the hipped roof on the rear of the new side extension, to enable the use of traditional tiling details.
- The eaves level to the single storey roof on the North East elevation has been raised by 470mm to achieve the required room heights internally.
- High level window on the North East elevation changed to a normal window, and another added.
- Additional rooflight in the North East facing hipped roof, to provide this bedroom with additional natural light.
- Roof detail to rear extensions changed to a parapet.

### 3.0 SITE HISTORY

18/1637/FUL	Extensions and alterations to provide 8 flats, car parking, covered cycle parking, bin store and new fencing.	Approved 08.02.2019
19/1250/S73	Section 73 application to vary Condition 2 (approved plans) of permission 18/1637/FUL (Extensions and alterations to Grosvenor Court to provide 8 flats, car parking, covered cycle parking, bin store and new fencing) to permit changes including changes to external wall specification and elevational treatment; changes to roof profile; changes to internal layouts (including additional bedrooms to flats 1 and 5 and reconfiguration of flats 3 and 4); alterations to rear balconies and alterations to pergola and boundary treatment adjacent to no. 11 and relocation of plant.	Approved 27.01.2020

## 4.0 PUBLICITY

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

## 5.0 POLICY

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

- 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 32 35 36 50 51 53 55 56 57 58 59 81 82

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

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

### Cambridgeshire County Council (Highways Development Control)

- 6.1 Recommend conditions attached:



- Traffic management plan.
- Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular exit 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.
- 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.

## **Environmental Health**

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

- construction hours
- collection during construction
- piling
- dust
- plant noise
- previously unidentified contamination
- EV charging points

## **Urban Design**

6.3 The Urban Design team have reviewed the information submitted, and the proposed alterations to the rooflights, hipped roof pitch and eaves levels are all acceptable in urban design terms.

One parking space (no. 7) has now been moved and placed next to the two accessible spaces, as shown on the Proposed Site Plan (dwg.1910\_PP100\_B). This location is not within the site boundary and is situated extremely close, at 200mm from the rear elevation of the neighbouring building. As such, this is not supported in design terms. The applicant should consider whether a 7<sup>th</sup> parking space is required for the scheme.

The proposed height to the garage, bike store and plant room has increased by 500-600mm and solar panels are now proposed to the roof of the structure. The solar panels will likely be visible at ground level and it is suggested that a parapet detail is built in to conceal the panels from view. The supporting letter outlines that the extra height is needed for the plant room. If the panels are located above the garage and cycle store, the applicant could consider lowering the ceiling to these two sections to accommodate a parapet detail.

### **Sustainable Drainage Engineer**

- 6.4 Proposed variation does not appear to include a green roof for the proposed bike store. Calculations are required as the green roof was included in the strategy that set the drainage principles of the agreed strategy for condition 3 of the original permission.
- 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:
- 7 Woodlark Road
  - 9 Woodlark Road

- 7.2 The representations can be summarised as follows:

Object:

The existing roof height of no 11 garage (the neighbour) is lower than the front wall by approximately 500mm higher than the roof. The roof slopes at an angle away from the frontage to the same height as the No 9 walled fence. Raising the overall roofing structure to match the full height of the wall would not be visually attractive from our garden and in tune with No 11 garage.

The counterproposal is that since the extra height is only required for the plant then this is the only structure that shall be increased.

Drawing PP3000-B proposed sect AA - note from the original plans that the upper floor windows have been materially changed from small narrow windows to much larger one. The modifications allow the occupants to see directly into no 9,7 and 5 Woodlark Road gardens.

Solar panels are, visually, not in keeping with the character of the surrounding buildings and are angled towards 7 and 9 Woodlark Road.

Noise from the plant room, bike sheds and car port are a real concern as it will increase the noise and disturbance in 9 Woodlark Road's back garden.

## **8.0 ASSESSMENT**

### **Principle of Development**

- 8.1 The principle of development has been established through the extant consent 18/1637/FUL which has been varied through permission 19/1250/S73.

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

- 8.2 The solar panels on the plant room/car port/bike store roof are shown in the previous approved application 19/1250/S73 and so their inclusion in this application is not a change. The proposed raising of the height of the roof by 0.5 metres is not considered to be detrimental to the appearance of the surrounding area. This building is sited close to the garage to the adjacent property and is set back into the application site so it would not be visually prominent. The support system proposed for the solar panels is very discrete, raising just 245mm above the roof surface at the highest point. The panels would be set approximately one metre back from the edge of the roof, and so will not be visible from the ground and would not be

detrimental to the appearance of the surrounding area..

- 8.3 The other proposed changes are to the rear of the building and are considered to be visually acceptable.
- 8.4 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56 and 57.

### **Residential Amenity**

#### *Amenity for future occupiers of the site*

There are no changes proposed to internal space or external amenity space.

- 8.5 In the opinion of Officers, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and it is considered that in this respect it is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### 7 Woodlark Road

- 8.6 This property lies to the south west but does not share a common boundary with the application site.

Given the separation between the roof of the plant/bike store and the garden to 7 Woodlark Road, the proposal is not considered to be detrimental to the visual amenities of the occupier.

#### 9 Woodlark Road

- 8.7 The plant room /carport/bike store is proposed to be raised in height. This is located in the north-west corner of the site adjacent to the garden of no.9 Woodlark Road.

The solar panels on the roof would face in the direction of this property. The support system proposed for the solar panels is very discrete, raising just 245mm above the roof surface at the highest point, the panels would be set approximately one metre back from the edge of the roof, and so will not be visible from the ground in the adjacent gardens. The proposed brick wall to the western boundary will match the height of the existing garage at 11 Woodlark Road. As such owing to its position at the south western end of the adjoining garden this is not considered to be unduly overbearing on the common boundary.

With regard to overlooking into the gardens of 9, 7 and 5 Woodlark Road gardens, there are no changes to the approved drawings in respect of side fading windows at first floor level.

#### 11 Woodlark Road

- 8.8 This property lies to the south of the existing building. It has a side facing lounge window overlooking the application site and the access to its garage. The changes to the approved elevations would not detrimentally affect this property due to the intervening distance and the alignment of the buildings in relation to one another.
- 8.9 The plant room and bike store previously approved is to be raised in height. This is not considered to have a detrimental impact on this property through overbearing or visual intrusive. The new wall facing the gardens will be constructed from reclaimed Cambridge White facing bricks.

#### No. 27 Woodlark Road

- 8.10 This detached bungalow is within the ownership of the applicant and lies to the east. The changes to the approved elevations would not detrimentally affect this property.

### No. 29 Woodlark Road

- 8.11 The eaves level of a rear section would be raised. The changes to the approved elevations would not detrimentally affect this property.

### Darwin Green Development

- 8.12 To the rear of the application site is the Darwin Green development. The first floor balconies to the rear of Grosvenor Court would face the Darwin Green development and there would be an intervening distance of 4 metres to the rear boundary of the application site. Outline permission (07/0003/OUT) has been granted on this site for mixed use development comprising up to 1593 dwellings, primary school, community facilities, retail units (use classes A1, A2, A3, A4 and A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works.
- 8.13 The development along the boundary with the application site has been designated for residential properties of two storeys in height. Reserved matters have been granted for access roads, pedestrian and cycle paths, public open space, services across the site and one allotment site, reference 14/0086/REM. Since the original grant of planning permission 18/1637/FUL for Grosvenor Court, an application for reserved matters for 330 dwellings with associated internal roads, car parking, landscaping, amenity and public open space has been submitted and at the time of this report is still undetermined, reference 19/1056/REM.
- 8.14 The proposed windows on the first floor north western elevation would be approximately 4 metres from the rear boundary of the application site. These rooms are already served by side facing windows. The approved scheme includes first floor balconies at the same distance from the boundary as the proposed windows. The plans submitted for the development on Darwin Green show a distance of 4m from the rear boundary of Grosvenor Court to the rear boundary of the gardens of the new housing, to allow access and maintenance of

the drainage ditch between the two sites. This means that there would be a minimum of 8 metres between the windows and the boundaries of the opposite residential gardens.

- 8.15 Given this distance, it is considered that a detrimental loss of privacy through overlooking into the rear gardens of future properties is unlikely to arise as a result of the proposal.

### **Noise**

- 8.16 The heat pump specified is a Stiebel Eltron WPE-I 44 H 400 Premium. With respect to noise from the plant room, a condition will be attached requiring details of the plant to be agreed prior to first occupation to protect the amenity of nearby properties.
- 8.17 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policy 35.

### **Cycle and Car parking**

- 8.18 One parking space is proposed to be removed from the car port which would allow an additional 6 bike spaces to be installed within the secure storage area. The loss of one parking space is considered to be acceptable.
- 8.19 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policies 81 and 82.

## **9.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. The development hereby permitted shall be begun before 08.02.2022.

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 surface water drainage scheme shall be fully implemented prior to first use/occupation of the building in accordance with the details approved under application 18/1637/COND3 dated 17 July 2019. The surface water drainage scheme shall be retained in perpetuity thereafter.

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

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

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

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

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

7. The dust mitigation scheme approved under application 18/1637/COND7 dated 17 July 2019 shall be fully implemented in accordance with the approved scheme.

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

8. 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)

9. Prior to the installation of any electrical services, information to demonstrate that at least one dedicated active electric vehicle charge point will be designed and installed on site in accordance with BS EN 61851 with a minimum power rating output of 7kW, shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF), Policies 36 and 82 of the Cambridge Local Plan 2018 and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018)

10. All hard and soft landscape works shall be carried out in accordance with the details approved under application 18/1637/COND10 dated 16 August 2019. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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

11. Before the first occupation of the development hereby permitted, the cycle parking facilities and bin store shall be provided in accordance with the approved details and shall be retained in accordance with the approved details thereafter.

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

12. The development shall be carried out in accordance with the approved external materials as detailed by External Materials Rev PP01 dated 22/11/19 and email received 11/12/19.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55 and 58.

13. Notwithstanding the approved plans, units 6 & 8, hereby permitted, shall be constructed to meet the requirements of Part M4(2) or M4(3)' 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)

14. Prior to the first occupation of the development, hereby permitted, the car parking spaces shall be provided in accordance with the approved drawings and shall be retained thereafter.

Reason: To ensure that provision is made for disabled and inclusive parking. (Cambridge Local Plan 2018 policy 82)

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

If the assessment demonstrates that noise levels exceed the background level at the boundary of the premises, having regard to adjacent noise sensitive premises, a mitigation scheme for the insulation of the plant in order to minimise the level of noise emanating from the said plant shall be submitted to and approved in writing by the Local Planning Authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

16. Prior to the occupation of the development, hereby permitted, the first floor side facing single windows to the rear of Flats 1 and 5 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent to a height of 1.7 metres from internal floor level and shall be non-openable below 1.7 metres. The glazing shall thereafter be retained in accordance with the approved details.

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

17. The solar panels to the roof of the building and to the roof of the bike store shall be fully installed prior to first occupation and maintained and retained thereafter.

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).

18. Notwithstanding the approved drawings, the flat roof(s) hereby approved shall be a Green Roof or Brown Roof in perpetuity unless otherwise agreed in writing by the Local Planning Authority. A Green Roof shall be designed to be partially or completely covered with plants in accordance with the Cambridge Local Plan 2018 glossary definition, a Brown Roof shall be constructed with a substrate which would be allowed to self-vegetate.

Reason: To ensure that the development integrates the principles of sustainable design and construction and contributes to water management and adaptation to climate change (Cambridge Local Plan 2018 policies 28 and 31)

19. Conditions 3 to 17 of planning permission 19/1250/S73 shall continue to apply to this permission. Where such conditions pertaining to 19/1250/S73 have been discharged, the development of 20/02965/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.

Low NOx (Nitrous Oxides) boilers

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

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 in accordance with the National Planning Policy Framework (NPPF), Policy 36 of the Cambridge Local Plan 2018 and in accordance with with Cambridge City Councils adopted Air Quality Action Plan (2018)

#### Dust Informative

It is required that a dust management plan should reference and have regard to various national and industry best practical technical guidance such as:

- o Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016)
- o Guidance on Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018)

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## PLANNING COMMITTEE

2<sup>ND</sup> DECEMBER 2020

<b>Application Number</b>	20/03250/HFUL	<b>Agenda Item</b>	
<b>Date Received</b>	28th July 2020	<b>Officer</b>	Charlotte Spencer
<b>Target Date</b>	22nd September 2020		
<b>Ward</b>	Castle		
<b>Site</b>	3 Bradrushe Fields		
<b>Proposal</b>	Loft conversion with side dormer, roof windows and front and rear gable windows. Garage roof conversion with roof windows and front gable window.		
<b>Applicant</b>	Mr & Mrs M Thomson 3 Bradrushe Fields		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal does not adversely impact on the setting, character or appearance on the setting, character or appearance of the Conduit Head Road Conservation Area.</p> <p>The proposal respects the character and proportions of the original building and surrounding context.</p> <p>The proposal respects the residential amenity of the neighbouring properties</p> <p>The proposal does not adversely impact the surrounding diverse ecology.</p>
RECOMMENDATION	APPROVAL

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1** The application relates to a two storey, detached dwelling house located to the North West of Bradrushe Fields at the end of the cul-de-sac. The brick and tile dwelling is set back from the road by an area of hardstanding and soft landscaping which provides space to park multiple cars within the curtilage of the

dwelling house. To the rear lies a large garden area which acts as private amenity space.

- 1.2** The application property shares a side boundary with No.2 Bradrushe Fields to the South West. To the North West lies Field House, Conduit Head Road and to the North East lies No.6 Conduit Head Road.
- 1.3** The area is residential in character and appearance and the site lies within the Conduit Head Road Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1** 2.1 The application is seeking planning permission for the erection of a loft conversion with side dormer, roof windows and front and rear gable end windows and the conversion of the garage roof with roof windows and front gable windows.
- 2.2** The garage roof would be converted to domestic storage. Two windows would be installed on the North Eastern roof plane and a window would be installed on the front elevation.
- 2.3** The roofspace of the main dwelling would be converted to allow two bedrooms and a shower room. A dormer would be installed on the North Eastern elevation which would have a width of 2.1 metres, a depth of 2.2 metres and a height of 2.3 metres. Three rooflights would be installed on the North Eastern roof plane, and four would be installed on the South Western side. A front and a rear window would be installed in the gable ends.
- 2.4** During the determination process a Preliminary Bat Survey was submitted.
- 2.5** The application is accompanied by the following supporting information:
1. Drawings
  2. Preliminary Bat Roost Assessment

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/85/0088	Erection of a car port	PERM 25.02.1985



## 4.0 PUBLICITY

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Local Plan 2018		1 3 35 55 56 58 61 70

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

Central Government Guidance	National Planning Policy Framework July 2018  National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards  Circular 11/95 (Annex A)
Material Considerations	<u>City Wide Guidance</u>  Cambridge City Nature Conservation Strategy (2006)  Cambridgeshire Design Guide For Streets and Public Realm (2007)

	Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u> Conduit Head Road Conservation Area Appraisal (2009)

## 6.0 CONSULTATIONS

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

6.1 No comment.

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

6.2 No material conservation issues.

### **Ecology**

6.3 Not concerned about the light spillage, however, there is concern about the existing roof being used for bat roosting so would need a preliminary bat survey.

6.4 Following receipt of the bat survey it was confirmed that no further action is required in terms of surveys or specific avoidance or mitigation for roosting bats. No licence will be required for the work. Please add a condition to encourage the applicants to install the recommended bat box as this will have a positive benefit for biodiversity especially considering the adjacent habitat.

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 Councillor Cheney Payne has requested that the application be referred to Planning Committee due to concern about light pollution into Orchard House's garden and wildlife area, and also as the planning documents show an incorrect boundary to Orchard House.

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

- Spring House, Conduit Head Road
- Field House, Conduit Head Road
- Orchard House (No.6), Conduit Head Road

7.3 The representations can be summarised as follows:

- The gardens of the houses along Conduit Head Road are without street lamps or any block source of light illumination;
- This concurrent unbroken stretch of land is interconnected and opens onto fields, hedgerows and areas of small protected secluded wildlife places and woodlands providing an ancient, natural and safe habitat;
- The area is populated with owls, bats, foxes, badgers, birds of prey, wood-peckers, deer, squirrels, peahens, peacocks, kingfishers and herons; frogs, newt, and hedgehogs
- This area of land should be given special consideration;
- Garden of Orchard House is kept deliberately wild as a nature reserve;
- Light pollution should be avoided to preserve and enhance wildlife habitats;
- Windows should not be installed on the north facing roof which overlooks nature reserve and garden;
- Concern about extra noise from open windows;
- Concern about overlooking of the rear gable end window;
- Loss of privacy from the side dormer and northern facing rooflights;
- Bank of windows is unattractive;
- Concern about potential use for a HMO or B&B;
- Concern about the validity of the design which appears to be non-compliant with building control regulations;

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

## **8.0 ASSESSMENT**

### **Context of site, design and external spaces, including impact on the Conservation Area**

8.1 With reference to the National Planning Policy Framework (NPPF) and the effect on the significance of heritage assets,

paragraph 196 would apply. Paragraph 196 states that where a development will lead to less than substantial harm to the significance of designated heritage assets, this harm should be weighed against the public benefits of the proposal.

- 8.2 Appendix E of the Cambridge Local Plan (2018) states that roof extensions should relate well to the proportions, roof form and massing of the existing house and neighbouring properties. The roof dormer would be small in scale and would have large set ins from the roof edges and as such it is considered it would appear subordinate. It is considered that the rooflights and new windows on both the main roof and garage would be minor additions. Subsequently, it is considered that the proposed works would appear in keeping with the existing property, street scene and surrounding area. The Conservation Officer has raised no issues in terms of the impact on the Conservation Area. Therefore, the proposal is compliant in design terms with Policies 55, 56, 58 and 61 of the Cambridge Local Plan (2018).

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.3 The works would not extend outwards from the existing roofplanes of the main roof or garage. Therefore, it is considered it would not have a detrimental impact on the neighbouring properties in terms of loss of light, loss of outlook or sense of dominance.
- 8.4 The dormer would be located approximately 3 metres from the shared boundary line with No.6 Conduit Head Road. The plans show that the dormer window would be obscurely glazed and a condition can be added to ensure this. Due to the positioning of the rooflights in the roof plane and that they would face the rear most part of the very large garden of No.6 it is considered they would not result in an unacceptable loss of privacy to the occupiers of this neighbour. The new rear gable end window would be located approximately 24 metres from the shared boundary line with Field House and approximately 28 metres from the neighbouring property. This is considered to be of a sufficient distance to not result in any unacceptable level of overlooking. Therefore it is considered that the proposal would have an acceptable level of impact on the privacy of the neighbouring properties.

- 8.5 The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and in this respect, it is considered compliant with Policies 56 and 58 Cambridge Local Plan (2018).

### **Ecology and Biodiversity**

- 8.6 It has been noted that the land to the North of the site is rich in biodiversity and protected species are known to be in the area. Due to the works being located within the roof spaces of existing buildings it could impact the roosting potential for bats. However, the preliminary bat survey confirmed that the property has negligible bat roosting potential in the house and the garage, although there is high value commuting and foraging habitat on the adjacent site. Following the receipt of the report, the Ecology Officer has confirmed that no further action or information is required. However, a condition requesting a scheme of biodiversity enhancement is requested as this would have a positive benefit for biodiversity.
- 8.7 The objections regarding light pollution is acknowledged. However, external light sources and the rooflights could be installed without planning permission using permitted development rights. In addition, it is also noted there are existing side facing windows on this elevation which would expel some light. As such, the application cannot be refused for this reason.
- 8.8 The proposal is compliant with Policy 70 of the Cambridge Local Plan (2018).

### **Third Party Representations**

- 8.9 The neighbours concern about Building Control are not a planning consideration, and the plans are not showing an HMO or Bed and Breakfast and so this is not considered.
- 8.10 The concerns regarding light pollution has been addressed in the report above.
- 8.11 In terms of the issue with incorrect site boundary lines, the element in question is the rear of Orchard Close and the boundary line of the application property is correct. The area which the incorrect boundary line refers to has just changed

ownership and the impact on light pollution of this land has been considered.

- 8.12 The applicant has also responded to the above concerns. Full details of the response can be inspected on the application file.

## **9.0 CONCLUSION**

- 9.1 Having considered the proposed development against the applicable national and local planning policies and having taken all relevant material considerations into account it is recommended that planning permission should be granted in this instance.

## **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. Unless otherwise agreed in writing by the Local Planning Authority, the extension(s) hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension(s) is(are) in keeping with the existing building. (Cambridge Local Plan 2018 policies 55 and 58)

4. Prior to the occupation of development, a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of the bat roosting box as recommended by the Preliminary Bat Roost Assessment (Greenlight Environmental Consultancy, October 2020). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: To create a positive benefit for biodiversity change (Cambridge Local Plan 2018 policy 70)

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