



## Cambridge City Council Planning

**Date:** Wednesday, 1 December 2021

**Time:** 10.00 am

**Venue:** Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ

**Contact:** democratic.services@cambridge.gov.uk, tel:01223 457000

### Agenda

**Timings are included for guidance only and cannot be guaranteed**

- 1 Order of Agenda  
The Planning Committee operates as a single committee meeting but is organised with a two part agenda and will be considered in the following order:

- **Part One**  
Major Planning Applications
- **Part Two**  
Minor/Other Planning Applications

There will be a thirty minute lunch scheduled at the Chair's discretion.

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

- 2 Apologies
- 3 Declarations of Interest
- 4 Minutes  
To follow.

### **Part 1: Major Planning Applications**

- 5 21/03620/FUL - Devonshire Gardens, Devonshire Road - 10am (Pages 7 - 76)
- 6 21/02052/FUL - Grange Lane College Accommodation, South of Wilberforce Road - (Pages 77 - 120)

10.45am

- |   |  |                   |
|---|--|-------------------|
| 7 | 21/02759/FUL - Colville Road Phase 3, Land at Colville Road and Fishers Lane High Street - 11.30am | (Pages 121 - 164) |
| 8 | 20/02289/S106A - Land at Anstey Way - 12.15pm  | (Pages 165 - 170) |
| 9 | 19/1010/FUL - 185-189 Newmarket Road and 1 Godesdone Road - 13.00pm                                | (Pages 171 - 198) |

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

- |    |   |                   |
|----|---|-------------------|
| 10 | 19/1453/FUL - Shah Jalal Mosque, 107 Darwin Drive - 13.45pm | (Pages 199 - 218) |
| 11 | 21/01437/FUL - 18 Adams Road - 14.15pm                      | (Pages 219 - 278) |
| 12 | 21/03899/FUL - 157 Shelford Road - 14.45pm                  | (Pages 279 - 292) |
| 13 | 21/03508/FUL - Land r/o 368-370 Milton Road - 15.15pm       | (Pages 293 - 316) |
| 14 | 19/1141/NMA1 - 1 Fitzwilliam Road - 15.45pm                 | (Pages 317 - 334) |

**Planning Members:** Smart (Chair), D. Baigent (Vice-Chair), Dryden, Flaubert, Gawthrop Wood, Porrer and Thornburrow

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

## Information for the public

The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

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

- Website: <http://democracy.cambridge.gov.uk>
- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
- Phone: 01223 457000

## Public health and well-being for meeting arrangements

Whilst the situation with COVID-19 is on-going, the Council will be following the latest Government guidance in organising and holding its meetings.

We ask you to maintain social distancing at all times and maintain your face covering unless you are exempt or when speaking at the meeting. Hand sanitiser will be available on entry to the meeting.

If members of the public wish to address the committee please contact Democratic Services [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk) by 12 noon two working days before the meeting.

# 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

# Agenda Item 5

**PLANNING COMMITTEE**

**1<sup>ST</sup> DECEMBER 2021**

---

**Application Number** 21/03620/FUL **Agenda Item**

**Date Received** 2nd August 2021 **Officer** Steve Fraser-Lim

**Target Date** 1st November 2021

**Ward** Petersfield

**Site** Devonshire Gardens Devonshire Road Cambridge  
Cambridgeshire CB1 2BJ

**Proposal** Demolition of existing depot building and redevelopment of site to provide two new buildings comprising Class E (g)(i) / E (g) (ii) floorspace with associated plant and cycle parking, three new residential buildings comprising 100 units with associated plant and cycle parking, one new building comprising flexible commercial space (Class E) to include a creche with associated cycle parking, flexible community space (Class F.1/F.2), hard and soft landscaping and associated access.

**Applicant** c/o Agent

**Applicant** First Base, C/O Agent

SUMMARY	The development does not accord with the Development Plan for the following reasons:  Scale and massing unduly large and dominant, detracting from appearance of surrounding area, and heritage assets.
---------	---

	The quality of some of the proposed residential units is unduly poor, due to number of single aspect units, long double loaded corridors with no natural light or ventilation, excessive numbers of units per core / floor, low levels of sunlight to some units. As such they would provide a poor standard of amenity for future occupiers.
RECOMMENDATION	REFUSAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site comprises a Travis Perkins builders merchants situated on the east side of Devonshire Road. A single storey warehouse building is situated within the centre of the site, with most of the remaining area of the site comprising hard standing for storage, vehicle parking and manoeuvring. Railway lines adjoin the site to the east and building materials are stored along the sites eastern boundary adjacent to the railway line. A line of trees and understorey shrubs are situated within the site along its western boundary with Devonshire Road. The trees within this group are subject to a Tree Preservation Order (TPO Number 30/1990). Two storey terraced houses are situated on the opposite side of Devonshire Road to the west. A close of two storey houses adjoins to the south (Angus Close), and a terrace of three storey dwellings adjoins to the north.

1.2 The site is within the Mill Road Opportunity Area within the Cambridge Local Plan (2018) and is identified as proposal site R9. The site falls within a controlled parking zone. The site is outside of but adjoining the Mill Road Conservation Area.

## 2.0 THE PROPOSAL

2.1 The proposals comprise demolition of the existing buildings and erection of two new buildings comprising office / light industrial floorspace, (Class E (g)(i) / E (g) (ii)) floorspace with associated plant and cycle parking, three new residential buildings comprising 100 units with associated plant and cycle parking,



one new building comprising flexible commercial space (Class E) to include a creche with associated cycle parking, flexible community space (Class F.1/F.2), hard and soft landscaping and associated access. The development is a 'build to rent' development meaning that the whole development will be built, owned, let and managed for the long term by a single developer. As such the residential units and commercial floorspace will be available only for rent, with the site owner collecting service charges from tenants, to maintain the site. 20% of the proposed residential units are to be let at a discount of at least 20% of market rents in the wider area.

- 2.2 The proposals are arranged as a series of buildings within a perimeter block around a central landscaped garden space. The space includes hard and soft landscaping, new trees, raised mounds, raingardens, play on the way elements and a pavilion to facilitate public performances and public art. The space is intended to be privately owned and managed for use by future residents, workers within the office floorspace, as well as members of the public. Block A is part 3, part 4 stories in scale and faces northwards towards the railway cottages which line Mill Road to the north. Uses comprise non-residential units on the ground floor such as a 'library of things', community kitchen, site management office or artist studio. Residential units are located on upper floors.
- 2.3 Blocks B and C are 3-6 stories in scale, situated on the eastern boundary of the site adjacent to the railway line and comprise office and co-working floorspace with associated cycle parking

hub with end of journey facilities. Block D is 5-6 stories in height, located to the south of block C adjacent to the railway line and is in residential use. Block E is located along the southern boundary of the site, adjacent to Angus Close, is two stories in scale and proposed for use as a creche, with an adjacent secure external play space.

2.4 Blocks F and G are three stories in scale, in residential use and are situated adjacent to the western boundary of the site with Devonshire Road, and set behind the existing trees and hedges which form the site boundary. Two vehicle accesses are proposed into the site, one from the north which includes a servicing area and disabled parking. The southerly access also includes a loading / servicing space and access to the eastern boundary of the site. The eastern boundary of the site will facilitate service access to office buildings B and C. This route is also intended for use as part of the Chisholm cycle trail, if linkages to the north and south of the site, through Network Rail land can be agreed.

### 3.0 SITE HISTORY

Reference	Description	Outcome
11/1294/FUL	Demolition of existing depot building and redevelopment of site to provide: 43 residential units (comprising 18 2-3 bed houses, 6 2-3 bed coach houses and 19 1-2 bed flats), public open space including a	Granted October 2011

	play area, and associated works including landscaping, new access and parking.	Some conditions discharged in 2017.
	A number of applications have been made to discharge the conditions associated with the above application.	Some outstanding.
11/1295/FUL	Demolition of existing depot building and redevelopment of site to provide: remodelled Travis Perkins depot including the erection of a new depot building and reconfiguration yard area and landscaping.	Granted December 2011
21/02402/SCRE	Request for EIA screening opinion for the proposed development of 107 dwellings, commercial space, landscaping and associated infrastructure works, Devonshire Road, Cambridge (Devonshire Gardens).	May 2021
C/97/0124	Erection of a new warehouse (648msq) on site of existing office/sales building (246msq) (to be demolished) at Builders Merchants Yard (Sui Generis).	February 1997
Various	A series of applications were	1972-1989

submitted for retention of buildings on site and use of the site for warehouse / storage purposes.

#### 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 2 3 5 6 8 24 27 28 29 30 31 32 33 34 35 36 37 40 41 42 45 50 51 55 56 57 59 60 61 62 65 68 70 71 73 80 81 82 83 85

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

Central Government Guidance	National Planning Policy Framework 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards
-----------------------------	--

	<p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Supplementary Planning Documents (These have been prepared in parallel with the Local Plan preparation and will be shortly adopted by the Executive Councillor by an out of cycle decision.)</p>	<p>Cambridgeshire and Peterborough Flood and Water</p> <p>Greater Cambridge Housing Strategy additional Annexes 9 (Build to Rent Policy) and 11 (Affordable Rents Policy) adopted July 2021</p> <p>Sustainable Design and Construction (2020)</p>
<p>Previous Supplementary Planning Documents (These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Balanced and Mixed Communities – A</p>

	<p>Good Practice Guide (2006)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Buildings of Local Interest (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council Open Space and Recreation Strategy (2011)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Contaminated Land in Cambridge - Developers Guide (2009)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p>
	<p><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal</p>

## 6.0 CONSULTATIONS

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

- 6.1 **Raises Concern:** The proposed loading bay to the north of the site presents an unduly hazardous entry and exit manoeuvre for the larger vehicles proposed to use the same as they would have to cross the proposed all mode access at an angle to progress along Devonshire Road. The proposed swept path analysis shows a vehicle approaching from the south as overriding the footway adjacent to the proposed raised table at the access. In order to create a suitable approach ramp there will need to be full face kerbs on the northern side of the ramp, which would have to be negotiated by any vehicle entering or leaving the bay, which technically means that said vehicle would be driving on a footway without a properly formed crossing which is illegal. The proposed location of the bay may also preclude any future works the Highway Authority may wish to seek in closing Devonshire Road to motor vehicular traffic.

The above concerns can be overcome if the internal arrangements of the site are adjusted to permit all serving to take place here (as was discussed during the pre-application meetings). In addition, there appears to be no details of how the northern section of the site will be serviced by a 12.3m long refuse vehicle. This is a concern as the carriageway in Devonshire Road is probably not wide enough to enable such a vehicle to reverse into the site from the adopted public highway. The above request can be overcome if the applicant provides details of the refuse collection strategy for the northern section of the site.

In addition, a number of conditions are recommended regarding: Construction Phase Traffic Management Plan; Restriction on delivery times for large vehicles; Visibility splays to be maintained free; No water discharge onto the public highway.

## **Affordable Housing**

- 6.2 **No objection:** Additional annexes to the Greater Cambridgeshire Housing Strategy were adopted in July 2021, which include an annex (9) with regard to Build to Rent (BTR) and affordable housing. This states that the Greater Cambridge Housing Strategy supports the development of purpose built private rented housing to help provide additional housing choice and to help accelerate the delivery of new homes: “A minimum of 20% homes in Build to Rent developments of 10 or more homes will be required to be provided as Affordable Private Rent... This is a minimum and the councils will seek to achieve a higher percentage than this wherever possible”. The application proposes 20% of units to be let at a 20% discount from market rents. As required Greater Cambridge Shared Planning: a strategic partnership between Cambridge City and South Cambridgeshire District Councils by Annex 9 a Market Report has been submitted setting out how the proposals would meet local housing demand. The proposals are broadly in line with the updated policy requirements. Although a proposed rent profile for the scheme has been requested that demonstrates how the affordable rent policy and build to rent policy have been given full consideration.

## **Environmental Health (Noise)**

- 6.3 **No Objection:** Confident that outstanding issues can be resolved for most Environmental Health issues via condition. However further information and / or consideration is required on the potential operational noise impact of the proposed development on both existing and future noise sensitive receptors (NSR). All noise sources associated with the development should be considered and assessed against a BS4142 type assessment showing clearly methodology used, assumptions and calculations. Any package of mitigation identified will need to demonstrate that the recommended noise rating levels can be achieved at all relevant NSR both on-site and off-site.

The applicant should assess the impact of the proposed Creche in Block E (Class Use E) on both existing and future NSR alongside a recommended package of mitigation if appropriate. In particular consideration should be given to adjacent off site



NSR at 107/108 Devonshire Road, Angus Close and adjacent onsite NSR.

### **Refuse and Recycling**

- 6.4 **No Objection:** The bin capacities are correct, although there is an overprovision of space for green bins. Confirmation is required that pull distances are within 10m. The storage area for block A is combined with commercial waste so crews have to pass commercial to get to domestic waste. This arrangement is not preferred.

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

- 6.5 **Objection:** The complexities of developing a mixed-use scheme, that makes an effective use of a brownfield site, are not underestimated and we fully appreciate the design challenges that it brings. Whilst the applicant has an excellent ambition for the site in terms of sustainability, the translation of that vision into a proposal that fits well into the context and provides comfortable internal living environments that can adapt to future climate scenarios, has been unsuccessful.

The scheme would insert a significant amount of development that would have a visual presence along the railway edge similar to CB1, yet the edges of the site and context are very different. The proposed massing along the railway edge by virtue of poorly resolved compositions and transitions between volumes, creates a coalescence of forms that would read together and would have an over assertive, cramped appearance when viewed from Mill Road Bridge, which would cause harm to the setting of the adjacent Mill Road Conservation Area. From the elevated viewpoint on the Carter Cycle bridge, the proposed Blocks C and D by virtue of their height and deep plan footprints, would create a bulky, incongruous form that would sit well above the prevailing height profile of the area, loom over the finer grain context and detract from the setting of the adjacent conservation area.

### **Senior Sustainability Officer (Design and Construction)**

- 6.6 **No Objection:** There is much to admire about the proposals in terms of sustainability (fossil fuel free energy strategy,

BREEAM, Home Quality Mark, One Planet Living, Social Value of proposals).

However, concerns are raised with regard to the large number of single aspect dwellings being proposed for the scheme, especially those that face west and south. Classing the mid terrace flats in the residential blocks as dual aspect by virtue of them having an inset balcony is stretching the definition of dual aspect. Single aspect units are at greater risk from overheating, due to the absence of cross ventilation. While it is noted that the provision of the inset balconies may increase ventilation rates, it does not provide true cross ventilation, as windows are not located on opposite or adjacent sides of the dwelling.

It is recognised that the residential component of the scheme has undergone overheating assessment using the CIBSE TM59 methodology and that the sample of units assessed do pass the CIBSE criteria using the Norwich 2020 High Emissions Scenario weather file. The conclusion of this assessment is that the residential units do pass the overheating criteria if natural ventilation is provided via openable windows. There are some queries as to the assumptions made as to how long windows would be open for. Figure 9 in the overheating assessment, which shows the approach taken for Block D, seems to indicate that windows would be open all of the time, which may be an unrealistic assumption due to security concerns as well as other concerns such as noise from the proposed Creche. Security considerations will be a particular issue for ground floor flats, notably those facing west along Devonshire Road.

The concern is that, given the high percentage of single aspect units and the south and west facing orientation of many of the apartments, no testing using future weather files has been undertaken. Opportunities have been missed to better integrate design led solutions to mitigate the risk of overheating, including horizontal and vertical shading on the west and south facing facades, to help reduce the amount of solar gain entering the apartments as well as giving consideration to the role of decked access to the apartments.

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

- 6.7 **Objection:** The proposal fails to respect the value of the Devonshire Road tree group by providing insufficient clearance

to new buildings. The layout including two vehicle access points and three new points of pedestrian access through the group necessitates removals, pruning to accommodate construction activity and continued reduction to maintain reasonable clearances to building elevations and balconies and reduce overhang to private terraces. These will impact negatively on the group and the amenity it provides.

A public open space with trees is proposed within the centre of the site. The space for trees of stature is limited and broad spreading species are not suited to the confines of the space. Trees are located too close to structures to be allowed to mature unmanaged.

### **Landscape Team**

- 6.8 **Objection:** In summary, we would question the Townscape and Visual Impact Assessment (TVIA) in the following areas : • the underestimation of value of the townscape receptor - Pre-1900 Residential Terrace and Large Terraces component character area, • The underestimation of rating of the conservation area and therefore the effect on the area, • the assessment of Viewpoint 4 – Carter Bridge for an assessment reliant on the presence of a tree, • the assessment of the longer distant viewpoints, such as Castle Mound and Red Meadow Hill, for not taking into consideration the cumulative effects of clustered development on the city panoramas. Further demonstration that the proposals have regard of Policy 60 Tall buildings and the skyline would be welcome. • the methodology should not allow subjective narrative and unnecessary qualification of objective judgements.

In relation to the Devonshire Road tree belt, now that all of the trees and understorey to be removed (as well as the existing timber fence) have been identified, it is evident that views through the western boundary tree belt will be substantially opened up exposing views from the residential properties opposite and from the road. Some opening up will be necessary to promote a sense of security for the users of the internal footpath and for a visual connection between the site and the surrounding area. However maintaining as much of the integrity of the current tree belt must be considered in order to maintain canopy cover, existing biodiversity as well as visual screening. Since the central opening is not required for waste

management, we would request it to be removed to reduce the impact on the tree belt.

The landscape officer continues to support the Conservation and Urban Design officers' opinion that the development is too high and the massing too bulky. The proposals are out of context with the Mill Road area and will dominate the surrounding streets. The individual buildings, particularly on the eastern side of the site, will be extremely overbearing within the small central courtyard space. The central courtyard space is small in proportion to the buildings and the number of users anticipated. Question some of the conclusions of the TVIA that support the development as currently proposed. In relation to the TPO tree belt on the western boundary, we request that the central opening is removed to lessen the impact on the area

### **Cambridgeshire County Council (Flood and Water Management)**

- 6.9 **No objection:** Although commented that the proposed drainage strategy is unlikely to work as infiltration is unlikely be possible at the site due to raised ground water levels, and proximity of infiltration points to buildings.

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

- 6.10 **No objection:** Although further details requested on how a 1 in 30 year event will be managed to prevent flooding, and how a 1 in 100 year event will manage water on site, without increasing flood risk to adjacent land.

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

- 6.11 **No objection:** The recommended Biodiversity Net Gain report has been provided, based on the proposed landscape master plan. Content with the report but would suggest that the given the proposed scale of ornamental woodland planting this is unlikely to meet the 'moderate' condition specified, and would propose this be re-evaluated to reflect a 'poor' condition. Given the BNG calculations currently demonstrated a considerable BNG, it is unlikely that this requested amendment will impact significantly on the percentage net gain of the proposals, which

is in currently in excess of the minimum 10% sought.

Welcome the inclusion of the Ecology Enhancement Plan detailing potential location of nest and roosting features. I am broadly supportive of the proposed types and locations but would request the exact number, specification and locations be identified on drawings for approval or secured via a standard condition.

The proposed biodiverse green roofs are welcomed and will complement a network of new green roofs in the station area as well as brownfield open mosaic habitats that may be present or develop along the adjacent railway sidings. To maximize the value of these new habitats request a standard green roof condition to specify substrate depth, type, planting and maintenance. Suggest also considerations of installation of 1 or more roof top open front boxes for Black Redstart which have been recorded in the area.

### **Public Art Officer**

- 6.12 **No objection:** The proposed Public Art Strategy has been circulated to the Public Art Panel and no negative replies were received. Confident in the approach set out, helped that the document restates the City Councils public art position in the objectives section. Supportive of the proposed public art programme and the stage process.

### **Cam Skate**

- 6.13 **No objection:** No facilities are proposed for young people. As such there is a compelling case to be made here for the developers to pay for off-site provision of facilities, specifically aimed at young people as current provision in Petersfield ward is so low, or in a poor state of repair. A financial contribution towards the Donkey Common skatepark is requested.

### **Environment Agency**

- 6.14 **No objection:** Recommend that planning permission could be granted subject to the following conditions: Ground contamination remediation strategy; Further remediation strategy required if unexpected contamination found; Scheme for surface water disposal; details of piling or other penetrative

foundation design / ground investigatory methods; A number of informatives with regard to surface water drainage.

### **Cambridge Airport**

- 6.15 **No objection:** The proposals have been examined from an aerodrome safeguarding perspective and could result in conflict with criteria, unless conditions are required with regard to: Bird Hazard Management Plan; Removal of PD rights for cranes and construction equipment; Construction management plan; No reflection from PV panels.

### **Anglian Water**

- 6.16 **No objection:** With regard to wastewater a series of conditions are recommended. With regard to surface water the preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such no comments are made on the suitability of the surface water management.

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

- 6.17 **No objection:** The development has a child yield of circa 10 children, nearly all early years and primary school age. No contributions are required for early years primary or secondary school age education, due to the low number of children anticipated from the development and the existing capacity in the surrounding area. In addition contributions towards libraries and lifelong learning are not required as the proposals are not anticipated to result in undue pressure on existing provision.

### **Development Control Forum Meeting on 13/10/2021**

- 6.18 The petitioners urged the applicants to amend the scheme as follows: Requested the applicant scaled back the level of employment to create more open green space; only 20% of the site was usable open space; more space was for delivery vehicles on the northern and southern access; more cycle space was required for residents; more controlled visitor spaces were required; false to say a trade-off between trees and

vehicle parking; employment space should be reduced to gain space; the dwellings needed to be reconfigured to increase the level of daylight and sunlight that all the dwellings would receive to improve the quality of light; recommended that one of the commercial buildings was relocated to the north of the site to improve sunlight space for residential dwellings; the Highways Authority and Planning Authority need to take an active approach to future proof the Chisholm Trail, if necessary, undertake compulsory purchase order of land.

The applicants responded as follows: The applicant brought a number of 'firsts'. The first major car free development, one planet living scheme, BREEAM office standard, first major build to rent scheme in the city centre; the applicant was a long-term investor managing not just the buildings but the open spaces to ensure a long-lasting community; long-lasting high-quality materials were proposed; over half the site would be new public open spaces which would benefit the local community; 400% net gain in biodiversity in line with the Natural Cambridgeshire developing with nature toolkit; enabling the Chisholm trail to come forward; no fossil fuels to be used on site; there was a shortage of office space in Cambridge which could meet demand. There would also be co-working space open to the public and meeting rooms for hire to all users; engaging with Sustainable Food Organisation to ensure that the edible planting was well managed and offered longevity to all the community. Also, on site would a community kitchen; the development would benefit the wider community with the pavilion in the centre.

### **Design and Conservation Panel**

- 6.19 The proposals were considered twice by the Design and Conservation Panel at the pre-application stage. The D&C Panel raised concerns on both occasions with regard to the scale and massing of the development, the amount of single aspect units and provided an 'amber' response. The relevant section of the minutes of the panel meeting(s) are attached to this report as Appendices.

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

## **7.0 REPRESENTATIONS**

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

22 Devonshire Road  
27 Devonshire Road  
36 Glisson Road  
113 Gwydir Street  
2 Willis Road

7.2 Petition with 25 signatures received from South Petersfield Residents Association with accompanying letter from the following addresses:

9 Devonshire Road  
21 Devonshire Road  
27 Devonshire Road  
37 Devonshire Road  
40 Devonshire Road  
42 Devonshire Road  
43 Devonshire Road  
46 Devonshire Road  
50 Devonshire Road  
135 Gwydir Street  
30 Lyndewode Road  
62 Ross Street  
85 Tenison Road  
116 Tenison Road  
11 York Terrace

7.3 The following addresses have made representations which support the application:

Cambridge Community Arts  
YMCA  
Rebecca Orde Ltd  
Indie Cambridge, 3 Catharine Street  
Allia Impact Ltd, 187 Coleridge Road  
Lanpro, 50-60 Hills Road  
The Scale Partnership, Aurora Innovation Centre, Madingley Road  
49 St Barnabas Road



#### 7.4 The representations can be summarised as follows:

##### Objections

The inclusion of a large amount of office floorspace within the development, makes the density of the proposals too great. Provision of additional office floorspace would increase demand for housing in the city, which is already in short supply. As such this element of the proposals should be scaled back.

There is a lack of car parking in the development

Space between buildings is not large enough to be a park

Rental housing will damage cohesiveness of surrounding community

Buildings are too large

Quality of accommodation is poor with too many single aspect units.

Query location of disabled parking.

The density and compactness of the dwellings is not conducive to a high quality of life

The provision of useable open and green space is too small and cramped.

The single aspect dwellings facing north and north-west will receive too little direct sunlight and those facing south will receive too much and will overheat.

There is insufficient provision of spaces for deliveries / servicing  
Provision of car club spaces is inadequate.

Cycle parking provision is inadequate. As the development has no car parking provision, cycle parking should exceed standards, and should provide one space per bedspace.

The proposals do not include firm proposals for delivery of the Chisholm Trail.

The proposals have some corners which lack natural surveillance, and could encourage anti-social behaviour.

Concern about increased pressure on water and sewage infrastructure.

##### Support

Proposals will deliver new public open space, community facilities

Proposals will enhance biodiversity by almost 400%.

Car free nature of development will benefit surrounding community,

The proposals will result in a reduction in HGV trips in comparison to existing.

Office space is of good quality and meets needs of SMEs in the city, particularly Tech and creative sectors.

The proposed office accommodation is well located as it is close to the city centre and can be accessed without cars.

There will be a focus on pedestrian connectivity, with the site accessible via a number of entrances with improved pedestrian routes

These proposals will open up a currently inaccessible space, with new public open space

The proposals will include new community facilities and public art, including the new pavilion space.

The development will benefit local businesses.

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

## **8.0 ASSESSMENT**

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

### **Principle of Proposed uses**

- 8.2 Proposed office floorspace

Section 4 of the Cambridge Local Plan 2018 states that *“the Council will support the forecast growth of 22,100 net additional jobs in Cambridge by 2031, including a net gain of some 8,800 jobs in the ‘B’ use classes (offices and industry)...Growth on this scale would generate a net demand for just around 70,200 sqm of additional floorspace or 7.4 hectares of land...Planning for this employment space will ensure the local plan will support the continued development of a strong local economy that is able to compete on a global stage and will continue to provide job opportunities to residents of the area”*.

- 8.3 Policy 40 states that new offices, research and development and research facilities are encouraged to come forward within the following locations: City Centre and Eastern Gateway; Defined areas around two train stations; Cambridge Biomedical Campus and West Cambridge Site. Outside of designated office employment areas, new office development is acceptable on a site-by-site basis subject to compliance with other policies.

8.4 The site does not fall within the above designated employment areas, and the appropriateness of the site for office use would need to be considered on a site-specific basis. The site is located in a highly accessible location 500metres from Cambridge Rail Station and around 1mile from Cambridge City Centre. The site is within walking distance of several bus routes at Cambridge Station and Mill road and in addition a number of shops and services are located on Mill Road a short distance away. The existing uses currently are commercial in nature and in proximity to other new office developments around the train station. Officers consider that the above factors make the site an appropriate location for office development. It should be noted that the site is currently used for storage / distribution purposes Travis Perkins. As such officers consider that that the above factors make the site an appropriate location for new office development.

8.5 Proposed community floorspace

Policy 73 states that *“New or enhanced community, sports or leisure facilities will be permitted if: a. the range, quality and accessibility of facilities are improved; b. there is a local need for the facilities; and c. the facility is in close proximity to the people it serves”*. The provision of a new purpose built creche facility with external play space and other space with community value, such as a ‘library of things’, would help to serve the needs of the wider surrounding community as well as future residents. As such the incorporation of uses of community importance such as the creche are also supported by policy 73.

8.6 Proposed housing:

Policy 3 states that *“the overall development strategy is to focus the majority of new development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. Provision will be made for the development of not less than 14,000 additional dwellings within Cambridge City Council’s administrative boundary over the period from April 2011 to March 2031 to meet the objectively assessed need for homes in Cambridge”*.

8.7 In addition, the site is within the Mill Road Opportunity Area and is identified as a potential development site for 43 dwellings at a

density of 35 dwellings per hectare (site R9) within the proposals schedule within Appendix B of the Local Plan. As such the site is being counted on to deliver housing as part of the Councils 5 year housing land supply.

- 8.8 The application proposals will deliver 100 new residential units (56x1, 43x2, 1x3 bed units) and will therefore contribute towards housing delivery to meet the housing targets in policy 3. The surrounding area is also predominantly residential in character and delivery of new housing would be appropriate within this surrounding context. It is noted that the density of the proposals at around 200 dwellings per hectare (when density figure is adjusted for mixed use) is greater than that suggested within appendix B of the Local Plan. However, the density / unit numbers for site R9 within the Local Plan is based on previous planning permissions at the site, and is set at a low level, which is less than some other recently developed sites in the surrounding area. A further assessment of the design, layout and amenity of the proposals is provided in the following sections.
- 8.9 The proposed housing is proposed as a 'Build to Rent' (BTR) development, whereby the whole development is retained in single ownership by commercial investors and professionally managed and maintained in this manner for the longer term of at least 15 years to provide rental income for the developer. BTR is increasing in popularity as a form of development in Cambridge. As such additional annexes to the Greater Cambridgeshire Housing Strategy were adopted in July 2021 which provide further guidance on this form of development. Paragraph 5 of Annex 9 states that *"The Greater Cambridge Housing Strategy supports the development of purpose built private rented housing to help provide additional housing choice and to help accelerate the delivery of new homes"*. However, paragraph 15 of the annex requires that a robust market report will be needed to clearly demonstrate how any scheme would meet local housing need and demand.
- 8.10 A Market Report has been submitted with the application which notes that the Cambridge housing market suffers from low levels of supply and high house prices. The local employment market is strong with incomes that are above average in terms of national and regional benchmarks. Cambridge has one of the

highest house prices to income ratios in the country at 12.4, compared to the national average of 7.8. This makes buying a home challenging for many households, which drives a high proportion of them to the rental market. The report states that BTR at the site will be attractive to future tenants who are looking for private living space in a central location that is close to major transport and entertainment hubs but may be unable to afford to purchase housing in the area. The Market Report considers that BTR would offer more security for tenants because the site owners are committed for the long term. This means that tenancies tend to be longer than average rental tenancies (typically 2 to 3 years).

8.11 Officers have reviewed the submitted Market Report and consider that the application site would be well suited for a BTR development, due to its accessibility and proximity to the city centre, rail station and other services and amenities. The type of proposed rented housing would help to increase housing choice and address housing need in this area of the city. The managed nature of the development in the longer term with potential for longer tenancies, could help to deliver a greater sense of community. As such a proposed BTR development in this location would be broadly in accordance with the principles set out in Annex 9 of the Cambridge Housing Strategy. However, a consideration of other requirements of the Annex in terms of housing quality, amenity, and design is considered further in following report sections.

8.12 Overall, the proposed mix of uses including offices, creche, co-working space, community space of hire, artist studio and 'library of things' alongside the residential are considered to make a good contribution towards place making and complement the mix of uses in the wider area. As such the principle of the proposed mix of uses is acceptable and in accordance with policies 3, 40 and 73.

### **Affordable Housing**

8.13 The NPPF was updated in 2018 to include reference to Build to Rent housing. The updated NPPF sets a requirement for 10% of new homes to be made available for affordable home

ownership, but states that Build to Rent housing is exempt from this requirement.

8.14 Local Plan policy 45 is silent with regard to Build to Rent and affordable housing. As such additional annexes to the Greater Cambridgeshire Housing Strategy were adopted in July 2021, which include an annex (9) with regard to Build to Rent (BTR) and affordable housing. The Annex at paragraph 17 states that: *“A minimum of 20% homes in Build to Rent developments of 10 or more homes will be required to be provided as Affordable Private Rent... This is a minimum and the councils will seek to achieve a higher percentage than this wherever possible”*.

8.15 The application proposes 20% of units to be let at a 20% discount from market rents. Housing officers have reviewed the information and consider the proposals to be broadly in line with the updated policy requirements. However, discussions are ongoing with the affordable housing officer and the applicants with regard to the proposed rent levels and their affordability. The detail of the affordable housing scheme could be secured through a Section 106 Agreement.

8.16 Subject to the above the proposal is compliant with Annex 9 of the Greater Cambridge Housing Strategy.

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

8.18 Response to context

The application is accompanied by a comprehensive Design and Access Statement (DAS) that provides a clear explanation of the design approach for the scheme; the application is also supported by a Heritage Statement and Townscape and Visual Impact Assessment (TVIA).

8.19 These proposals need to be assessed in terms of their location, design, scale and massing. The site is immediately adjacent to the Mill Road Conservation Area and although not part of that heritage asset, views of it are clearly visible from Mill Road Bridge and the Carter Cycle Bridge which offers views over to Devonshire Road and towards Mill Road: they are clear, elevated, vantage points of the heritage asset with views along

the railway tracks and land/buildings to either side. Therefore policy 61 is relevant to the proposals with regards to views out of the conservation area.

- 8.20 The Mill Road Conservation Area Appraisal highlights the heritage asset as being a good example of a well-detailed, well-preserved Victorian suburb with few instances of modern infill. It is a complex, multicultural mix of commercial, residential, religious and community uses with a good variety in the built form, as well as both vehicular and pedestrian activity. Although generally the housing is two storeys in height, there are instances of other types of buildings which are taller and are now either offices or residential. Two examples are Dales Brewery in Gwydir Street which was part of the brewing industry in the city and is now offices, and no. 23 Tenison Road which was a warehouse and is currently office space. Both are a full three storeys. There is also increased height along parts of Mill Road itself where Victorian ground floor retail units have two storeys of accommodation above, either full height or with some of the rooms being in the roof. These premises create diversity in the streetscape and add to the character of the visual interest of the conservation area. The appraisal states that the siting and design of new development in the Mill Road area must be 'carefully controlled'.
- 8.21 Since the appraisal was published (June 2011), the Mill Road Depot (now known as Ironworks) on the other side of Mill Road is currently under construction with buildings of greater height and massing than the general form of development in the local area. The approved buildings range from 4-6 residential storeys along the railway edge, with the tallest block measuring 21 metres in height.
- 8.22 The immediate context of the Devonshire Gardens site is the long terrace on the west side of Devonshire Road, all 'Positive Unlisted Buildings', with the conservation area boundary running down the east side of the highway and nos. 114-122 (even) Positive Unlisted Buildings and nos. 126-134 (even) which is a terrace of Buildings of Local Interest (BLIs) which are to the north. BLIs are non-designated heritage assets. To the east of the site is the railway, which although not in the conservation area, is important to the setting of that heritage asset. It is a recognised feature in the setting of the

conservation area both visually and physically and is the reason most of the buildings are in this area, being the housing for the railway workers. The railway bridge allows elevated and wide views of the conservation area and surroundings.

8.23 The BLI terrace was built as railway workers cottages and are a focal point in the street, especially their chimney stacks. The terrace is directly alongside the bridge and rooftop details are very evident. The character of the terrace, and its cohesive approach being of generally the same scale and materials along its length, is highlighted too.

8.24 Character is not defined purely as a physical appearance. The Mill Road Conservation Area has a group of qualities that make it a different part of Cambridge. These include its retail character, its strong sense of identity and the winter fair where the local community takes over the streets. In their Advice Note 4: Tall Buildings, Historic England make reference to them needing to be in the right place. If not, they can seriously harm the qualities that people value about a place. In Appendix F of the Cambridge Local Plan 2018, it notes the appropriate locations for tall buildings in the city being local nodes, key city street junctions, end of important vistas and around principal transport junctions. The site is not considered to fit any of those criteria.

8.25 The overall scale and massing and effect on the character and appearance of the area were key points of discussion through the pre-application process for officers. Viewpoints were agreed through pre-application discussions. The application is accompanied by Townscape and Visual Impact Appraisal (TVIA) to assess the visual impact of the proposed development from relevant viewpoints and more localised views from surrounding streets and elevated viewpoints. Whilst the TVIA demonstrates that there is no significant adverse impact on the Policy 60 strategic viewpoints tested, it is considered that there would be an unacceptable visual impact on closer more localised views. This is explained in greater detail below.

8.26 Considering first the proposal's interface with the Conservation Area at streetscape level. The overall design approach to the western Devonshire Road frontage and northern edge of the



site, are considered acceptable in their general scale and form. Blocks G and F along the east side of Devonshire Road, go some way to screen the mass and height of the taller blocks situated behind and along the railway edge. At street level, they read as a terrace of individual buildings which mimics the scale and form of the properties on the other side of the road which are in the Mill Road Conservation Area. The trees along the east side of Devonshire Road were also picked up in the Mill Road Conservation Area Appraisal as being important to the streetscape. The retention of many of these trees proposed, would help to an extent maintain the existing character, although it should be noted that the new accesses, and removal of understorey will result in increased openness and visibility through the tree belt.

8.27 Along the northern edge of the site, the approach for Block A is to provide a new frontage onto this space and create a mews like character when viewed from streetscape level. The proposed approach to the rear of the Positive Unlisted Buildings and the BLIs which face onto Mill Road, is considered acceptable.

8.28 Another important streetscape level viewpoint is from the grade II listed Cambridge City Branch Library in Headley Road. Viewpoint 14 of the TVIA shows that there will be views of the built form over the Positive Unlisted Buildings in Mill Road, however it is agreed that, subject to materials being acceptable, the new, higher roofs could blend in with those along the Victorian terrace. Therefore, it is considered that there will be limited impact on the setting of the listed building which will not be further compromised by the proposals.

8.29 However, the site can be experienced from two points of elevation, and it is from these two viewpoints in particular that the proposal is considered to create an unacceptable visual impact on the character and appearance of the area.

8.30 Along the railway edge the scheme would comprise of 4 buildings ranging in scale: at the northern end of the site Block B is proposed at 3 and 4 commercial storeys; towards the centre of railway edge Block C is proposed at 6 commercial storeys (26m) and has the largest footprint of all proposed

buildings, next to which Block D is proposed at 4 and 6 residential storeys, and on the southern boundary Block E is proposed at 2 storeys.

8.31 Whilst it is acknowledged that the overall massing strategy proposes buildings that step down at the northern and southern edges of the site, significant concerns remain about the bulk and massing of the blocks when viewed from the Mill Road bridge.

8.32 The Design and Conservation Panel also raised scale and massing as a significant problem. At the first presentation in February 2021 the scale and massing, particularly along the railway edge when viewed from Mill Road Bridge, was a concern with the panel wondering whether the scheme was over ambitious in its scale of buildings proposed for the site. At the April 2021 presentation, they were still concerned about the scale and suggested 'All the proposed blocks need further real design engagement to resolve inherent issues of form and detail.'

8.33 Views from Mill Road Bridge (TVIA viewpoint 2): This view provides the most comprehensive understanding of the site's proposals and will result in a considerable change to what is currently experienced. From this view, there is an appreciation of the dramatic difference in scale of the hinterland between CB1 and the Mill Road Bridge, where finer grain buildings and domestically scaled forms, that are typically below the height of the trees, predominate. It is acknowledged that the existing view of the site is of untidy, piled stock out in the open and against the walls of the large, although relatively low level, industrial unit. This sits beyond the overhead lines over the railway track and does not have a positive impact on the setting of the adjacent conservation area. However, the way in which the proposed massing is organised is resulting in poor compositions, clumsy transitions between volumes, and a bulk which is not reflective of the plot based, finer grained prevailing character of the area.

8.34 It is noted that there are some steps in height created at the northern end of the proposal between Block B and C. However, the gaps between the tallest elements of Blocks C and D are

not appreciable from this view, and despite a change in brick tone, there is a coalescence of the forms, creating the sense of one mass. This is inconsistent with the local context where the taller buildings make a positive statement due to their incidental occurrence and individual detailing. The prevailing character of the two storey housing possesses a strong consistency of form which results in a fine grained rhythm to the streets which is not replicated by the proposals.

- 8.35 The central bay of Block C which pushes forward of the main façade line along railway edge, exacerbates the bulk of the building and adds to the sense of one large mass. The upper floor plant enclosure of the central bay of Block C collides with a lower masonry sawtooth gable expression, forming an uncomfortable, jarring element with the upper sawtooth roof profile and adding to the overall visual confusion to the appearance of this block. The proportions of this building appear ungainly and there is a clumsy transition between the volumes, which do not successfully work together to break down the bulk of this building. The proposed bay detailing of the elevations and the use of the sawtooth roof profile does not mitigate the overall massing and bulk of the tallest elements of the proposal along the railway edge in viewpoint 2 from Mill Road Bridge and is considered to have a negative impact on the setting of the conservation area. A more recessive central bay element that significantly pulls back and steps down from the main silhouette of Block C - visibly carving away at the proposed bulk of Block C to create clearer and cleaner individual volumes is needed to begin to help moderate the overall mass of this block.
- 8.36 Whilst Block B does step down to the BLIs, there is an awkward relationship between the 3 gabled roof form and the flat roof element which creates another clumsy transition between volumes. The combination of the massing of the blocks creates an overall cramped appearance against the railway's edge which is not conducive to the character of Mill Road which is of a smaller scale appearance with discernible elements to the built form.
- 8.37 It is acknowledged that larger formed buildings occupying railway locations is established within the conservation area and not entirely uncharacteristic. However, the application site is

smaller than the neighbouring Ironworks development and the intensity of the proposal on the site is greater. Compositionally, the proposed massing does not sit as well together from this important viewpoint; the transitions between volumes are poorly resolved and they read together, creating coalescing forms. Furthermore, in contrast with the Ironworks development, the site does not have large, mature trees to help to layer the view and manage scale at the interface with Mill Road.

8.38 Viewpoint 2 (existing) also provides for a distant view of the Church of Our Lady and the English Martyrs spire which would be lost by the proposed development. It is only a glimpse view of this grade II\* listed building, but the proposals for the development in their current form do not outweigh the adverse impact of the loss of that view. The contextual landscape is the low rise industrial and domestic scale beyond, and the applicants view that the proposals would enhance the view of this heritage asset from the Mill Road Bridge is not accepted. The way that the volumes of the blocks has been organised is insufficient to mitigate the impact of the view of the massing on the setting of the conservation area due to its alien form.

8.39 In summary, for reasons set out above the bulk and massing of the blocks proposed along the railway edge would dominate views from Mill Road Bridge and have an over assertive appearance, which would cause harm to the setting of the adjacent conservation area and the setting of the Grade II\* listed Church of Our Lady and the English Martyrs spire. This harm is considered to be 'less than substantial' in terms of paragraph 202 of the NPPF.

8.40 Viewpoint 4 - Carter Cycle Bridge looking north towards the site: During the pre-application process VuCity model images of this view were shown, and concerns were raised that Blocks C and D of the proposal would sit well above the prevailing roofline. Concerns remain that the proposed overall height and massing of both Blocks C & D together would have an unacceptable harmful effect on the townscape in views from the south.

8.41 The application is supported by a number of technical photomontage visualisations contained within Appendix 4 of the TVIA. Photomontage view 04 shows that whilst the proposed

materials sit within the overall tonal palette of the established context, that the intervening vegetation when in full leaf goes some way to filter the view, and that the proposal is reliant on a tree in the foreground softening and mitigating the negative impact of the greater height above the two storey housing. However, viewpoint 4 of the VuCity type 2 visualisation (Appendix 3 of the TVIA) shows the view from the Carter Cycle bridge with the tree bare as in winter and demonstrates how the proposed 5 & 6 storey element of Block D and the taller 6 storey Block C would rise significantly above the trees and the predominantly 2 storey height profile of the area. This creates a massing that would loom over its immediate surroundings and dominate the view from this elevated position. This public viewpoint provides a good appreciation of the harmonious character of Devonshire Road that is characterised by consistent terraces of two storey houses behind short brick walls that follow the curve of the street. From this elevated point, the bulk of the development would be seen alongside the conservation area where it covers Devonshire Road and the impact on the setting of the heritage asset would be negative due to its inconsistency, when compared with the plot based rhythm of the terraces.

8.42 Due to the proposed height of Blocks C and D along the railway edge, the VuCity 'winter' view also exposes the deep plan footprints of these blocks, where the southern flanks amalgamate into a bulky incongruous form that creates an unsympathetic relationship with the domestic terraces and fine-grained fabric characteristic of the conservation area. The imposing visual impact of the scheme would not be mitigated by variations in the elevations of the blocks and by virtue of the proposed height and bulk the proposal would detract from the setting of the conservation area. Again this harm to the Conservation Area is considered to be 'less than substantial' in terms of the NPPF.

8.43 Movement and Access: The principle of placing buildings located around the perimeter of the site, to create a new publicly accessible space is acceptable. Buildings are set back from the eastern boundary along the railway edge, which safeguards space for the proposed Chisholm Trail; the location of active ground floor uses onto this and the surrounding existing streets and spaces is supported. The site provides for

two open, publicly accessible east-west connections for pedestrians and cyclists, linking the proposed Chisholm Trail with Devonshire Road.

- 8.44 The proposed layout to the southern end of this site, which locates a nursery along the southern boundary and has configured the internal layout of the ground floor of Blocks D and F to provide an address onto the new route through the site is considered acceptable.
- 8.45 Built Form: concerns remain around the applicants placemaking rationale for why the proposed blocks along the railway edge should be taller than those found on the nearby Ironworks site.
- 8.46 The eastern end of Mill Road bridge provides elevated, longer views both south and north along the railway, which allows the site and the proposal to be seen within the emerging context of the CB1 development around Cambridge Station and the nearby Ironworks development. The current view from Mill Road bridge provides for views over the site, towards the domestic forms that lie between it and CB1. From this view the site has a clear visual connection with Mill Road and given the different context, highlights the difficulties in considering it as a connecting site with CB1 in terms of visual character.
- 8.47 The railway massing diagram show in section 10.01 of the DAS serves to illustrate the proposed massing along the railway edge forms a transition in scale, stepping up from the Ironworks site to the taller buildings at CB1. However, Block C along the railway edge, is similar in scale to 'One The Square' at CB1, which has a higher place status by virtue that it defines one side of the main public square at Cambridge Railway Station. In contrast, the proposal site does not fall within a main centre of activity, does not form an important nodal point or a principal transport junction, nor does it lie at the focus of converging major streets - situations where buildings significantly taller than their surroundings could be expected.
- 8.48 The proposal by virtue of its massing, out competes rather than complements the tallest buildings found on the nearby Ironworks site and seeks to insert blocks that have a visual

presence similar to the scale of buildings at CB1, when in fact the edges and immediate context is different.

8.49 Elevations and Materials: The predominant external material of the scheme is proposed to be brick, which is a robust, durable, and contextually appropriate material. The submitted DAS provides a good level of information about the proposed elevations and materiality; the scheme aims to create a visual reference to the previous industrial uses that were historically on the site. The proposed materials and finishes are clearly indicated on the submitted planning elevations.

8.50 Whilst there is some richness to the elevations proposed, the 'response to context section' above raises concerns regarding proportion and compositional issues that exacerbate the bulk and have highlighted how the transition between massing volumes is poorly resolved. It is acknowledged that there are elements of the design approach from streetscape level that are considered acceptable. However, from the two elevated viewpoints of Mill Road Bridge and from the Carter Cycle Bridge the scale and mass issues cannot be mitigated through the modern sawtooth design of the roof, detailed elevations and use of materials.

8.51 Landscape: The design approach for the majority of the soft landscape area comprises a treed and grassed landscape with mounds. Submitted images show this space could be attractive for future users. However, concerns are raised that it would not be robust enough for the amount of use the small area is expected to accommodate. It is appreciated that the management of facility will be thorough and reactive, but grassed areas take time to recover when overused. When worn, they are muddy in wet weather and dusty in dry weather; mounds also do not support tree planting well as they dry out quicker than at grade land. A simplified landscape design approach with greater hard landscape elements is considered more appropriate and robust for the user numbers.

8.52 The concept of creating small intimate spaces with the mounding together with woodland planting within this confined space would result in the area becoming cramped. The mounding is at risk of become desiccated, which in turn will

hinder tree establishment. The mounding should be removed to give a better sense of openness and space.

8.53 In addition the suggested large trees are broad spreading and too large for their chosen location. Others are too close to buildings and balconies and are close to the low retaining detail around the mounds which may mean removal because of damage to the structure. The choice of large tree species is supported but concerns are raised that they are not appropriately located.

8.54 Now that all of the trees and understorey to be removed (as well as the existing timber fence) have been identified, it is evident that views through the western boundary tree belt will be substantially opened up exposing views from the residential properties opposite and from the road. Some opening up will be necessary to promote a sense of security for the users of the internal footpath and for a visual connection between the site and the surrounding area. However as much of the integrity of the current tree belt should be considered in order to maintain canopy cover, existing biodiversity as well as visual screening. Since the proposed central pedestrian opening is not required for waste management, it could be removed to reduce the impact on the tree belt.

8.55 Conservation and design summary: In summary the scale and massing of the proposed development would detract from the character and appearance of the surrounding area. The proposals would also result in less than substantial harm to the setting of the grade II\* listed Church of Our Lady and the English Martyrs spire and Mill Road Conservation Area. In making this assessment officers have given special regard to desirability of preserving and enhancing the settings of listed buildings and conservation areas in terms of requirements of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).

8.56 It is noted that paragraph 202 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.



In this case the public benefits of the proposals in terms of provision of new housing, employment floorspace, community spaces / a creche and new public open space are noted. However, when this is considered alongside the requirements of section 66 and 72 having regard to the of the Planning (Listed Buildings and Conservation Areas Act 1990) they are not considered sufficient to outweigh the harm identified above.

- 8.57 In addition whilst the landscaped central space could be an attractive feature of the development, the proposed soft landscaped design approach with mounds, would not be appropriate for the scale of the space, and the intensity of its proposed use. Many changes to landscaping could be addressed through planning conditions, but the cumulative extent of potential changes to landscaping is significant and would justify a second reason for refusal.
- 8.58 Given the above concerns the proposals would conflict with Cambridge Local Plan (2018) policies 55, 56, 57, 59, 60 and 61. These concerns would represent reasons for refusal of the application.

### **Tree impacts**

- 8.59 The loss of 16 category C trees along the site frontage with Devonshire Road, due to the formation of access routes through into the development is proposed. This will have an adverse impact upon the existing verdant character of Devonshire Road, which is regrettable. However the proposed accesses would have some urban design benefits in terms of increasing permeability through the site and improving natural surveillance along Devonshire Road. In addition previously approved developments at the site (see history section) have also featured similar accesses through the tree line. As such in principle the formation of gaps within the existing hedge is accepted.
- 8.60 In addition tree officer concerns with regard to the proximity of proposed buildings to the TPO trees alongside Devonshire Road are noted. However the proposed buildings are set back a similar distance from these trees than previously approved applications at the site.

8.61 As such subject to appropriate investigation work with regard to the location of Root Protection Areas, and their protection during construction, it is not considered that this concern would be sufficient to represent a reason for refusal, and the proposals would be capable of according with Cambridge Local Plan (2018) policy 71.

### **Biodiversity**

8.62 A range of biodiversity enhancements are proposed, including bird (swifts) / bat boxes, hedgehog / bee houses. As such the proposals are anticipated to achieve a biodiversity net gain of 393%, as the existing condition of the site has low value (buildings, hard standing, woodland).

8.63 Subject to the above the proposal is compliant with Cambridge Local Plan (2018) policy 61.

### **Public Art**

8.64 A Public Art Strategy has been submitted which sets out a public art strategy for the development. This comprises a potential large focal piece, pavilion space for performance, artist studio space and artist in residence. These measures are supported by the Council's public art officer. Further details of the design of the pavilion will need to be secured by condition. In addition the delivery of the measures within the Strategy will also be required by planning condition.

8.65 Subject to the above the proposal is compliant with Cambridge Local Plan (2018) policy 56 and the Public Art SPD 2010

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

8.66 Policy 28 states that *"all development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals"*. Major development proposals are required to submit an energy and sustainability strategy demonstrating regard to the 'lean, clean, green' energy hierarchy, achieve a 19% reduction in carbon emissions in comparison with a 2013 Building Regulations

compliant development, and non-residential development is required to achieve a BREEAM excellent rating. The Greater Cambridge Sustainable Design SPD provides further detailed guidance on achieving these requirements.

- 8.67 An Energy Strategy and Overheating Assessment has been submitted with the application. In overall terms the officers consider the approach of the development toward sustainability is positive. The submitted strategy follows the 'lean, clean, green' energy hierarchy. 'Lean' energy efficiency measures are proposed including enhanced building fabric and air tightness in comparison with Building Regulations, and energy / resource efficient fixtures and fittings. Residential units are predominantly naturally ventilated but also with Mechanical Ventilation Heat Recovery (MVHR).
- 8.68 In terms of the 'clean' criteria, an all electric heating and cooling system for residential and commercial uses are proposed. Roof mounted Air Source Heat Pumps (ASHP) are proposed for commercial heating / cooling / hot water. Residential units incorporate electric radiators for heating and electric immersion heaters in each flat for domestic hot water.
- 8.69 In terms of the 'green' criteria PV Panels are proposed at roof level of residential / commercial and creche buildings. As a result of all the above measures the development is anticipated to achieve a 58% CO<sub>2</sub> saving in comparison with 2013 Building Regulations compliant development. This exceeds the 19% reduction required by Local Plan policy 28. the BREEAM 'excellent' is also proposed for office floorspace.
- 8.70 Comments were received from the sustainability officer highlighting the positive aspects of the energy / sustainability strategy although concerns have been raised about the number of single aspect units with potential for overheating. It was noted that whilst the submitted CIBSE TM59 overheating assessment does not currently identify any of the proposed units as being at risk of overheating, the report does not consider future scenarios which may arise as a result of climate change.
- 8.71 The applicants have undertaken further overheating assessment considering future climate scenarios up to 2080. Subject to some additional mitigation measures (increase

windows opening proportion to fully open, inward opening, increasing MVHR ventilation performance to 1l/s/m<sup>2</sup> on Block A only; addition of 'brise soleil' solar shading on Blocks A and D). These measures could be secured by planning condition.

- 8.72 As such, it is likely that the proposals are capable of according with Cambridge Local Plan (2018) policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

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

- 8.73 Policy 31 states that development will be permitted provided that: surface water is managed close to its source and on the surface where reasonably practicable to do so; priority is given to the use of nature services; c. water is seen as a resource and is re-used where practicable, offsetting potable water demand; the features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make an active contribution to making places for people; surface water management features are multi-functional wherever possible in their land use; any flat roof is a green or brown roof; that surface water runoff shall not discharge unduly onto surrounding sites, is treated to prevent pollution, and permeable surfaces are proposed where possible. Policy 32 requires that water runoff is not greater than if the site were undeveloped and that the proposals will not increase flood risk to the site or surroundings in a 1 in 100 year flooding event.
- 8.74 The submitted drainage strategy proposes a combination of rain gardens, permeable paving, blue / green roofs, rainwater harvesting for irrigation of landscaping only, and below ground attenuation tank for ground infiltration. This broadly follows the above policy requirements.
- 8.75 Drainage comments have been received requesting modelling of 1:30 year flood event, and further details in the event of system exceedance in a 1:100 year event. In addition the Lead Local Flood Authority have raised concerns that infiltration of surface water at the site may not be possible due to raised ground water levels in this location. As such the drainage strategy will require further consideration in order to satisfy the requirements of relevant consultees.

8.76 Subject to some additional information which could be secured via condition the applicants will be able to demonstrate that they have suitably addressed the issues of water management and flood risk, and the proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

### **Air quality, ground contamination, noise and vibration**

8.77 The submitted air quality assessment notes that in terms of air quality no car parking is proposed (with the exception of two disabled spaces) and the development has an all electric energy strategy. As such the proposals will be air quality neutral during the operational phase. Air quality impacts during the construction phase can be addressed through Construction Management Plan conditions. No exceedances in existing local air quality are identified and therefore there is no need for mitigation measures for future occupiers.

8.78 In terms of ground contamination the submitted report suggests there is elevated levels of hydrocarbons locked within saturated soils beneath the water table in the southern part of the site. These may need to be removed as part of a remediation scheme and will prevent soakaways in the southern half of the site. Pollution officers generally accept conclusions of report and recommend standard conditions (phase 2 site investigation and phase 3 remediation strategy). Post demolition soil sampling and detailed remediation strategy required. The Environment Agency has also recommended that planning permission is granted only with a series of conditions regarding ground contamination; surface water infiltration; and details of piling.

8.79 In terms of noise, MVHR is proposed for all residential blocks, with openable windows for purge ventilation. Conventional double glazing is mostly sufficient to achieve internal design standards. Winter gardens are proposed adjacent to the railway line to achieve internal noise requirements for a small number of residential units facing in this direction. Noise levels at balconies in Devonshire Road / adjacent to railway line exceed 55db standard in SPG but residents of these units would still have access to quieter areas in the development.

- 8.80 Pollution officers support the provision of winter gardens to mitigate noise impacts but have raised concerns that the submitted report does not consider impact of creche on Noise Sensitive Receptors (NSR). Exceedances in terms of vibration on block B are also identified with potential for modelling to underestimate noise impacts from plant on block F and G.
- 8.81 Subject to the recommended conditions, the applicants can suitably address the issues of air and ground pollution, as well as noise and vibration. As such the proposal is in accordance with Cambridge Local Plan (2018) policies 33, 35 and 36.

### **Inclusive access**

- 8.82 The proposed development features level weather protected thresholds to all buildings with lift access from at least 1 lift in each core. The applicants have demonstrated that 1 affordable residential unit at ground floor level is designed to meet Building Regulations M4(3) requirements (wheelchair accessible), with the remainder achieving M4(2) standards. As such this would accord with the requirements of policy 51 that 5% of the affordable units meet M4(3) standards.
- 8.83 The proposals would comply conflict with Cambridge Local Plan (2018) policies 51, 56 and 57.

### **Residential Amenity**

- 8.84 Impact on amenity of neighbouring occupiers: The submitted daylight / sunlight assessment suggests almost all surrounding properties would retain levels of daylight within BRE guidelines. A small number of neighbouring windows would experience larger and more noticeable impacts. However these are only marginal exceedances or to rooms with other windows / not habitable rooms. In addition all south facing windows at neighbouring properties will accord with BRE guidelines for sunlight. As such the proposals are not considered to result in any undue daylight or sunlight impacts on neighbouring properties.

8.85 Relationship with adjacent dwellings / privacy / overlooking / outlook: The proposed development is separated from adjoining properties on the west side of Devonshire Road by the width of the street, and wooded frontage of the site at a distance of 19m. Proposed blocks facing the north from the site are set back from the site boundary by 6 metres and are separated from adjoining dwellings by a vehicle access route. As such an overall separation distance between windows of proposed and neighbouring properties to the north is also 19m. Adjoining buildings in Angus Close to the south are separated by a distance of 20m from the development. This level of separation is sufficient to ensure that there would be no adverse impact in terms of privacy and overlooking.

8.86 Overshadowing of open space:

8.87 Impacts of the proposed development upon open spaces within the development. BRE guidelines recommend that at least half of a garden or amenity area should receive at least 2 hours of sunlight on March 21<sup>st</sup>. The assessment shows that 89% of open spaces within the development would achieve this standard and would benefit from a good level of sunlight. Overshadowing impacts on the nearest gardens have not been assessed as they are a sufficient distance from the site that it is clear that no undue overshadowing impacts could occur.

8.88 In the opinion of officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

8.89 Amenity for future occupiers of the site

8.90 The proposals have been designed to meet Nationally Described Space Standards / Cambridge space standards. All residential units have access to private external amenity space in the form of balconies and a private communal roof terrace within blocks C and D, which exceeds policy requirements. The submitted assessment suggests a high level of compliance (96%) of proposed units with BRE guidelines for daylight. As such daylight levels within the development are acceptable and

it should be noted that daylight is the most important aspect of residential amenity.

- 8.91 However concerns have been raised by both urban design and sustainability officers with regard to the long communal corridors on each floor and high number of single aspect residential units (units with a secondary aspect onto an inset balcony can't be counted as genuine single aspect units). Some of these single aspect units are north facing and will lack direct sunlight. The daylight sunlight assessment also shows some proposed units will receive low levels of sunlight. Overall 48% of living rooms would achieve BRE targets for sunlight. This issue is highlighted by objections from the South Petersfield Residents Association.
- 8.92 On balance it is considered the proportion of single aspect units and the level of sunlight received to proposed flats is acceptable. There is no specific policy requirement with regards to provision of dual aspect units. In addition, the single aspect of some units is partially mitigated by secondary aspect onto balconies. Provision of a greater level of dual aspect units may not necessarily result in a significant increase in sunlight to living rooms as this is dependent on the orientation of the proposed blocks and flats within the blocks. In addition sunlight is of secondary importance to amenity, as it is dependent on orientation. Daylight is of greater relevance to the amenity of future occupiers, and the proposed units would be well daylit.
- 8.93 External amenity space: In addition to the proposed private balconies and private communal terraces, a central area of publicly accessible open space is proposed. The amount of open space provided would equate to between 32-47% of the site area (depending on the areas of the site which are included in the calculation). This level of provision even when using the most conservative method of calculation would compare favourably to other developments in the vicinity of the site, such as the Mill Road depot redevelopment which included 28% of site area as open space.
- 8.94 The landscape proposals include significant areas of new soft landscaping with different character areas, tree planting (64 new trees), water elements with rain gardens, food growing



areas and play on the way elements. This will all contribute towards ensuring the development is an attractive place to live / work and visit, although subject to landscape comments above about the appropriateness of the landscape design for this space. The landscape design proposals incorporate play on the way elements which would help meet play requirements for younger children. However there is no on site play / recreation provision for older children, provision of formal sports facilities. As such financial contributions towards improvements to other nearby amenity spaces to meet this shortfall would also be sought.

- 8.95 Given the BTR / single ownership and management of the site, it is anticipated that there will be an on-site management presence to oversee management and maintenance of this space and ensure community safety. An operational site management plan would be required by condition.
- 8.96 The submitted images show that openings to the public space are not enclosed or gated and this is welcomed to ensure a more welcoming environment for members of the public. Public access in perpetuity will need to be secured as part of the management plan / S106 heads of terms.
- 8.97 Given the above, in the opinion of officers, although the development comprises a dense, urban pattern of development, it would provide an acceptable living environment and an appropriate standard of residential amenity for future occupiers, and in this respect it is compliant with Cambridge Local Plan (2018) policy 50.

### **Refuse Arrangements**

- 8.98 Waste and recycling storage areas are proposed within each block core. Blocks adjacent to Devonshire Road within proximity to the street and will be serviced by waste collection vehicles using the public highway. Waste collection vehicles will use the southern access to service blocks adjacent to the railway line. Waste Management officers have raised some concerns around the design of one of the storage areas in blocks, but it is considered that this issue could be addressed via an appropriate planning condition.

8.99 In addition the Highways Officer has requested further information with regard to ability of waste collection vehicles to enter and leave the northern access. The applicants have submitted some further information to demonstrate how this could be achieved.

8.100 Given the above it is considered that the proposals would be capable of compliance with Cambridge Local Plan (2018) policy 57 and this issue would not represent a reason for refusal of the application.

### **Highway Safety**

8.101 The submitted transport assessment identifies potential for less vehicle movements to and from the site compared to the existing use, although there is potential for 65 servicing movements per day to the proposed development. This issue is also identified as a concern within objections from the South Petersfield Neighbourhood group. Two drop off / loading / servicing spaces are proposed within the site, and it has been suggested that more could be provided with some reconfiguration of the available space.

8.102 Visitor car parking spaces are available in public car parks surrounding the site, and as such officers do not consider on site visitor car parking to be necessary, although this issue has also been raised as part of neighbour objections. Any on site loading / servicing spaces will need to be carefully managed to ensure they are not used as longer stay unauthorised general visitor parking spaces.

8.103 Comments have also been received from the highway authority with regard to the safety of the northern vehicle access. The applicant has provided some further details on the arrangement which shows how this access can be reconfigured with appropriate visibility splays and is capable of use by waste collection vehicles.

8.104 Given the above it is considered that the proposals would be capable of compliance with Cambridge Local Plan (2018) policy

81 and this issue would not represent a reason for refusal of the application.

### **Car and Cycle Parking**

8.105 The application proposals are car free, with no car parking provision with the exception of 2 disabled spaces. This approach is supported by officers, as it will help to maximise the potential of the site in a highly accessible central location and help to promote travel to / from the development by active, sustainable modes.

8.106 In terms of cycle parking 427 spaces are proposed for commercial uses within a cycle hub and 177 residential cycle parking spaces, located adjacent to each residential core. The cycle hub comprises a mix of double stacked, Sheffield stand and cargo bike spaces. Residential provision comprises Sheffield stand and cargo bike spaces. Cycle parking provision is considered to be broadly in accordance with policy requirements for both numbers of spaces, and quality / useability.

8.107 In addition the applicants have provided additional information to show how an additional 4 spaces can be provided within the southern access to provide an additional disabled space, two spaces for deliveries, and a car club parking space. These measures would have the potential address concerns with regard to parking and servicing.

8.108 Given the above the proposals are considered likely to be able to comply with Cambridge Local Plan (2018) policy 82 and this issue would not be a reason for refusal.

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

8.109 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is: (a) necessary to make the development acceptable in planning terms; (b) directly related

to the development; and (c) fairly and reasonably related in scale and kind to the development.

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

8.111 Social Value Statement The socio-economic benefits of the development are set out in the submitted social value statement and are welcomed. Commitments within the S106 with regard to local labour / operation / apprenticeships during the construction phase would be welcomed, possibly through the highlighted submission of social value reports on a quarterly / yearly basis.

8.112 In the operational phase access by the surrounding community to new community space is also welcomed. The minimum amount of floorspace, times at which the space is available and the rate at which it is made available for will also need to be secured as part of the S106 agreement.

8.113 Affordable Housing The development is required to make provision for affordable housing. The proposal for affordable housing has been assessed in the paragraphs above. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement, including provisions for minimum tenancy lengths, rent levels, and means of allocation.

8.114 Accessibility / Transport: A package of measures to promote sustainable transport would be sought. This includes financial contributions / requirements towards delivery of the of Chisholm Trail if and when this project proceeds, improvements to the public realm of Devonshire Road. A commitment to public access to the open spaces within the development at all times would also be required. Provision of a car club space within the site, and car club membership / credits for future occupiers would also be required.

8.115 Open space / play space provision: A financial contribution towards improvements to play / recreation / sports provision for older children and adults in other nearby locations to meet the needs of the development would also be sought.

8.116 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridge Local Plan (2018) policies 45 and 85 and the Affordable Housing SPD (2008).

### **Development Control Forum**

8.117 The application was presented to the DCF in October 2021. Petitioners requested that the level of employment to create more open green space and a less dense development; more space should be provided for delivery vehicles on the northern and southern access; more cycle parking space was required for residents; more controlled visitor spaces were required; the dwellings needed to be reconfigured to increase the level of daylight and sunlight to proposed dwellings that all the dwellings would receive to improve the quality of light; and recommended the Highways Authority and Planning Authority need to take an active approach to future proof the Chisholm Trail, if necessary, undertake compulsory purchase order of land.

8.118 The applicants have suggested how the proposals could be amended to address some of these points, in terms of providing additional parking spaces for delivery vehicles / visitors, provision of car club spaces and an improvement to cycle parking provision. These improvements are welcomed by officers but would not overcome the main reasons of concern around scale / massing / design and conservation impacts outlined above. In addition the officer view on other issues raised in the DCF are also provided in the above sections of the report.

## **9.0 CONCLUSION**

9.1 The principle of a proposed mixed use (office, residential and community use) development in this location is supported, as the proposed residential and office floorspace will help to meet

local plan targets. The sustainability strategy comprising a car free development, with energy efficient buildings is also supported. The proposed layout comprising a series of blocks fronting Devonshire Road, the rear of Mill Road to the north, and Angus Close to the south would also comprise a rational design response to the site.

- 9.2 However strong concerns have been raised by Conservation, Urban Design, Landscape officers, and Design and Conservation Panel, during the pre-application and application stages that the scale, massing and detailed design of the proposed development would detract from the character and appearance of the surrounding area. The proposals would also result in less than substantial harm to the setting of the grade II\* listed Church of Our Lady and the English Martyrs spire and Mill road Conservation Area. In addition whilst the landscaped central space could be an attractive feature of the development, the proposed soft landscaped design approach with mounds, would not be appropriate for the scale of the space, and the intensity of its proposed use.
- 9.3 In making this assessment officers have given special regard to desirability of preserving and enhancing the settings of listed buildings and conservation areas in terms of requirements of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).
- 9.4 It is noted that paragraph 202 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*. In this case the public benefits of the proposals in terms of provision of new housing, employment floorspace, community spaces / a creche and new public open space are noted. However, when this is considered alongside the requirements of section 66 and 72 having regard to the of the Planning (Listed Buildings and Conservation Areas Act 1990) they are not considered sufficient to outweigh the harm identified above.
- 9.5 As such these concerns would represent a reason for refusal of the application.

## **10.0 RECOMMENDATION**

### **10.1 REFUSE** for the following reasons:

1. The proposed development by reason of its scale and massing would result in an unduly imposing form of development, in a location which would not justify buildings of such scale. As such the proposals would dominate views from surrounding elevated positions and detract from the character and appearance of the surrounding area. The proposals would also result in less than substantial harm to the setting of the adjacent Mill Road Conservation area and the setting of the Grade II\* listed Church of Our Lady and the English Martyrs spire. The proposals would therefore conflict with Cambridge Local Plan (2018) policies 55, 56, 57, 60 and 61, and paragraph 202 of the National Planning Policy Framework.
  2. The landscape design of spaces within the development, with high levels of soft landscaping, broad spreading trees and mounds, would not be appropriate for the scale of the space, and the intensity of its proposed use. As such the proposed landscaping fails to relate to the character and intended function of the space, contrary to Cambridge Local Plan (2018) policy 59.
- 10.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development and to agree planning conditions in the event the appeal is allowed and to agree any minor material and non-material amendments to the scheme as appropriate.

This page is intentionally left blank



**DEVELOPMENT CONTROL FORUM**13 October 2021  
10.00 am - 12.00 pm**Present****Planning Committee Members:** Councillors Baigent, Dryden, Gawthrope  
Wood, Porrer, Smart and Thornburrow

Alternates: McQueen, Page-Croft and Herbert

**Officers:**

Delivery Manager Development Management: Nigel Blazeby

Case Officer: Steve Fraser Lim

Committee Manager: Claire Tunncliffe

Meeting Producer: Sarah Steed

**For Applicant:**

Mike Derbyshire (Bidwells)

Douglas Higgins (First Base)

Mathew Yeoman (Buckley Gray Yeoman)

**For Petitioners:**

2 Members of South Petersfield Residents Association

**FOR THE INFORMATION OF THE COUNCIL****21/7/DCF Declarations of Interest**

Item	Name	Reason
All	Councillor Baigent	Personal: Cam Cycle

**21/8/DCF Application and Petition Details (21/03620/FUL / Devonshire Gardens Devonshire Road Cambridge Cambridgeshire CB1 2BJ)**Application and Petition Details (21/03620/FUL / Devonshire Gardens  
Devonshire Road Cambridge Cambridgeshire CB1 2BJ)

Application No: 21/03620/FUL

Site Address: Devonshire Gardens Devonshire Road Cambridge  
Cambridgeshire CB1 2BJ

Description: Demolition of existing depot building and redevelopment of site to provide two new buildings comprising Class E (g)(i) / E (g) (ii) floorspace with associated plant and cycle parking, three new residential buildings comprising 100 units with associated plant and cycle parking, one new building comprising flexible commercial space (Class E) to include a creche with associated cycle parking, flexible community space (Class F.1/F.2), hard and soft landscaping and associated access.

Agent: Alison Wright

Address: Bidwell House Trumpington Road Cambridge CB2 9LD

Lead Petitioner: South Petersfield Residents Association

Case Officer: Steve Fraser Lim

### **Text of Petition:**

We, the undersigned, request a Development Control Forum on the planning application for Devonshire Gardens (21/03620/FUL) to address matters that the applicant believes have been adequately addressed or are immaterial considerations, but which we believe are of critical importance to the long-term success of this development:

1. The provision of usable open green space is too small and cramped.
2. There needs to be more provision for visitors, deliveries, and club cars.
3. The density and compactness of the dwellings is not conducive to a high quality of life.
4. The single-aspect dwellings facing north, and north-of-west will receive too little direct sunlight, and those facing south may receive too much in the height of summer.

### **Case by Applicant**

- i. Believed the application met the key requirements of the proposed Greater Cambridge Local Plan:
  - Reducing climate impacts through compact development located to connect homes and jobs, and where active and sustainable travel can be maximised.
  - Making best use of suitable safeguarded and brownfield land.
  - Making best use of existing and committed key sustainable transport infrastructure.
- ii. In response to the petitioner's comment that 'the provision of usable open space was too small and cramped'. This application offered publicly accessible green open space at the heart of the development which offered a sense of community for all with the following throughout the site:

- Edible planting.
  - Play on the way elements
  - Creche Garden
  - Tree canopy
  - Cafe style of seating
  - Rain gardens
  - New trees and flowers throughout the site; 55% increase in the number of existing trees.
  - Improved foot and cycle way
  - Community event space
- iii. The developer also wanted to ensure that those living and working on site also had their own access with the open spaces.
- iv. There would be employment space on site and office workers would have access to communal roof terraces and gardens.
- v. Every residential unit would have private outdoor amenity space with either a balcony, gardens, or winter gardens.
- vi. Feedback received from the consultation indicated strong support for the proposed public open space design including the open spaces, community garden and new planting throughout.
- vii. 3000 people had responded to the consultation with only four negative responses.
- viii. The application offered 51% open space compared to other local developments including Ironworks 28% and CB1 development 16.4%.
- ix. The central green spaces would receive high levels of sunlight for significant portions of the day.
- x. In response to the petitioner's comments 'there needed to be more provision for visitors, deliveries and club cars', the site was a car free development. The potential to provide additional car club / visitor space had been considered.
- xi. Single-aspect dwellings have been minimised, with a secondary aspect into balconies. The Daylight / sunlight assessment demonstrates adequate levels of daylight to proposed units. The overheating assessment demonstrates that no units are at risk of overheating, including in future climate scenarios.
- xii. The application would reduce climate impact through compact development located to connect homes and jobs, and where active and sustainable travel could be maximised.
- xiii. The site made the best use of suitable safeguarded and brownfield land.
- xiv. The application benefited from existing and committed key sustainable transport infrastructure.

**Case by Petitioners**

- i. The provision of usable open green space was small and cramped.
- ii. More provision was required for visitors, deliveries and club cars was required.
- iii. The density and compactness of the dwellings was not conducive to a high quality of life.
- iv. The single-aspect dwellings facing north, and north-of-west would receive too little direct sunlight, and those facing south could receive too much in the height of summer.
- v. The Local Plan envisaged 43 dwellings on this site, but the proposal was for 100 dwellings, office space for up to 1,000 employees, a crèche and community rooms.
- vi. Accepted that higher density development was appropriate, but this intensity of development would not support a quality of life the Local Plan promoted.
- vii. The additional employment space would create a net increase in demand for housing of over 500 dwellings in a city where there was a shortage of housing.
- viii. The central green wedge could only be considered as “usable green space”, 0.24 hectares for approximately 250 on-site residents, up to 1,000 on-site workers, and visitors.
- ix. The Local Plan stated 0.625 hectares for informal open space and children’s play area before considering the needs of workers and visitors.
- x. Most of the ‘dual aspect’ dwellings have been misclassified. Balconies, like bay windows, did not create a second aspect from within the dwelling.
- xi. 52% of living rooms did not meet the APSH (Annual Probable Sunlight Hours) target values.
- xii. The sunlight study explicitly excluded the effect of trees, these would further reduce indirect light to dwellings facing Devonshire Rd (north of west) and the railway cottages (north).
- xiii. The Chisholm Trail currently had no agreed connections to the north or south. Suggested the Planning and Highway Authorities must take responsibility with Network Rail and, as a backup plan, other landowners.
- xiv. The site required better provision for the level of deliveries to the site for both residents and businesses.
- xv. Residents would need one cycle parking space per person, and a higher than typical allowance for cargo bikes and trailers.
- xvi. This application should include enough electric club cars to serve the surrounding community.
- xvii. Questioned if the way the proposals had been presented to the public were accurate, the level of open space was minimum and cramped.

- xviii. Asked why there was no usable play space for children on site.
- xix. Expressed concern at the service charge to residents and how this increase annually if required.

### **Case Officer Comments**

- i. Application was submitted on 2 August 2021, following pre-application discussions
- ii. The City Council notified 675 neighbours with notices displayed and the consultation period run until 9 September 2021.
- iii. 4 letters of objection had been received and 3 letters of support.
- iv. The objections raised were
  - lack of parking,
  - lack of space between the buildings,
  - concern regarding the rental housing which could damage the cohesion of the community
  - some buildings were too large
  - quality of the accommodation.
  - querying the location of the parking for the disabled.
- v. Those in support highlighted the following:
  - Application would deliver new open space
  - Enhance biodiversity.
  - Car free development would benefit the surrounding community.
  - Less HGV movements
  - Good quality office space would meet the needs of small enterprises in the city and creative sector.
- vi. Comments from consultees were as follows:
  - Housing Officers – requested a scenario setting table to consider the potential for an increase for the number of discount market rent units or whether the discounts be increased
  - Conservation and Design Officers - raised significant concerns around the amount of development, the visual presence alongside the railway, height of block C and D adjacent to the railway line.
  - Landscape Officers – expressed unease with regard to the impacts identified in the townscape visual impact assessment. Made comment on the public open space in the middle of the site.
  - Tree Officers – highlighted the trees along the frontage of Devonshire Road are subject to a Tree Preservation Order. The open space in the centre of the site could not accommodate larger species of trees.
  - Sustainability Officers – much to admire and welcomed a fossil fuel free energy strategy, the social value generated by the proposals

and ambition to achieve BREEAM 'Outstanding' rating for offices.. Concerned regarding the single aspect units, the overheating assessment did not take sufficient account of future climate scenarios. The ground floor units may not be able to have windows open all the time to achieve the required cooling.

- Pollution Officers – made comment on the noise assessment.
  - Drainage Officer – requested further information on how 1 in 30 and 1 in 100 rainfall events were managed.
- vii. Comments from external consultees were as follows:
- Highway Authority – raised concern regarding the loading bay on Devonshire Road on highway safety grounds.
  - S106 Officer (County Council) – highlighted a low child yield on the development due to the smaller size units on site; therefore, no need for financial contributions for education requirements.
  - Environment Agency – requested conditions regarding ground contamination, surface water management.
  - Lead Flood Authority (County Council) – highlighted the drainage infiltration scheme is likely to be problematic.
- viii. Currently in discussion with the applicant on the issues raised.

### **Ward Councillor Comments**

- i. Fully endorsed all the comments from the petitioners.
- ii. The application was an example of over development.
- iii. With up to 1000 employees on the development this would create an additional need for housing.
- iv. Public open spaces would not be adopted by the local council but would be maintained by a service charge, paid for by businesses and residents.
- v. The service charge could be very high for future residential occupiers. business occupiers should be charged a higher percentage to reduce bills for future residents.
- vi. Suggested the service charge should be published and should be a flat rate for an agreed number of years.
- vii. Further discussions were required on the service charge.
- viii. 20% of the 100 homes would be affordable (Discount Market Rent). Further discussion was required to ensure that these 20% are genuinely affordable rent.
- ix. No service road at the back of site for the offices, not appropriate.
- x. Concerned about the decision to run a competition to decide on the planting throughout the site.
- xi. The planting needed a professional approach as the landscape needed to survive long term.

**Members' Questions and Statements.**

- i. The minimum space standard should not be a target, but developers should aim to exceed these.
- ii. Enquired if the figure of 96% compliance with BRE guidelines for daylight and 42% compliance for sunlight for future occupiers referenced in the presentation could be explained.
- iii. Enquired what, if any, fossil fuel would be used on site and if air conditioning units would be permitted.
- iv. Asked if the applicant had considered any other build materials than brick as it was not a sustainable material.
- v. Questioned if the case officer had any comment to make on the level of marketing which had been undertaken to promote the scheme.
- vi. Expressed unease at the lack of cycle space for the entire site, more was required.
- vii. Questioned if there would be any solar panels on site.
- viii. Asked if there would be individual electric and water meters in the flats.
- ix. Required further information on the recycling of grey water.
- x. Voiced concern at the affordable rent; given the emerging Local Plan would advise of 40% as affordable housing, would hope that the affordable rent was substantially lower than market rent.
- xi. Enquired how many EV charging points would be on site.
- xii. Recommended an access point for the future Chisolm Trail.
- xiii. Questioned how the trees along Devonshire Road would be protected during development.
- xiv. Asked why there was no play space for young children.
- xv. Enquired if the 20% of affordable rent would be made up of a mixture of all the housing on site or the cheapest on site; asked how it would be broken down.
- xvi. Noted the site was adjacent to the conservation area on two sides.
- xvii. Reiterated that minimum space standard and affordable rental units were not a target and should be superseded.
- xviii. No mention had been made of older people who would live on site, the community facilities and outdoor space would also suit this demographic.

**In response the Case Officer said the following:**

- i. The National Planning Policy Framework (PPF) did encourage public consultation at the pre application and application stage; the applicant was following guidelines.
- ii. There would be an opportunity for members of the public to respond to the Council as part of the planning application consultation process.

- iii. Root protection areas would be marked out for the construction phase with fencing to prevent vehicle access and storage of materials close to the trees.
- iv. Could request further details of tree protection through planning conditions attached to any planning permission.

**In response the Applicant(s) said the following:**

- i. With regards to the 96% daylight figure and 48% sunlight figure; daylight is more important for amenity of future occupiers. The sun light figure was not the essential measure in terms of the Building Research Establishment (BRE) guidance, as not all residential units can face southwards. These figures were extremely high for an urban site within an existing town centre.
- ii. There would be no fossil fuel on site with an all-electric energy strategy, with mechanical ventilation as standard on modern builds with a bypass mode to provide a cooling benefit. There would be no need for air conditioning.
- iii. There will be additional investment in the building fabric to ensure thermal efficiencies throughout so the space heating requirements throughout the buildings was minimal.
- iv. The one planet living approach framework which had been adopted went beyond the materials and energy used on site but looked at other issues relevant to those on site such as culture, health and wellbeing, sustainable food, and water.
- v. The design team had been challenged to reduce the water demand so had included rainwater harvesting and grey water recycling.
- vi. The choice of building material was looked at in terms of what were sustainable in production and sustainability of longevity; brick and stone had a long-life span.
- vii. Commercial buildings on site would achieve the BREEAM 'outstanding' standard.
- viii. The Statement of Community Involvement highlighted much of the feedback received from the consultation.
- ix. Due to the investment in the fabric of the building and the thermal efficiency electric panel radiators would be installed as the space heating requirement would be minimal.
- x. Currently exploring retention systems for the recycling of greywater. There was also rainwater harvesting points across the site and two blue roofs which would store rainwater to be used for sustainable irrigation.
- xi. Solar panels were integrated on the south facing blocks C & D.
- xii. Every individual apartment would be metered for water and energy.
- xiii. All visitor and car club spaces would have EV charge points.



- xiv. There would be a detailed discussion regarding rent levels when ready to let to take affordability into account.
- xv. The smaller buildings on site were closest to the Devonshire Road tree line with a significant distance between the front of the buildings and the trees. There was also an existing concrete hardstanding near to the edge of the trees, and tree roots would be unlikely to have grown under this. .
- xvi. The service charge was to ensure the site was maintained to the highest possible standard.
- xvii. There was dedicated open space specifically allocated to the creche. Would investigate the possibility if this could be used by residents after the creche had closed.
- xviii. The adopted policy for the Chisholm Trail was dependent on Network Rail Land. Landscaping on site allowed for future flexibility of access to the Trail.
- xix. The number of cycle spaces on site complied with the current standard for office parking. The residential cycle spaces had been a challenge, but all the cycle parking would be within secure areas within each building.
- xx. The 20% of affordable rent units would be predominantly 1 and 2 bed units as was the nature of the scheme, with fewer larger units overall.
- xxi. The open space on site had been led by context and design. The minimum private open space standard had been exceeded with the inclusion of balconies.

#### Summing up the Applicant:

- i. The application comprises a number of 'firsts'. The first major car free development, one planet living scheme, BREEAM 'Outstanding' office standard, and the first major build to rent scheme in the city centre.
- ii. The applicant was a long-term investor managing not just the buildings but the open spaces to ensure a long-lasting community.
- iii. Long-lasting high-quality materials.
- iv. Over half the site would be new public open spaces which would benefit the local community.
- v. 400% net gain in biodiversity in line with the Natural Cambridgeshire developing with nature toolkit.
- vi. Enabling the Chisholm trail to come forward.
- vii. No fossil fuels to be used on site.
- viii. There was a shortage of office space in Cambridge and the proposals would help to meet demand. There would also be co-working space open to the public and meeting rooms for hire to all users.
- ix. Engaging with Sustainable Food Organisation to ensure that the edible planting was well managed and offered longevity to all the community. Also, on site would a community kitchen.

- x. The development would benefit the wider community with the pavilion in the centre.

### **Summing up by the Petitioner.**

- i. Requested the applicant scaled back the level of employment floorspace and create more open green space.
- ii. Only 20% of the site was usable open space.
- iii. More space was for delivery vehicles on the northern and southern access
- iv. More cycle space was required for residents.
- v. More controlled visitor spaces were required.
- vi. False to say a trade-off between trees and vehicle parking. Employment space should be reduced to gain space.
- vii. The dwellings needed to be reconfigured to increase the level of daylight and sunlight that all the dwellings would receive to improve the quality of light.
- viii. Recommended that one of the commercial dwellings was relocated to the north of the site to improve sunlight for residential dwellings.
- ix. The Highways Authority and Planning Authority need to take an active approach to future proof the Chisholm Trail, if necessary, undertake compulsory purchase order of land.

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

- i. Summarised the main issues discussed.
- ii. Notes of the Development Control Forum would be made available to the relevant parties and published on the City Council website.
- iii. A copy of the minutes would be attached to the Planning Officer's report when the application would be considered at a future Planning Committee.
- iv. The Case Officer would contact the applicant/ agent after the meeting to discuss the outcome of the meeting and follow up any actions, as necessary.
- v. The applicant would be encouraged to keep in contact with the petitioners and seek their views on any proposed amendments.  
All interest parties would be advised of the date when the application would be considered by the Planning Committee.

The meeting ended at 12.00 pm

**CHAIR**

## Greater Cambridge Shared Planning Design & Conservation Panel

### Notes of the meeting Wednesday 10th February 2021

#### Participants:

Di Haigh	RIBA (Chair)
David Grech	formerly Historic England, co-opted member
Zoe Skelding	RIBA
Jo Morrison	Landscape Institute
Michael Goodhart	Cambridge PPF
Ian Steen	Retired architect, co-opted member
Chris Davis	IHBC
Russell Davies	RTPI

#### Presenters:

Matt Yeoman	Buckley Gray Yeoman (BGY) - item 1
Justin Holland	Buckley Gray Yeoman (BGY) - item 1
Ronan Leyden	Bioregional - item 1
Dawn Purves	LDA - item 1
Douglas Higgins	First Base - item 1
Mike Derbyshire	Bidwells- item 1
Jay Gort	Gort Scott Architects - item 2
Joe Mac Mahon	Gort Scott Architects - item 2

#### Officers:

Susan Smith	City Council (items 1&2)
Phil McIntosh	City Council (item 2)

#### Observers:

Cllr Richard Robertson	City Council
Cllr Katie Thornburrow	City Council
Declan O'Halloran	City Council
Chris Surfleet	Bidwells
Martina Sechi	Bidwells
Alison Wright	Bidwells
Lawrence Chung	BGY
Russell Brown	Hawkins Brown
Simon Carne	Simon Carne Consultants

**Apologies** - Robert Myers and Tony Nix

#### 1. Presentation - Devonshire Gardens, Devonshire Road, Cambridge.

The pre-application proposal for a residential-led, mixed use development comprising circa 134 dwellings, commercial/office floorspace, community uses and amenity, all centred around a public park.

The Panel's comments were as follows:

The Panel were supportive of the aspirations of the developers for this site as a mixture of residential units for rent and co-working office space placed around a new public

green space. The development of this long established open site adjacent to the railway lines is welcomed as it will establish a new section in the urban fabric of Cambridge.

### **Views of new area**

The view of the development from the railway lines is significant as one of the key introductory images of the city of Cambridge on arrival or departure by rail.

For pedestrians in particular, the view of the new buildings from the Mill Road bridge will be very prominent. Coordination of the building blocks to achieve a harmonious assembly of forms will be a key factor in achieving a successful urban arrangement for the site.

### **Built form of overall development.**

Larger warehouse scale blocks are aligned on the east edge of the site alongside the rail lines, Residential terraces define the street frontages to N,W and S edges around a new green space. Questions were raised about the disparate scale of the two forms of development across the site; in particular the shading caused by the taller buildings was questioned.

### **Frontage on Devonshire Road**

The original single sided terrace of houses along Devonshire Road, although modest have a complex layering of detail in the rhythm of their front gardens, doorway, windows, chimneys etc. The proposed new terraces opposite lack the clarity of those levels of definition. Some elements as shown were thought to appear lumpen, such as the end of terrace units and the dormer windows.

The Panel welcomes the intention to enhance the streetscape as part of a longer-term plan. All existing trees may not be retained, but will be replaced where necessary.

### **Housing provision.**

The percentages of single aspect dwellings were questioned for new housing. This greatly reduces the possibility of cross ventilation, which is increasingly important in a scenario of rising temperatures. Further design development of the housing units is still expected.

For the town houses in particular, it was felt that the Accordia scheme could offer precedents for how private external spaces e.g. roof terraces can be used to reduce the pressure on the central open space.

### **Commercial buildings.**

It was felt that the abrupt change of scale between the commercial buildings and the housing units could appear incongruous from within the scheme.

The arrival and delivery routes for the proposed scale of office accommodation will be heavily used. Achieving an access road along the eastern boundary of the site is important, whether or not this is part of the "Chisholm Trail". It was felt to be unfortunate that the paved parking area to serve the offices, as currently shown, is in the sunniest part of the centre of the site, whereas the different amenity elements of the site need to work together for the benefit of all users.

The Panel were not convinced by the references to a traditional industrial vernacular for the office buildings. In appearance, they don't yet have an architectural language that responds to their new environmental or workspace agendas. It was felt that the

enjoyable loft spaces found in reused warehouses could be reinvented within a fresh vocabulary of low energy design and the exploitation of natural light, solar collection etc.

### **Central park area.**

Questions were raised regarding the allocation of uses in the park, which includes a lot of routes and fragmented green spaces. It was not clear what space had been focussed towards families resident around the park, office users in their lunch hour or casual users from the neighbourhood, which is short of green spaces. Traffic on the roads could be heavy with people cycling to work etc. The Panel would expect to see clearer landscape proposals for this important element of the scheme.

**Sustainability/Renewables.** Panel applauded the aim to meet the challenges set by the 2030 RIBA Climate Challenge intended to help architects meet net zero (or better) whole life carbon for new and retrofitted buildings by 2030. Further detail on how this will be achieved is expected in the design development.

The current strategy on water consumption allows for 110litres/person/day, whereas at Eddington it is set at 80 litres per person per day. This aspect should be taken further and the integration of grey water recovery considered more seriously.

### **Vision for a new community**

There is a great opportunity here to build a new community within the already vibrant Mill Road area of Cambridge. There could be an even more aspirational outlook for this project, which seeks to support the people that live and work on the site. The example of the Marmalade Lane scheme was cited - Cambridge's first co-housing development, which includes communal indoor and outdoor spaces. There is the potential for a lively community to develop here, with shared activities that spill out into the park.

### **Conclusion.**

**How this scheme appears from the railway and from Mill Road bridge are key to its integration in the area. The proposed scale and massing of the proposed buildings, particularly those along the railway edge, is large compared with much of the existing development in the surrounding area.**

**The Panel supports moves to achieve the maximum potential in all aspects from this inner-city brownfield site. However it is left wondering whether the current scheme is over ambitious in the scale of buildings proposed for its redevelopment. Proposals for better community facilities, including use of the outdoor spaces, would also be welcome.**

**It was suggested that the scheme should be brought back to the Panel when further detailed design work has been progressed.**

**VERDICT - AMBER (unanimous)**

## **2. Presentation - Updated design proposals for the new Silver Street Public Toilets**

The City Council's Streets & Open Spaces team have progressed a difficult project involving the inclusion of different stakeholder aspirations since concept submissions were received in Autumn 2016. The Design & Conservation Panel met twice (7 Dec 2016, 8 Mar 2017) to collaborate with the City Council in defining the design process. Gort Scott Architects were appointed as architects in December 2017.

Concerns were expressed at the Planning Committee in March 2020 regarding the scale and massing of the above-ground building which included a Tourist Information kiosk. Along with the postponement in the budgeted spend due to expected delays in project delivery because of COVID-19, the project was deferred for one year.

This latest presentation is an opportunity for the Panel to review the revised proposals and to decide whether the changes made to date are positive. As the Planning process is expected to re-start in the Spring, the Panel were reminded that significant changes cannot be made while the application is deferred.

The Panel's comments were as follows:

### **The relationship with the river.**

The question of achieving some daylight in the underground toilets was raised again. It is the Panel's view that options should continue to be explored. Some glazing to allow natural light in and views out would add considerably to the quality of the space.

One solution would be to make a window through the abutment of the bridge to give a view of the river. Historic England have to date refused to entertain the prospect of an intervention into Edwin Lutyens' Grade II listed bridge. This is largely on the grounds of its 'intactness', it having remained unaltered since it was built in the 1958, some fourteen years after Lutyens' death. It was felt that there might be possible grounds for further discussion on whether a discrete window, if designed with care, would undermine the significance of the bridge as a whole.

An alternative solution might be to insert pavement lights that would allow natural light into the underground spaces from above. This could be explored as a second option.

### **Height of pavilion.**

The revised proposals reveal a significant drop in height from the original 4.4metres to the currently proposed 4.1metres. The Panel feel that this building should hold its own seen against the Darwin College library. It needs to act as its own signpost and stand out when seen amongst the busy vehicular traffic on the bridge, particularly the larger scale vehicles, such as the frequent buses on Silver Street.

### **Maintenance and materials.**

The building will need to be easily cleaned and maintained. Materials should be sufficiently durable to withstand being hosed down. Elements like the drum of the roof light should be easy to keep clear of any build up of rubbish and leaves from the willow.

### **Signage.**

As this will be integrated into the building fabric almost at ground level, it was questioned whether it will be sufficiently visible. The use of symbols, not words, was supported.

### **Access controls.**

The designers are reminded that the door controls to the accessible unit will need to be available for disabled visitors as well as local residents. The solution will need to be easily understood. This issue is to be addressed at the detailed design stage.

### **Conclusion.**

**The Panel appreciate the careful design development of the scheme. The reduction in footprint of the pavilion was welcomed as this allows for more**

generous pavement area. Current changes are largely endorsed, provided the structure does not reduce in height as it could appear too small and stumpy. A source of daylight and possible views out from the below ground toilets would improve the quality of those spaces. The team are advised to update their images of Silver Street to include the pollarded willow tree and the new Bradfield Room in Darwin College.

**VERDICT - GREEN (unanimous)**

**3. Any Other Business.**

Zoe Skelding is stepping down from the Panel after three years. The Panel would like to extend their thanks to Zoe for her contribution. Andrew Drummond of RH Partnership has been nominated as the new RIBA representative.

**4. Date of next meeting - Wednesday March 10th 2021**

**Reminder**

**CABE 'traffic light' definitions:**

**GREEN:** a good scheme, or one that is acceptable subject to minor improvements

**AMBER:** in need of *significant* improvements to make it acceptable, but not a matter of starting from scratch

**RED:** the scheme is fundamentally flawed and a fresh start is needed.

This page is intentionally left blank



**Greater Cambridge Shared Planning  
Design & Conservation Panel  
Notes of the meeting Wednesday 14<sup>th</sup> April 2021**

**Participants:**

Di Haigh	RIBA (Chair)
David Grech	formerly Historic England, co-opted member (acting Chair)
Andrew Drummond	RIBA
Jo Morrison	Landscape Institute
Michael Goodhart	Cambridge PPF
Ian Steen	Retired architect, co-opted member
Chris Davis	IHBC
Russell Davies	RTPI (retired)

**Presenters:**

Matt Yeoman	Buckley Gray Yeoman (BGY)
Justin Holland	Buckley Gray Yeoman (BGY)
Dawn Purves	LDA
James Sheldon	Bioregional
Mike Derbyshire	Bidwells
Douglas Higgins	First Base

**Officers:**

Lewis Tomlinson	GCSPS
Dinah Foley-Norman	GCSPS

**Observers:**

Cllr Richard Robertson	City Council
Cllr Martin Smart	City Council
Susan Smith	GCSPS
Joanne Preston	GCSPS
Bonnie Kwok	GCSPS
Katie Roberts	GCSPS
Martina Sechi	Bidwells
Alison Wright	Bidwells
Lawrence Chung	BGY

**Apologies** - Robert Myers and Cllr Katie Thornburrow.

**1. Presentation - Devonshire Gardens, Devonshire Road, Cambridge.**

The revised proposal for a residential-led, mixed use development last seen by the Panel on 10th February 2021 (verdict AMBER). The amendments include a reduction in the number of units from 134 to 106. The percentage of dual aspect homes has also increased from 59% to 95%.

The Panel's comments were as follows:

- **Scale and massing.**

The Panel expressed concern at the last presentation about the SE blocks and their overshadowing of the central green space. While the reduction of the height of Block B from 4/5 storeys to 3/4 storeys is welcomed, concerns remain about the impact particularly of Block C on the scale and enjoyment of the green space. The contrast in

scale between the buildings along the East and West boundaries will give an uncomfortable sense of dominance over the park squeezed between the two.

The view of the East elevation of the site both from the railway lines and from Mill Road bridge was raised again. The long N-S section showing the series of parapet heights across the station area described blocks around the centre of CB1 as 23.5 metres, with a maximum height south of the station as 31 metres. This scheme measures a maximum of 27 metres at the apex line of the saw tooth roof on Block C, which suggests that the scale of this scheme will be very comparable to the massing of CB1 station epicentre. It was questioned again whether this is appropriate, or whether it should be reduced in height further from the station.

- **Overshadowing.**

The work on sun shading is welcomed. Concern still persists regarding the overshadowing of the Devonshire Road properties as well as the park land by the taller blocks B & C.

The outdoor seating shown at the shaded entrance of the site to the north of Block H would be in a very shady location.

- **Built form of development**

- **Blocks A and B**

The redesign of the Yard area which creates a mews street with the existing Mill Road properties seems to have created a more convincing residential street. The reduction in scale of both blocks in this area was appreciated and should improve shading issues.

- **Block C (commercial offices).**

The form of this block has been subdivided into three sections and has become more highly articulated. The Panel were not sure this represented a step forward from the previous scheme and felt that further work is needed to achieve a clear and worthwhile design. The elevations and sections are yet to be resolved and require simplicity and clarity. Further work is needed on the emerging flat roof section as well as the relationship with Block D, in terms of the rhythm of fenestration, height of roofs and character.

- Futureproofing - The lasting impact of the pandemic on the demand for office space could be significant, both in terms of the type and scale of offices required. The design team should ensure this block is designed with sufficient adaptability to allow new forms of office environment to emerge. Conversion to residential units may even be required in the longer term,

- **Block D.**

Although the reduction in height is welcomed, this block still seems crude and needs further design work to define the form and develop the fenestration.

- **Central park area - The Gardens.**

This area of the city is not well served by public parks. Every open space is highly valued in this neighbourhood. This is not a huge space (approx. 79m long x 30m–18m wide), yet

it is being required to work incredibly hard, which is a real concern in the context of the overwhelming scale and height of the surrounding buildings.

Given that this area is intended to be used both as spill-out space by potentially hundreds of office workers, as garden space for the residents and it will be accessible to the wider community, the Panel questioned how much could realistically be accommodated on a space of this size.

The recent inclusion of three separate areas of play provision for different age groups, with associated safety surfacing, takes up a considerable proportion of the open space. The SuDs areas will also need to be accommodated. In addition, the elaborate 'honeycomb' pattern of paths and undulating ground seems to dissect the park with cross routes.

The two large drop-off points, located on the turning heads at either end of the site, take considerable space and should be integrated with the green landscape to reduce their dominance.

This elaborate scheme seems to leave very little area of enjoyable and habitable green space. The Panel felt that The Gardens landscape area at the heart of the new development needs to be radically rethought to simplify the design and achieve a practical and less contrived proposal.

- **Frontage onto Devonshire Road.**

The Panel questioned the rationale behind the recent redesign of the terrace housing, (Blocks F, G, and H), roof design with a shallow 15-degree pitch. The question of whether there might be any potential for green roof terraces was raised. The resolution of the design of these units is understood to still be a work in progress. It was suggested that the streetscape might be more vibrant by mirroring the rhythm of chimneys of the existing houses opposite.

- **Devonshire Road - trees and level changes.**

The level difference of at least 600mm between the existing pavement and the site, including the line of existing trees along the street boundary, is yet to be resolved.

- **Dual aspect homes.**

The issue of through-ventilation had been raised and in the first scheme only 59% of the units had this capacity. It was claimed that now 95% of the units are dual aspect. The Panel questioned whether this dual aspect was actually able to generate through-ventilation in the flats. The plans seem to indicate that many of these windows relate to small bays, which would not be effective in establishing cooling air movement.

- **Link with the Chisholm Trail.**

The Panel support the proposal to safeguard the future potential route along the eastern edge and hope that the ongoing discussions with Greater Anglia and Network Rail bear fruit. It had been expected at the first presentation that this would be a delivery route to the offices, but this seems to have now disappeared.

- **Grey water recycling.**

With the more densely occupied Blocks A, B, C and D the use of straightforward grey water recycling for toilet flushing etc. may be justifiable. The Panel would encourage further exploration of this and other measures to reduce water consumption.

### **Conclusion**

**All are aware that this post-industrial site is in need of redevelopment. It is a significant opportunity for the city and should be expected to achieve a high standard of urban design. The Panel feel that several important aspects are not yet working well and would encourage the design team to refine the proposals.**

The scale and quantum of development proposed remains a concern, particularly the volume of Block C. If that were reduced, it would help to make the whole site feel more spacious and workable. If the landscaping of The Gardens took a more straightforward approach, it could achieve a more enjoyable green space. All the proposed blocks need further real design engagement to resolve inherent issues of form and detail.

The Panel look forward to seeing further progress at the next presentation.

**VERDICT - AMBER (unanimous)**

**2. Date of next meeting - Wednesday 19<sup>th</sup> May 2021**

**Reminder**

**CABE 'traffic light' definitions:**

**GREEN:** a good scheme, or one that is acceptable subject to minor improvements

**AMBER:** in need of *significant* improvements to make it acceptable, but not a matter of starting from scratch

**RED:** the scheme is fundamentally flawed, and a fresh start is needed.

<b>Application Number</b>	21/02052/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	4th May 2021	<b>Officer</b>	Aaron Coe
<b>Target Date</b>	3rd August 2021		
<b>Ward</b>	Newnham		
<b>Site</b>	Grange Lane College Accommodation, South of Wilberforce Road Cambridge		
<b>Proposal</b>	Demolition of existing buildings/structures and the erection of student and academic staff accommodation, new access and landscaping.		
<b>Applicant</b>	St John's College N/A c/o Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The principle of student accommodation in this location is considered acceptable and in accordance with Cambridge City Local Plan 2018 policy 46.</li> <li>- The form, layout, design, scale and massing is considered to be acceptable</li> <li>- The proposal will not harm the amenity of nearby properties.</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

- 1.1 The application site is located to the south of Wilberforce Road and Adams Road. The site abuts the car park which serves the University Sports Ground which consists of the athletics track, sports pavilion and all weather pitches. The north east of the application site adjoins the rear gardens of No's 9 and 10 Adams Road. To the south and south east of the site is Herschel Road and Clare Hall West Court Buildings.
- 1.2 As existing the site is predominantly undeveloped scrubland, with one bungalow sited in the south-eastern section. In terms

of site constraints the southern and eastern part of the site fall within the West Cambridge Conservation Area whilst the north western element falls just outside. The site abuts the Cambridge Green Belt which is to the west of the site. The site lies within Flood Zone 1 (low risk), however, the land to the south east of the site are within Flood Zones 2 and 3 due to the proximity to Bin Brook. There are a number of trees within the site, those within the Conservation Area have statutory protection and those outside are subject to a tree preservation order (TPO). The western part of the site is allocated for student accommodation (120 units) in the adopted Local Plan.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes the demolition of the existing bungalow and the erection of 39 units which will provide 245 rooms (4 x accessible houses (6 bed) 27 x townhouses (7 bed) 8 x townhouses (4 bed) with landscaping and access. The scheme also proposes a single storey Porters' Lodge.
- 2.2 The proposed buildings would be for students with a limited number of accommodation for academic staff. The layout proposed consists of linear rows of townhouses which generally follow the east-west contours of the site. The proposed development will deliver approximately 8,600m<sup>2</sup> of gross internal floor space (GIA), across eight terraces. The scheme proposes 3 storey buildings. Facing south the typical townhouses rise a full 3 storeys, while on the north side, lower eaves lines and dormers appear as lower, 2.5 storey buildings (2 full storeys with accommodation in the roof). The smaller houses on Herschel Road are 2.5 storeys.
- 2.3 The application proposes a single vehicular route through the site with bollards proposed at both ends. A total of 16 car parking spaces are proposed in total, 8 of these are proposed to be blue badge disabled car parking spaces and 250 cycle parking spaces, all of the cycle parking is proposed to be provided via Sheffield Stands.

## **3.0 SITE HISTORY**

No relevant site history.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 5 19, 27 28, 31, 32, 33, 34, 35, 36, 46, 50, 51 55, 56, 57, 59, 61, 70, 71, 80, 81, 82

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

Central Government Guidance	National Planning Policy Framework 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
Previous Supplementary Planning Documents	Sustainable Design and Construction (Jan 2020) Cambridgeshire and Peterborough Waste

	<p>Partnership (RECAP): Waste Management Design</p> <p>Planning Obligation Strategy (March 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Buildings of Local Interest (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council</p> <p>Cambridge City Nature Conservation Strategy (2006)</p>
	<p><u>Area Guidelines</u></p> <p>West Cambridge Conservation Area Appraisal (2011)</p>



## 6.0 CONSULTATIONS

The applicant has gone through a pre application process and consultations with relevant specialists. The scheme has been presented to the Design and Conservation Panel.

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

#### As Submitted

#### 6.1 Objection-

- A stage 1 RSA will need to be completed for the Adams Road/ Wilberforce Road and Cotton path junction. For continuity of response and given the high level of cycle flow the Highway seeks that the audit is undertaken by the County Councils internal team.
- The submission has failed to show the proposed junction modifications will accommodate a 12.3m long refuse vehicle. Swept path diagram is required.
- The proposed design appears constrained and the applicant should provide a written statement of how the design complies with LTN 1/20 in particular the widths of the cycle lanes. There are no written dimensions, but the cycle element of the Cotton Path is 3m, which means that were the lane is bifurcated it cannot be more than 1.5m in width. This is the absolute minimum that LTN 1/20 suggests. As the applicant owns land to the south of the path, it would be practical for them to provide a better solution, which may be required as it is likely that a significant proportion of the 245 students who are proposed to live within the development will travel towards JJ Thompson Ave etc. either on foot or by cycle.
- The only drawing showing the proposed works within the adopted public highway is figure 6.18 within the Transport Statement. As this document will not form part of the approved documents within any Decision Notice that the Planning Authority is minded to grant, the Highway Authority seeks that a separate stand-alone drawing showing these works be provided, so it can clearly be referred in any approval that may be issued.

As Amended

- 6.2 Drawing number 332210130/01 submitted by the applicant showing a proposed left hand cycle slip to the Coton Path is acceptable to the Highway Authority and overcomes the request that the application be refused. Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that the proposed highway amendments shown on drawing number 332210130/01 be fully implemented and open for use prior to the first occupation unless the applicant can demonstrate that the works being proposed by the Greater Cambridge Partnership have been approved for construction.

**Cambridgeshire County Council Transport Assessment Team**

- 6.3 No objection subject to a Travel Plan being secured via condition and Highways Development Management Officers being satisfied with regards to the Coton footpath/ Adams Road junction arrangement.
- 6.4 Condition required to secure:  
-Travel plan

**Environmental Health**

As submitted

- 6.5 The proposed development is acceptable subject to the following conditions:
- Plant noise
  - Contaminated land (prelim, remediation strategy, remediation implementation, completion report, material management, unexpected contamination.)
  - Construction hours
  - Collection during construction
  - Construction, demolition noise, vibration and piling
  - Dust
  - Phase 1 desk study
  - Phase 2 site investigation and Phase 3 remediation
  - Remediation
  - Verification report
  - Unexpected contamination

- Material management plan
- Lighting condition
- EV charging

As Amended

The proposed development is acceptable subject to the following conditions:

- Construction hours
- Collection during construction
- Piling
- Dust
- Unexpected contamination
- Acoustic compliance
- Validation of remediation
- Material management plan
- Lighting condition
- EV charging

**Sustainable Drainage Engineer**

As submitted

6.6 Further information required:

Flood risk- Building H proposed to be located very close to the surface flood zone. Proposed ground floor finish floor level and surface water levels details required.

Surface water drainage-

- Infiltration tests in accordance with BRE365 required.
- Details of outfalls and receiving watercourse/ swale are required.
- Hydraulic calculations
- Confirmation of a 300mm freeboard between the critical 1:100 year event (+40%) and to points of potential entry to buildings.

As amended

6.7 Acceptable subject to conditions:

- Surface water drainage strategy
- Foul water drainage details

**Lead Local Flood Authority**

As submitted

6.8 1. Gravel Used for Permeable Paving

Any proposed gravel surfacing should be modelled as impermeable surfacing. Gravel can be subject to compaction over time, reducing the ability for water to drain through its voids. The gravel area should therefore be included as part of the total impermeable area. Gravel areas should be maintained regularly to prevent long-term compaction. An alternative material is used for the paving that is permeable, however, if this is not possible then you will need to provide a robust maintenance strategy to ensure that the gravel does not compact and the water is still able to filtrate through.

## 2. Impermeable Area Discrepancy

It is not clear whether the submitted drainage strategy (prepared by Smith and Wall Work Engineers) has included areas of permeable paving within the drainage strategy. The overall impermeable area used to calculate the required volume of storage should include any areas of permeable/porous paving as these will be positively drained into the system

### As amended

Acceptable subject to conditions securing detailed design of surface water drainage strategy and method of managing additional surface water during construction works.

## **Tree officer**

### 6.9 Tree Removals

- AIA plans indicate the removal of a total of 45 trees and 6 tree groups. (11 category B trees and one category B group). However, with appropriate species selection and placement, the loss of overall numbers would not necessarily result in a reduction in the overall arboricultural contribution the sites makes to amenity.

### Impact on retained trees

- Management of retained trees will be required to accommodate construction and maintain reasonable distances.
- Given the limited space for construction and numerous 'pinch points' a phased and detailed arboricultural method statement will be essential to the successful protection of the trees shown to be retained.

### Replacement planting

- Detailed soft landscaping proposals including trees species and placement will need to be conditioned.

### Conditions:

- Compliance with tree removal plan
- Pre commencement site meeting
- Tree protection methodology
- Replacement planting (5 years)

### **Landscape officer**

#### 6.10 Visual Impact

Early in the pre-app process, appropriate computer-generated images were produced which evidenced that visual impact from the sensitive west edge of Cambridge would not be affected.

#### Detailed design

The detailed architectural design, landscape design and layout of the site has progressed to create what is anticipated to be a scheme that can be supported from a landscape perspective. The scheme has responded to its suburban/countryside edge context with its form and use of materials albeit much denser than the single large houses within large plots. It has also picked up on the archaeological presence of a Roman Road diagonally across the southern part of the site and has allowed relatively generous landscape areas with integrated sustainable drainage. However, there are some areas of detail that are of concern that will need to be better explained through conditions.

#### Existing ditch/ swale

- Clarification required on the proposed works to the existing swale.

#### Recommended conditions

- Hard and soft landscape
- Groundworks

### **Cambridge City Council Urban Design officer**

#### 6.11 Summary:

The proposals are generally well designed and are supported in design terms. The proposals would meet the design objectives set out in Chapter 12 of the 'National Planning Policy Framework' (2021) and Policies 50, 51, 55, 56, 57 and 82 of the 'Cambridge Local Plan' (2018).

Conditions are recommended to secure details of materials, sample panels and cycle parking.

### Character, Layout and Density

-The scheme responds well to the character of West Cambridge through appropriate layout, massing and height, architectural language and landscape treatment.

-Following the pre-application meetings, the proposals have been revised to show a reduction in the number of houses in several areas (reduce from 52 to 39 dwellings, 245 bedrooms in total) and a reduction in footprint and density. Three main types are proposed: a typical 7-bed townhouse, a 6-bed accessible townhouse with a lift, and 4-bed 'family' houses.

-The amount of green space proposed is generous and would help integrate the proposed housing layout into the site, reflecting the site context, i.e. the surrounding area is characterised by houses in large plots with generous gardens. Officers welcome the siting of the buildings.

- The proposed parking spaces are arranged in small clusters near the northern entrance and the Herschel Road housing cluster to minimise vehicular movement along the main spine road and impact on the public realm. This parking layout is considered appropriate.

### Heights

-The height of the townhouses ranges from 2.5-storey to 3 storeys. The majority of the blocks are 3 storeys in height which are considered acceptable. Appropriate separating distance are maintained between houses to ensure privacy and good natural lighting. The scale and height of the Porters' Lodge (single storey) is also considered appropriate.

### Appearance and materials

-The proposed architectural language is considered appropriate. All the houses will have pitched roofs with dormer windows and chimneys. Asymmetrical pitched roofs are proposed for the typical townhouses, this would help maximise the daylight to the shared gardens. The houses on Hershel Road will have a symmetrical roof with a flat ridge. The rows houses present their gable ends to the lane. These gables are designed with variety and articulation which is supported. The cladding on Hershel Road houses are changed from brick to hung clay tiles following the pre-app meetings to distinguish them in character and create further variety in materiality.

Greater variety and articulation are introduced along the central lane through the site which is welcome. The indicative materials: predominantly comprising red brick, clay tiles, reconstituted stone, timber and metalwork elements are considered acceptable.

### **Cambridge City Council Conservation officer**

- 6.12 The proposals were submitted for pre-application advice and the Conservation Team were generally supportive.

The site is partially within the West Cambridge Conservation Area. The West Cambridge Conservation Area Appraisal notes that the development of this area came mostly after 1870 and until then it was used for agriculture, playing fields or college gardens. In 1882 the law changed, allowing dons to marry and with the growing need of the colleges, the area was rapidly developed. This conservation area is notable for its spacious residential streets lined with large, often detached, houses of the late 19<sup>th</sup> or early 20<sup>th</sup> century. Many of these houses are now owned by the colleges and are used as student accommodation. There is a prevalence of red brick facades, many with hanging tiles on the front elevation for interesting detail.

- 6.13 There is a bungalow on the site which has a neutral impact on the conservation area. Its loss can be supported if the new development preserves or enhances the character or appearance of the conservation area. There is a lot of vegetation in the local area in the form of mature trees and hedgerows and this forms an important part of the character and appearance of the conservation area. The existing site is mainly overgrown with trees and shrubs, especially where there has not been any previous development.
- 6.14 The proposed development is supported in Conservation terms as it has a lot of soft landscaping, the proposed materials take their cue from those in the local area, red brick and clay tiles, and the scale and massing of the new buildings is appropriate to the conservation area. A number of the mature trees will remain and these will help to mitigate the impact of the new development.

- 6.15 As well as the new terraced properties and their layout, the articulation of the gable ends which face the lane is supported as adding some variety to this part of the scheme which is the main route through the development. This works well with the single storey lean-tos and the Porters Lodge which adds variety in scale and design. The structural brick chimneys also add to the character of the area. The brick walls along the lane are perforated by lower walls with railings on the top, and brick arches for the main entrances to the shared gardens. The walls help to distinguish between the public and private spaces and create interest rather than barriers.
- 6.16 Taking the above into account, consider that the proposal will preserve or enhance the character or appearance of the conservation area. The proposals will comply with Local Plan policy 61. With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 190 would apply. Recommend sample panel condition.

#### **Sustainability Officer**

- 6.17 From an energy perspective the scheme will benefit from very high performing fabric- Passivhaus standard. Heating demand will be reduced by 74% compared to a Building Regulation compliant scheme. 78% reduction in emissions.40% reduction in potable water use.
- 6.18 Acceptable subject to conditions securing:  
-Passivhaus Certification  
-Water efficiency calculation submission (BREEAM Wat01).

#### **Nature Conservation Officer**

##### As submitted

- 6.19 - BNG assessment has been submitted and am content with the survey effort provided.  
- The current proposal identifies a 6.27% habitat net gain but unconvinced that a measurable net gain will be secured. In particular the evidence that assessed the scrub and woodland to currently be in poor condition and this may impact significantly on the BNG scores.  
- Requests further evidence on the baseline conditions assessments that informed the BNG metric.



- If minded to approve, conditions should be imposed to secure the following:

- LEMP and Construction Ecological Management Plan.

As amended

- The additional details on the baseline are accepted.
- Conditions required to secure overseeing of the site clearance works and lighting design strategy.

### **Environment Agency**

6.20 No objection in principle to the proposed development, offer advice on relevant consultees and informatives.

### **Anglian Water**

6.21 No objection or conditions recommended.

### **Designing out crime officer**

6.22 Fully supportive of the application.

### **Cadent Gas**

6.23 Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

### **Development Contributions Monitoring Officer**

6.24 Given the scale of the proposed development (which includes eight 4-bed 'family' units) on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution of £10,112.00 (plus indexation) toward the provision of and/or improvement of the play area equipment and facilities at Penarth Place play area. This proposed development is within 500m of Penarth Place play area and within the Newnham ward boundary.

### **Cambridge City Council Policy Team**

6.25 Acceptable subject to conditions.

The proposal is for 245 student rooms in shared town houses, of these 32 will be for use by Academic staff attached to the University of Cambridge.

The application form indicates these, like the student accommodation will be Use Class Sui Generis. The Local Plan makes no specific mention of the treatment of academic staff accommodation. The most recent approved planning proposal involving academic staff accommodation (Planning Ref. 17/0928/FUL Mount Pleasant House) allowed a 25% cap on the proposed quantum of student accommodation.

Part of the site is allocated for 120 student rooms. By subtracting this allocation from the total number assumes the windfall site would deliver 125 units. By applying the 25% academic staff cap, this would mean a total of 32 academic staff units will be permissible.

Given the collegiate nature of the scheme, it is unlikely to be suitable to meet the housing needs beyond its intended academic staff and therefore some form of control should be considered, assuming approval is deemed appropriate as part of the scheme. This will control how these units will be occupied if they are not occupied by the intended academic staff.

Furthermore, whilst there is specific reference to the affordable housing requirement not being applicable to planning applications for student accommodation, there is no specific exemption for academic staff accommodation. To clarify how this particular sui generis use is not treated tantamount to C3 residential use, assuming approval is deemed appropriate as part of the scheme, the occupation of these units should be controlled. These controls prevent their sub-division to allow these to be sold on the open market and, or occupied independently from the student accommodation, and subject to time-limited occupancy controls.

The proposal is considered acceptable from a policy perspective, subject to suitable restrictions. These should include how the proposed units will be occupied and controlled to ensure these units, are only used by their intended occupants and not treated or sub-divided for Use Class C3 residential occupancy or use, without planning consent.

## **County Archaeology**

- 6.26 The development is acceptable subject to conditions: heritage path details and archaeological mitigation.

**Design and Conservation Panel** (full meeting minutes are available on the application file via public access)

6.27 The scheme was reviewed by Design and Conservation panel on Wednesday 12<sup>th</sup> August 2020 and received a majority green light support. (See appendix 1)

6.28 The overall approach is to be applauded, not least the retention of the high-quality trees, the boundary screening to the west and south, as well as the orchard trees. These are all regarded as important features of the site. This scheme has the potential to be a high quality development. The Panel considers an appropriate balance has been achieved between the volume of build versus tree retention and the provision of open space. The Panel would encourage the adoption of a less rigid site layout in places, so as to create richer spaces between the buildings, and to explore opportunities for variation within the built form of the terraces. Re-examining the hard spaces between the houses might also better integrate them into the landscaping scheme. Further capacity for rainwater harvesting could enhance the scheme's exemplary environmental aspirations.

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 objecting to the application:

- 14 Adams Road
- 19 Adams Road
- 9 Wilberforce Road

The owners/occupiers of the following addresses have made neutral representations in response to the application:

- 2 Hedgerley Close
- 30 Wilberforce Road (North Newnham Residents Association)
- 2 Adams Road

7.2 The representations can be summarised as follows:

- Concerned by the impact on the highway network and safety of the junction between Adams Road, Wilberforce Road and the Coton Footpath. Also the junction between Herschel Road and Grange Road
- Concerned by additional light pollution
- Concerned by the number of vehicle movements generated by the application.
- Concerned the scheme is overdeveloping the site
- Concerned that the development exceeds the allocation of 120 rooms.

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

- o St Johns College, CB2 1TP
- o Clare Hall, Herschel Road
- o Lucy Cavendish College, CB3 OBU

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**

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

1. Principle of development
2. Affordable housing
3. Context of site, design and external spaces (and impact on heritage assets)
4. Residential amenity
5. Landscape
6. Trees
7. Ecology
8. Carbon reduction and sustainable design
9. Light pollution, noise, vibration, air quality, odour and dust
10. Highway safety
11. Car and cycle parking
12. Inclusive access
13. Refuse arrangements
14. Water management and flood risk

15. Public art
16. Planning Obligations (s106 Agreement)
17. Third Party Reps
18. Conclusion

## **Principle of Development**

### *Principle of student accommodation (undergraduates and postgraduates)*

- 8.2 The western half of the application site is allocated in the Cambridge Local Plan (reference U3) for 120 student units. The application site has included additional land (windfall site) to the east of the allocation to increase the number of student rooms proposed within the site and the overall proposal includes 245 rooms with 108 of these rooms being located within the allocated site area (U3).
- 8.3 The relevant key policy to assess the proposed erection of student accommodation is policy 46. Policy 46 of the Cambridge Local Plan 2018 states that student accommodation developments will be permitted if they meet identified needs of an existing educational institution to provide housing for students attending full time course of one academic year or more. The application will need to:
- a. Demonstrate there is a proven need for student accommodation to serve the institution
  - b. Demonstrate no loss of market or affordable housing as part of the proposal
  - c. Be in a location which is appropriate to the institution it serves
  - d. Being close to sustainable transport links
  - e. Having appropriate management arrangements to prevent student bringing cars into Cambridge
  - f. The rooms and facilities being adequate
  - g. Where appropriate, being warden controlled to minimize anti-social behaviour
- 8.4 The criteria set out above is assessed below:
- a) As set out in the documents supporting the application and the data within the [Cambridge Student Accommodation Study](#) (2017) there is sufficient evidence to demonstrate there is a need for additional student accommodation in the City to help

satisfy the growth in students attending Cambridge University. A S106 agreement will ensure the occupancy of the student units are restricted to students of the University of Cambridge.

- b) Within the eastern half of the application site there is a small bungalow which is proposed to be demolished to accommodate the development. Whilst the Cambridge Local Plan 2018 seeks to resist the loss of residential units, it is acknowledged that the existing bungalow could be converted to an HMO for between three and six people under Permitted Development Rights and could thus be used for college accommodation. Additionally, the proposal would bring forward an alternative form of residential accommodation for which there is a need in the City. Therefore, on balance the issue of a loss of market housing in this instance is considered acceptable.
- c) The application site is immediately adjacent to Clare Hall (West Court) and very close to Robinson College as well as Churchill College, Selwyn College and all the centrally located colleges. It is also immediately adjacent to the University Sports Ground and close to West Cambridge and many University buildings.
- d) The application site is in a sustainable location, within easy walking and cycling distance of both the centre of Cambridge and West Cambridge.
- e) The application includes provision for disabled car parking and parking for servicing arrangements. The s106 agreement will include an obligation which will ensure students do not keep cars in Cambridge.
- f) The design of the scheme will accord with all relevant space and design requirements. The supporting information advises that the scheme has been developed in partnership with St John's College to meet their requirements.
- g) The proposal includes a porters' lodge which will form part of the management of the site. It is considered that the scheme would include appropriate measures to minimise the risk of antisocial behaviour. It is considered appropriate and necessary to impose a management plan condition to secure the final details of the management arrangement for the site to ensure anti-social behaviour is minimised.

8.5 The scheme also proposes the provision of accommodation for 'academic staff' which would be defined as 'a person with a contract of employment with the University of Cambridge and/ or Affiliated Institution, to undertake teaching and/ or research' which is the same definition that was given within the Mount Pleasant house scheme (17/0928/FUL). The Cambridge Local

Plan 2018 makes no specific mention of the treatment of academic staff accommodation. The most recent approved planning proposal involving academic staff accommodation (Planning Ref. 17/0928/FUL Mount Pleasant House) allowed a 25% cap of the proposed quantum of student accommodation.

- 8.6 The applicants have stated that there is no policy justification for a cap on the amount of staff accommodation to be provided within the site. Notwithstanding this, the applicant has agreed to restrict the amount of academic staff accommodation within the application. Given that part of the application site is allocated for 120 student rooms, it is considered necessary to subtract this allocation from the total number to be restricted. Therefore, the windfall site would deliver 125 units and it is considered reasonable to apply a cap of 25% for academic staff on the units outside of the allocation. In total this would equate to a total of 32 academic staff rooms and 213 student rooms.
- 8.7 The details of the scheme have been discussed with the City Council Policy Team and it is considered that whilst there is specific reference to affordable housing not being applicable to planning applications for student accommodation, there is no specific exemption for academic staff accommodation. The occupation of these academic staff units will be controlled in terms of occupants and time limits will be imposed. These controls prevent their sub-division to allow these to be sold on the open market and, or occupied independently from the student accommodation, and subject to time-limited occupancy periods. These controls will prevent their sub-division and ability to be sold on the open market and or occupied independently from the student accommodation.
- 8.8 The application site would house a mixture of undergraduate, postgraduate students and a limited number of academic staff units. The principle of development is considered to comply with adopted policies within the Cambridge Local Plan 2018. The use of the allocated site (reference U3) and the adjacent windfall site for student accommodation is considered acceptable. The existing need for purpose built student accommodation is significant and weighs in favour of the proposed development. The Planning Policy Team raised no objection to the application. In consideration of the above points, it is considered the principle of development to be

acceptable subject to the other material considerations set out below.

### **Affordable Housing**

- 8.9 The application proposes student accommodation and as such does not require any affordable housing provision. In respect of Policy 45 (Affordable Housing) is silent on the academic staff element as the scheme is not considered to be an employment development scheme. Notwithstanding this, the number of rooms to be provided for academic staff will be restricted to a maximum of 32 rooms (which would equate to the 8 x 4 bedroom dwellings along Herschel Road) this would not meet the threshold of 10 dwellings or more which would trigger the requirement for affordable housing provision.

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

#### Character and Layout

- 8.10 The scheme responds well to the character of West Cambridge through appropriate layout. The layout proposed consists of linear rows of townhouses which generally follow the east-west contours of the site. The scheme includes eight separate blocks of townhouses with shared external garden spaces. Following the pre-application meetings, the proposals have been revised to show a reduction in the number of houses in several areas (reduce from 52 to 39 dwellings, 245 bedrooms in total) and a reduction in footprint and density. Three main types are proposed: a typical 7-bed townhouse, a 6-bed accessible townhouse with a lift, and 4-bed 'family' houses. The amount of green space proposed is considered to be well integrated into the proposed housing layout.

#### Scale, massing and heights

- 8.11 The height of the townhouses range from 2.5-storey to 3 storeys. The majority of the blocks are 3 storeys in height which are considered acceptable. The distance between properties is considered appropriate and will ensure an acceptable level of privacy and natural lighting for the future occupiers. The proposed scale and massing is supported by both the Urban Design and Conservation team as well as the Design and Conservation Panel.

#### Appearance and materials



8.12 Each of the townhouses will have pitched roofs with dormer windows and chimneys. Asymmetrical pitched roofs are proposed for the typical townhouses which helps to maximise the daylight and sunlight to the shared garden spaces. The houses on Hershel Road will have a symmetrical roof with a flat ridge. The rows of houses are proposed to present their gable ends to the lane. These gables are designed with variety and articulation which is supported. The cladding on Hershel Road houses has been altered from brick to hung clay tiles following the pre-app meetings to distinguish them in character and create further variety in materiality. The indicative materials: predominantly comprising red brick, clay tiles, reconstituted stone, timber and metalwork elements are considered acceptable. The elevations and detailing are considered to be acceptable subject to a materials and sample panel details which will secure the finer details to ensure a high quality development is achieved.

#### Impact on the Conservation Area

8.13 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 Areas. Paragraph 194 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.' The statutorily objective of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or through development which leaves character or appearance unharmed sufficiently for it to be considered that the character is preserved.

8.14 The application site is partially within the West Cambridge Conservation Area. There is an existing bungalow on the site which has a neutral impact on the conservation area. From a conservation perspective the loss can be supported if the new development preserves or enhances the character or appearance of the conservation area. The proposed development is supported in Conservation terms as the proposed materials take their cue from those in the local area,

red brick and clay tiles, and the scale and massing of the new buildings are appropriate to the character of this part of the conservation area. The layout, articulation and types of properties proposed (terraced) add some variety to this part of the conservation area. The scheme has been assessed by the Councils Conservation team and is supported subject to a materials condition. Subject to the imposition of this condition the scheme is considered to comply with Cambridge Local Plan 2018 policy 61 and the NPPF 2021.

### **Residential Amenity**

- 8.15 In terms of the impact on residential amenity, the application site is set back a significant distance from neighbouring properties. Block B is proposed to be sited approximately 80m from the rear of 10 Adams Road. Whilst it is acknowledged there will be views towards the rear element of the garden space at 10 Adams Road from the first and second floor windows within Block B, given the depth of the garden serving this property and the large separation distance from the habitable rooms within this property the impact is considered to be acceptable in this instance.

#### Amenity for future occupiers of the site

- 8.16 The accommodation proposed is to be used as student accommodation and as a result of this, policy 50 which sets minimum space standards is not relevant as this relates to C3 residential units and not purpose built student accommodation. The proposed rooms are considered to provide adequate amenity for the future student users of the site. The proposed rooms are considered to be of an adequate size with sufficient access to communal facilities and would be finished to a high quality. Large landscaped shared gardens are proposed to serve the purpose built student accommodation. The bedroom sizes vary from 11.5m<sup>2</sup> to 13.5m<sup>2</sup> and have access to private ensembles.
- 8.17 Overall the proposal provides a high-quality living environment and an appropriate standard of amenity for future student occupiers, and it is considered that the scheme is compliant with Cambridge Local Plan (2018) policy 46.

### **Landscape**

- 8.18 The submitted information has been assessed by the Councils landscape and officers and considered acceptable subject to conditions.
- 8.19 The detailed architectural design, landscape design and layout of the site has progressed to create what is anticipated to be a scheme that can be supported from a landscape perspective. The scheme has responded to its suburban/countryside edge context with its form and use of materials albeit much denser than the single large houses within large plots. It has also picked up on the archaeological presence of a Roman Road diagonally across the southern part of the site and has allowed relatively generous landscape areas with integrated sustainable drainage. The landscape conditions are considered acceptable subject to conditions relating to hard and soft landscaping and groundworks details. Subject to these conditions the development is considered to be in accordance with Cambridge City Local Plan 2018 policy 59.

### **Trees**

- 8.20 The submitted details have been assessed by the Councils Tree officer. The submitted information proposes to remove 41 trees and 5 groups are to be removed as a result of the scheme and a further 7 trees are proposed to be removed for arboricultural reasons. This has been assessed by the councils tree officer and it is considered that the loss of overall numbers would not necessarily result in a reduction in the overall arboricultural contribution the site makes to amenity. The development is considered acceptable and in accordance with Policy 71 subject to conditions relating to compliance with tree removal plan, pre commencement site meeting, tree protection methodology and replacement planting (5 years).

### **Ecology**

- 8.21 The submitted details have been assessed by the Councils Ecology officer. During the course of the application further details were submitted to clarify the baseline of the site which have been used to establish the overall Biodiversity Net Gain percentage on the site. The scheme will secure a 6.27% habitat net gain and a 278.9% increase in "hedgerow units". This has been considered acceptable by the City Council Nature

Conservation officer subject to conditions securing a CEcMP, Landscape Ecological Management Plan, the overseeing of the site clearance works and a lighting design strategy. Since the submission of the application the Environment Act 2021 has been passed and this brings a mandatory condition for development to achieve a minimum 10% biodiversity net gain. An update will be issued on the amendment sheet in respect of this matter. The applicant also intends to submit a CEcMP to be reviewed as part of the application ahead of the committee meeting. Therefore, the relevant consultations will take place and an update will also be issued to members on this matter ahead of the committee meeting.

### **Sustainability**

- 8.22 The proposed development has been assessed by the Councils Sustainability officer and considered to meet the requirement of Cambridge Local Plan policy 28. The scheme will benefit from very high performing fabric- Passivhaus standard and heating demand will be reduced by 74% compared to a Building Regulation compliant scheme. The proposal involves a 78% reduction in emissions and 40% reduction in potable water use. Subject to conditions securing passivhaus certification and the submission of a water efficiency calculation (BREEAM Wat01) the development is considered acceptable.

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

- 8.23 The Environmental Health Officer has reviewed the submission and has no objection to the proposal subject to conditions regarding construction hours, collection during construction, dust, unexpected contamination, acoustic assessment compliance, validation of remediation, material management plan, lighting and EV charging details.
- 8.24 Subject to the conditions above the proposal is in accordance with Cambridge Local Plan (2018) policies 34, 35 and 36.

### **Highway safety and Transport impact**

- 8.25 The scheme has been assessed by the County Highways Engineer and the County Transport Assessment Team. The County Highways Team have confirmed the proposed addition of a left hand slip lane to the Coton path is acceptable and

overcomes the concerns initially raised and a condition will be imposed to ensure the works are carried out in accordance with the submitted drawing and open for use prior to the first occupation of any unit. A condition has also been recommended by the Transport Assessment Team to secure a travel plan. This is considered reasonable and necessary. Subject to these conditions the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

### **Car and Cycle Parking**

8.26 A total of 16 car parking spaces are proposed, 8 of these are proposed to be blue badge disabled car parking spaces, and 250 cycle parking spaces, all of the cycle parking is proposed to be provided via Sheffield Stands. The number of car parking spaces proposed is considered acceptable for disabled students and visitors and pick up/ drop off servicing arrangements. An obligation within the S106 will be imposed to prevent all students other than disabled students from keeping cars. The plans have demonstrated there is sufficient space to provide the proposed amount of cycle parking, however, it is considered necessary to impose a condition for the finer detail of the storage arrangements. Subject to conditions the development is considered to comply with Cambridge Local Plan 2018 policy 82.

### **Inclusive Access**

8.27 229 bedrooms are designed to M4(2) standard and 16 accessible bedrooms designed to achieve M4(3), equivalent to 6.5% of the total number of bedrooms. The 16 fully accessible bedrooms are in 4 dedicated townhouses with lifts located adjacent to parking and drop-off points. The levels across the site have been manipulated to provide level access to all areas and facilities within the application site. The scheme is considered acceptable and in accordance with policies 56 and 57 of the Cambridge City Local Plan 2018.

### **Refuse Arrangements**

8.28 There is sufficient room within the site for refuse collection vehicles to enter and exit the site in forward gear. Sufficient bin storage facilities are proposed serving each main block of

accommodation. Details of the design of these storage facilities will be secured by condition.

- 8.29 The proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57

### **Water management and flood risk**

- 8.30 The City Council Sustainable Drainage Engineer and the Lead Local Flood Authority have reviewed the proposals and considered the development to be acceptable subject to conditions.
- 8.31 It is considered that the applicants have suitably addressed the issues of water management and flood risk, and subject to meeting the requirement of the conditions imposed the proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

### **Public Art**

- 8.32 No information has been provided up front regarding public art. Officers are satisfied that it will be possible to include an element of public art within the site. A condition requiring a public art delivery plan is recommended to ensure the delivery of public art to comply with policy.
- 8.33 Subject to condition the proposal is compliant with Cambridge Local Plan (2018) policy 56 and the Public Art SPD 2010

### **Planning Obligations (S106)**

- 8.34 The Developer Contribution Monitoring team has recommended that a contribution of £10,112.00 (plus indexation) be made towards the provision of and/or improvement towards the provision of and /or improvement of the play area equipment and facilities at Penarth Place play area. The application site is within 500m of Penarth Place play area. Given that the S106 will enable 32 rooms (8 x 4 bed units) to be occupied by academic staff that may have children/ families it is considered reasonable and necessary to secure this financial contribution.
- 8.35 The windfall site element of the proposal would deliver 125 rooms in total. A restriction will be imposed through the S106

agreement to restrict the level of occupation by academic staff to 25% which equates to a total of 32 rooms (8 x 4 bed dwellings).

8.36 An obligation will be imposed to ensure the academic staff accommodation is restricted in terms of the maximum length of occupancy. The maximum period will be three years (or four years in exceptional circumstances).

### **Third Party Representations**

8.37 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>
Concerned by the impact on the highway network and safety of the junction between Adams Road, Wilberforce Road and the Coton Footpath. Also the junction between Herschel Road and Grange Road	- Addressed at paragraph 8.25
- Concerned by the number of vehicle movements generated by the application.	- Addressed at paragraph 8.25
Concerned the scheme is overdeveloping the site	- Addressed at paragraphs 8.10-8.14.
Concerned that the development exceeds the allocation of 120 rooms.	-Addressed at paragraphs 8.2-8.8
Concerned by additional light pollution	-As set out in paragraph 8.23 a condition will be imposed to secure an external lighting and mitigation scheme (as requested by City Council Environmental Health

## 9.0 CONCLUSION

- 9.1 The proposed development would provide a high-quality purpose built student accommodation development that respects the character of the area and would not have an adverse impact upon the occupiers of neighbouring properties.

## 10.0 RECOMMENDATION

- 10.1 Approval is recommended subject to the following conditions and the completion of the S106 agreement.

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

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

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

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

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

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

4. There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to



1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

5. In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be assessed 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 statement.

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

6. No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme.

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

7. The plant / equipment operational noise levels and noise mitigation scheme hereby approved shall be installed / implemented fully in accordance with the operational noise levels and noise mitigation scheme measures as specified in the submitted 'Noise Survey Report' (Ref:16200010376 Version b) produced by Ramboll and dated July 2021 and shall be fully maintained and retained thereafter.

Reason: To protect the amenity of properties from noise in accordance with Policy 35 (Protection of human health and quality of life from noise and vibration) of Cambridge Local Plan 2018

8. If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

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

9. No material for the development (or phase of) shall be imported or reused until a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP shall include:
  - a) details of the volumes and types of material proposed to be imported or reused on site
  - b) details of the proposed source(s) of the imported or reused material
  - c) details of the chemical testing for ALL material to be undertaken before placement onto the site.
  - d) results of the chemical testing which must show the material is suitable for use on the development
  - e) confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

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

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

10. The development (or each phase of the development where phased) shall not be occupied until a Verification/Validation Report demonstrating full compliance with the Remediation

Strategy detailed in 'Site Investigation Report' (Ref:C15091) produced by Ground Engineering and dated October 2020 has been submitted to and approved in writing by the Local Planning Authority.

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

11. No external lighting shall be provided or installed until an artificial lighting impact assessment and mitigation scheme as required has been submitted to and approved in writing by the local planning authority. The assessment shall include the following:

- (i) the method of lighting (including luminaire type / profiles, mounting location / height, aiming angles / orientation, angle of glare, operational controls, horizontal / vertical isolux contour light levels and calculated glare levels to receptors)

- (ii) the extent/levels of illumination over the site and on adjacent land and predicted lighting levels at the nearest light sensitive receptors

All artificial lighting must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notices for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

The scheme shall be carried out as approved and shall be retained as such.

Reason: To minimise the effects of light pollution on the surrounding area (Cambridge Local Plan 2018 policy 34)

12. Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Eight slow electric vehicle charge points with a minimum power rating output of 7kW

2. Additional passive electric vehicle charge provision of the necessary infrastructure including capacity in the connection to

the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for seven car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required

3. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or as superseded. The electric vehicle charge point scheme as approved shall be fully installed prior to the first occupation and maintained and retained thereafter.

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

13. Prior to the first occupation of the development the highway improvement works as shown on drawing number 332210130/01 shall be fully implemented and open for use prior to the first occupation of any of the units. The scheme shall subsequently be implemented and retained in accordance with the approved details.

Reason: to ensure that the highway network is adequate to cater for the development proposed in accordance with Policies 80 and 81 of the Cambridge City Local Plan 2018

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

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

15. No development shall take place above ground level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The details shall include photographs of the materials detailing the specification and manufacturer. Development shall 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. No brickwork above ground level shall be laid until a sample panel of at least 1m x 1m has been prepared on site detailing the choice of brick, bond, coursing, special brick patterning, mortar mix, design and pointing technique. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved sample panel is to be retained on site for the duration of the works for comparative purposes, and works will take place only in accordance with approved details.

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

17. The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

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

18. The tree removals required as part of the facilitation works shall be carried out in accordance with the details shown on the submitted Tree Removal Plan (submitted 15.11.2021) and BS 3998.

Reason: To ensure compliance with approved facilitation works and tree removal plan (Policy 71).

19. 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. 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, access, storage of materials, ground works, installation of services 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.

20. Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager and retained arboricultural consultant to discuss details of the approved AMS. A report of this meeting will be provided to the LPA for approval.

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.

21. 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.

22. 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.

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

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

24. The development shall not be occupied until a Public Art Delivery Plan (PADP) has been submitted to and approved in writing by the Local Planning Authority. The PADP shall include the following:

- a) Details of the public art and artist commission;
- b) Details of how the public art will be delivered, including a timetable for delivery;
- c) Details of the location of the proposed public art on the application site;
- d) The proposed consultation to be undertaken;
- e) Details of how the public art will be maintained;

- f) How the public art would be decommissioned if not permanent;
- g) How repairs would be carried out;
- h) How the public art would be replaced in the event that it is destroyed;

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

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

25. No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

b) 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;

If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.



c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

26. No development shall take place, including archaeology, until the details of all groundworks and soil movement relating to the development are submitted and approved by the local authority. Details should include a Soils Management Plan detailing protection of ground to be reinstated to open space, sustainable drainage or general landscape, methodology of soil stripping, storage, handling, haul routes, formation level decompaction measures, soil re-spreading and decompaction as well as soil disposal (if necessary). All groundworks should be carried out in accordance with the approved details and in accordance with the recognised 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' produced by DEFRA and Protecting and Enhancing Soils Policy Position Statement produced by Chartered Institute of Water and Environmental Management (CIWEM).

Reason: To ensure that the details of the groundworks are acceptable. (Cambridge Local Plan 2018; Policies 55, 57 and 59)

27. No development shall commence above ground level until a scheme for the design, interpretation and long-term management of the straight route of the NE-SW 'Roman Road Path' within the site shown on Site Plan - Ground Floor, drawing 20014\_07\_000 rev A has been submitted for approval by the Local Planning Authority. The scheme should include:
- (i) the materials for the surface treatment for the hard section of the path through the living space and soft section of the path through the woodland;
  - (ii) the design and materials for suitable waymarking along the path

- (iii) an outline for the scheme of heritage interpretation for displaying in the Porter's Lodge and on the local accommodation or College website,
- (iv) integration of the long-term management of the straight route of the 'Roman Road Path' within the Landscape Management Plan for the development.

Reason: To interpret and conserve the straight line of the Roman Road (Akeman Street, Margary Road 23a) legibly within the landscape of the new development for long term public benefit.

28. No development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work that has been secured in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme, methodology and timetable of fieldwork and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) Implementation of fieldwork;
- d) A post-excavation assessment report (to be submitted within six months of the completion of fieldwork);
- e) A post-excavation analysis report, preparation of the physical and digital archaeological archives ready for deposition at accredited stores approved by the Local Planning Authority, completion of an archive report, and submission of a publication report (to be completed within two years of the completion of fieldwork).

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2019).

29. Prior to occupation an ecological sensitive lighting strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive to light disturbance for bats and invertebrates
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory
  - c) Demonstrate through building design, material and lighting specification that internal lighting spill from the new development will not adversely impact the areas / features identified as sensitive.

All lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that before any development commences ecological interests will be fully conserved and enhanced. (Cambridge Local Plan 2018 policy 57).

30. No site clearance shall commence until details of the role and responsibilities and operations to be overseen by an appropriately competent ecological clerk of works or ecologist have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To ensure that before any development commences ecological interests will be fully conserved and enhanced. (Cambridge Local Plan 2018 policy 57).

31. No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence

management.

- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that before any development commences an appropriate landscape and ecological management plan has been agreed. (Cambridge Local Plan 2018 policy 57).

32. The student rooms hereby permitted shall be occupied, during the academic terms, only by students of the University of Cambridge who are enrolled in full-time education on a course of at least one academic year. Outside of academic term times, the rooms shall only be occupied by students studying at educational institutions within Cambridge, conference delegates or others attending such institutions for purposes linked with the educational functions of those institutions.

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

33. The development hereby permitted shall be designed in accordance with the Passivhaus standard. Prior to occupation, or as soon as practicable after occupation, evidence of Passivhaus certification shall be submitted to and approved in

writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020)

34. The development hereby permitted shall not be used or occupied until a water efficiency specification, based on the BREEAM Wat01 Water Calculator Methodology, has been submitted to and approved in writing by the local planning authority. The specification shall demonstrate the achievement of at least 3 credits for water efficiency (Wat01) and that the development will be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020)

35. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall be based upon the principles within the agreed Grange Lane College Accommodation, Situated South of Wilberforce Road, Cambridge- Flood Risk and Drainage Strategy report prepared by Smith and Wallwork engineers rev P02, dated 11/03/2021 and Drainage Addendum- Doc reference 000278-SAW-ZZ-ZZ-CO-C-001 dated 05/07/2021 prepared by Smith and Wallwork and shall also include:

a) Full results of the proposed drainage system modelling for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;

- b) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- c) Full details of the proposed attenuation and flow control measures;
- d) Site Investigation and infiltration test results in accordance with BRE365;
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development (Cambridge Local Plan 2018 policy 31).

36. No building hereby permitted shall be occupied until foul water drainage works have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.

37. No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to

increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

38. Prior to the first occupation of the development the detailed design of the proposed refuse storage arrangements shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: in the interests of visual amenity. (Cambridge Local Plan 2018 policies 57).

39. 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)

## **INFORMATIVES**

1. To satisfy and discharge Environmental Health conditions relating to construction / demolition and operational artificial lighting, contaminated land, noise / sound, air quality (including Electric Vehicle Charging) and odours / fumes / smoke, any impact assessment and mitigation as required, shall be in accordance with the scope, methodologies and requirements of relevant sections of the 'Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, (Adopted January 2020)' <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd> and in particular section 3.6 - Pollution (pages 76-144) and the following associated appendices:

- 3: Gas Fired Combined Heat and Power (CHP)- Advice note for developers in Cambridge and South Cambridgeshire on

reducing the impact on Air Quality (pages 194-198)

- 6: Requirements for Specific Lighting Schemes (pages 205 -207)

- 7: The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide (pages 208-229)

- 8: Further technical guidance related to noise pollution (pages 230-256)

Due regard should also be given to relevant and current up to date Government / national and industry British Standards, Codes of Practice and best practice technical guidance.



<b>Application Number</b>	21/02759/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	11th June 2021	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	10th September 2021		
<b>Ward</b>	Cherry Hinton		
<b>Site</b>	Colville Road Phase 3, Land at Colville Road and Fishers Lane, High Street Cherry Hinton		
<b>Proposal</b>	Demolition of existing buildings and erection of new commercial/retail floor space, 48 new residential apartments and houses, new car parking areas, new hard and soft landscaping, bin and bike stores and associated works		
<b>Applicant</b>	c/o Carter Jonas, One Station Square Cambridge		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The development would increase the amount of affordable housing that helps to meet an identified demand within the local area;</li> <li>- The proposed development would provide a high quality, sustainable development that would not have any significant adverse impact on the residential amenity of the neighbouring occupiers;</li> <li>- The design and scale of the proposed development responds positively to the surrounding built form;</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 0.0 BACKGROUND

0.1 This is a Regulation 3 planning application that has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and

Hill Investment Partnership. The original purpose of the partnership was 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 The partnership has received permission for little under 1000 homes, with in excess of 600 being Council rented. Of the homes that have received permission, more than 850 have either been completed, occupied or under construction on site.
- 0.3 Having met its original aims, the partnership has decided to extend the drive to build more housing.

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

- 1.1 The proposed development spans across two separate parcels of land on the eastern aspect of Cherry Hinton High Street, separated by an existing terrace of 6x 2-storey houses.
- 1.2 The southern parcel is located at the junction of High Street and Colville Road, and forms part of the designated Local Centre. At present, the site includes a 3-storey building set back from the road, with an open space to the front. The three storey building hosts commercial units at ground floor level, with residential above.
- 1.3 The northern parcel has a more residential character and currently houses 2x two storey blocks of flats which comprise eight flats.
- 1.4 The site sits directly to the west of the approved phase 2 Colville Road development (19/1034/FUL).
- 1.5 The site does not fall within a conservation are, and there are no listed buildings on the site, or in the immediate vicinity.

## **2.0 THE PROPOSAL**

- 2.1 This application proposes the demolition of existing buildings and erection of new commercial/retail floor space, 48 new residential apartments and houses, new car parking areas, new

hard and soft landscaping, bin and bike stores and associated works.

- 2.2 The proposed dwellings would be housed in 3 buildings – an apartment block on the southern site (referred to in this report as Block A), an apartment block on the northern site (referred to in this report as Block B) and a short terrace of houses on the northern site (this report will refer to this terrace as Block C).
- 2.3 Block A would have a 4-storey element at the junction of High Street and Colville Road, with two three storey ‘wings’ running along Colville Road and High Street respectively. This block would have a flat roof and would house 28 dwellings (12x 1bed, 16x 2bed). Parking for this block will be tucked in behind the back of the block, with access gained from an undercroft on Colville Road.
- 2.4 Block B would be three storeys in height and would have pitched roof forms. This block would be set south from the northern edge of the northern parcel, allowing for a retained open space at the junction with Fishers Lane. This block would house 17 dwellings (7x 1bed, 10x 2bed). Car parking for this block would be provided behind Blocks B and C and would be accessed from High Street.
- 2.5 Block C proposes a short terrace of 3x pitched roofed, two storey houses with front facing gables.
- 2.6 It is worthy of note that the scheme has been through an extensive pre-application process with officers.
- 2.7 The proposal has been amended since submission to take on board comments and concerns from statutory consultees.
- 2.8 The application is accompanied by the following supporting information:
  - Energy Assessment;
  - BREEAM Pre-assessment;
  - Construction Dust Management Plan;
  - Daylight, Sunlight and Overshadowing Assessment;
  - Demolition/Construction Noise and Vibration Assessment;
  - Demolition Dust Management Plan;
  - Design and Access Statement;

- Flood Risk and Drainage Strategy Report;
- Noise Impact Assessment;
- Overheating Report;
- Phase 1 Contaminated Land Assessment;
- Phase 2 Geo-Environmental Assessment;
- Planning Statement;
- Preliminary Ecological Appraisal;
- Public Art Strategy;
- Statement of Community Involvement;
- Sustainability Statement;
- Transport Statement & Travel Plan;
- Tree Survey and Arboricultural Impact Assessment;
- Utility Assessment

### **3.0 SITE HISTORY**

3.1 There is no relevant Cambridge City Council planning history on this site.

### **4.0 PUBLICITY**

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

### **5.0 POLICY**

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 3, 8, 28, 29, 31, 32, 33, 34, 35, 36, 37, 45, 50, 51, 55, 56, 57, 59, 60, 68, 71, 72, 80, 81, 82, 85

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

Central Government Guidance	National Planning Policy Framework National Planning Policy Framework – Planning Practice Guidance Circular 11/95 (Annex A)
Supplementary Planning Guidance	Greater Cambridge Sustainable Design and Construction  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document  Planning Obligation Strategy
Material Considerations	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments Public Art SPD

## 6.0 CONSULTATIONS

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

- 6.1 The Highways Officer originally raised an objection and sought further details/clarification. The applicant provided the required information and the officer has no objection subject to conditions and informatives be imposed in the event of permission being granted.

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

- 6.2 The County Officer has commented on the proposal, raising no objection.

### **Cambridgeshire County Council (Growth Officer)**

- 6.3 The County Council have assessed the proposal and recommended that financial contributions are required to mitigate the impact of the development. These will be detailed later in this report.

### **Urban Design Officer**

- 6.4 The Council's Urban Design Officer has been involved in pre-application discussions on this site.
- 6.5 The Officer has confirmed that the scheme is acceptable with regard to urban design, subject to a condition securing full details of materials.

### **Landscape Officer**

- 6.6 The Council's Landscape Officer has raised no objections to the proposal and has recommended a condition securing further details of hard and soft landscaping materials in the event of permission being granted.

### **Tree Officer**

- 6.7 The Council's Tree Officer has been consulted on the proposal but no response has been received.

### **Drainage Officer**

- 6.8 The Council's Drainage Officer reviewed the submitted documentation and has confirmed that there are no objections to the proposal subject to conditions.

### **Sustainability Officer**

- 6.9 The Council's Sustainability Officer has confirmed that the scheme is acceptable from a sustainability point of view subject to the imposition of conditions.

### **Environmental Health Officer**

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

### **Environment Agency**

- 6.11 The Environment Agency have raised no objections to the proposal.

### **Lead Local Flood Authority**

6.12 The consultee had issued a holding objections subject to additional information being provided. This was provided by the applicant and the objection has been removed. Conditions have been recommended.

### **Developer Contributions Monitoring Officer**

6.13 A list of contributions required to mitigate the impact of the proposal are detailed later in this report.

### **Ecology Officer**

6.14 No objection subject to conditions.

### **Anglian Water**

6.15 No objection raised.

### **Cadent**

6. 16 No objection raised.

### **Cambridge Airport**

6.17 No objection subject to conditions.

### **Designing Out Crime Officer**

6.18 No objection raised.

## **7.0 REPRESENTATIONS**

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

<b>Road Name</b>	<b>Property Number</b>
High Street	81, 119, 121, 180, 188
Fishers Lane	10, 18
Pen Close	17

7.2 The representations can be summarised as follows:

<b>Concern</b>	<b>Officer Response</b>
Insufficient parking	8.57-8.65, 8.70
New vehicular accesses conflicts with pedestrians	8.55
Overdevelopment	8.11-8.23
Poor design	8.11-8.23
Poor housing quality	8.38-8.47, 8.99
Overlooking/loss of privacy	8.24-8.37
Loss of light	8.24-8.37
Overbearing	8.24-8.37
Increased noise	8.35-8.37
Loss of open space	8.41, 8.93-8.96
Strain on Council and other facilities	8.83-8.85, 8.89-8.91
Displaced tenants	8.97
Balconies overlooking High Street not good	8.43
Not green	8.79-8.86
Lack of communal space	8.41, 8.93-8.96
Justification for additional mass	8.98
Consideration of viability	8.99

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Drainage
8. Trees, Ecology & Biodiversity
9. Energy and Sustainability



10. Affordable housing
11. Public art
12. S106 contributions
13. Third party representations

### **Principle of Development**

- 8.2 The proposal involves the demolition of existing commercial properties within the Local Centre and dwellings, and the provision of new commercial and residential buildings.
- 8.3 Policies 3 and 72 of the Cambridge Local Plan (2018) are of relevance in determining the acceptability of the principle of this development proposal. Policy 3 relates to new residential development and policy 72 is concerned with, among other things, development within Local Centres.
- 8.4 Policy 3 of the Local Plan seeks to ensure that new residential development is appropriately located, and this includes with respect to surrounding uses, accessibility, and access to facilities.
- 8.5 The proposal is in a location which has other residential uses in close proximity, has good transport accessibility to and from the City Centre, and also has nearby shops.
- 8.6 With the above in mind, it is considered that the proposal is in accordance with policy 3.
- 8.7 Policy 72 seeks to ensure that Local Centres retain their function in providing important services to local people.
- 8.8 The proposal would result in the loss of 173 square metres of commercial floorspace through demolition, although the proposal would provide an increased quantum (283 square metres) as replacement.
- 8.9 The increased quantum of commercial floorspace is considered acceptable and could help to improve the vitality and viability of the Local Centre in the longer term.
- 8.10 With the above in mind, the proposal is compliant with policy 72 of the Local Plan.

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

- 8.11 The immediate site context comprises a mix of residential, commercial and community uses, with building heights ranging from single to three storeys in height. To the east of the site on Colville Road, permission has been granted for a part 4, part 3 storey housing development.
- 8.12 This proposal would see the introduction of a part four and part three storey block of flats on the southern parcel of this development and 1x three storey block of flats and a 2-storey terrace of houses on the northern parcel of this development. Block A has been designed with a flat roof to minimise its visual bulk and mass whilst the raised central element provides a strong feature at the prominent corner of Colville Road and High Street. The transition down to three storeys along high street ensures that the existing two storey properties are adequately responded to whilst the three storey element on Colville Road ensures that the building has an overall symmetrical form. The proposal retains an open space to the front at the junction. The design development of Block A has seen significant changes to the initial concept, with Officers encouraging a more defined set of corners to the High Street/Colville Road junction in order to reduce the visual mass of the block, and also introducing changes in brickwork and vertical changes to the elevation such as stepped parapet heights, to further reduce the appearance of a horizontal mass.
- 8.13 Block B is 3 storeys in height and would have pitched roof forms. This block is set away from the junction with Fishers Lane by the retention of an open space, and the pitched roof form helps to ensure that views of the building from High Street looking south respond well to the wider context and built form.
- 8.14 Officers had expressed some concern over the likely visibility of the plant on the roof of Block B given the pitched roof form, although a Design and Access Statement addendum has been submitted showing views from prominent locations agreed with Officers, and these demonstrate the plant to be acceptable from a design perspective with minimal visibility from key locations.
- 8.15 Block C is a 2-storey terrace which would ensure that the transition from the taller built form of Block B to the existing terrace of dwellings to the south is a successful one.

- 8.16 Accesses to the site for vehicles would be from Colville Road for Block A and High Street for Blocks B and C.
- 8.17 Two of the three buildings (Blocks A and B) would be taller than those in the immediate surrounding although it is worthy of note that a building of similar height to the tallest element proposed has been approved to the east of the site along Colville Road (19/1034/FUL). As part of the pre-application process, Officers interrogated views of the proposed buildings from various locations to ensure that they appeared appropriate in the wider setting. Visuals and sections have been submitted with the application to demonstrate how the buildings would sit within the wider context.
- 8.18 Car parking provision is discreetly located to the rear of the blocks and would be largely hidden from the public realm.
- 8.19 The proposal retains the public open spaces to the north of Block B and to the south and west of Block A – with some improvement works proposed also.
- 8.20 The Council's Urban Design and Landscape Officers were both heavily involved in pre-application discussions and changes have been made both prior to the application being submitted, and during the life of the application. The Officers have been consulted on this application. No objections have been raised subject to conditions relating to materials and landscaping details.
- 8.21 Concerns have been raised regarding the feel of the existing open space at the junction of Colville Road and High Street with the proposed part 4 storey building – Block A. The representation also raises concerns over whether seating would be re-provided as per the existing arrangement.
- 8.22 The proposed would undoubtedly be taller than the existing building, and this will change the experience of people using the open space on the corner of Colville Road and High Street. However, the increase in height is not considered to be of a significant enough scale – going from three storeys with a pitched roof to four storeys with a flat roof – to have a significantly detrimental impact upon how this space is enjoyed, It is also noted that the proposed Block A would provide greater

passive surveillance of this space. The proposed plans do include replacement seating in this open space.

- 8.23 Officers consider that the quantum, form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the wider area and would not constitute overdevelopment of the site. Officers consider that the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59 and 60.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

#### Block A

- 8.24 To the south and west of Block A are High Street and Colville Road. Properties on the western and southern sides of these roads are sufficiently far enough away so as to not be adversely impacted by Block A.
- 8.25 To the east of this block is a car park approved under an application that is currently being implemented. Further east of this block will be a part 4, part 3 storey block approved under the aforementioned permission, and construction on this is under way. The generous distance (approximately 38m) between Block A and this block ensures that there are no significant adverse impacts.
- 8.26 To the north of Block A is an existing terrace of 2-storey properties running north to south along High Street. The southern-most of these properties is closest to Block A, at a distance of approximately 6.5m. This property has one flank window facing block A although this serves an entrance porch rather than a habitable room. Block A has been designed so that the rear building line sits in line with that of the terraced property to the north. This is considered acceptable, and although to the south, Block A would not have an adverse impact on light receipt to this property.
- 8.27 Windows would face north from Block A although these would be looking towards the flank of the terraced property to the north, with only the porch window facing it. Windows have been omitted from the eastern part of the north facing elevation to

ensure that the rear garden of the adjoining property is not directly overlooked. The east facing windows of Block A would broadly look over the car parking area, with only oblique views over neighbouring gardens achievable.

- 8.28 The element of Block A that fronts Colville Road would have north facing windows that would face towards the rear of gardens on High Street although the distance is approximately 25m away and these are not considered harmful.

#### Block B

- 8.29 This block is separated from the properties to the west and north by High Street and an open space respectively. The generous separation distances mean that there are no adverse amenity impact to properties in these directions.

- 8.30 To the south of Block B would be the car park associated with the scheme, as well as a row of three terraced houses (to the south-west). Further south beyond the car park are existing terraced properties along High Street. The south-western most flats on the upper floors of Block B would have west facing inset balconies and these would have oblique views of the rears of the new proposed terrace dwellings (Block C) although these would have a minimum separation distance of 10m which is considered acceptable. The existing terraced properties to the south (beyond the proposed car parking area, would be some 25m away from the south facing windows of this block and this is considered acceptable with regard to overlooking. The siting of Block B in relation to these properties (to the north) means that there would be no overshadowing issues.

- 8.31 To the east of Block B, are properties along Fishers Lane. These broadly sit aligned with the open space on the corner of Fishers Lane and High Street although the north-western corner of Block B would align with the ends of the rear garden of the nearest property on Fishers Lane. The upper floor windows on the northern-most part of the eastern elevation (closest to the rear garden of the properties on Fishers Lane) serve combined kitchen/living/dining spaces and are secondary windows and these are proposed to be obscure glazed. The primary windows for these spaces have balconies to the north and these could provide overlooking opportunities of rear garden along Fishers Lane. In the event of permission being granted, it is considered

appropriate to add a condition requiring details of a privacy screen to the eastern edge of these balconies so as to ensure that amenity of adjoining properties is adequately protected. It is acknowledged that properties along Fishers Lane will have a change in vista when looking west towards Block B, although the distance between this block and the existing properties means that the development would not feel overbearing.

- 8.32 Concerns have been raised about loss of light and overshadowing caused by Block B. The application submission was accompanied by a Daylight, Sunlight and Overshadowing Assessment, which concludes that the proposal would have an acceptable impact on all existing properties, with the relevant BRE tests being met. Officers have reviewed the report, and consider the methodology used to be sound. Officers have no reasons to disagree with the conclusions reached.
- 8.33 The remaining windows on the eastern elevation would have oblique views across rear gardens along Fishers Lane although this relationship would not be uncommon in an urban context, and are not considered harmful.

#### Block C

- 8.34 Block C would be 2 storeys in height and would sit between an existing terrace of 2 store dwellings and Block B. The height and siting of this block means that there are no amenity concerns arising from this aspect of the development.
- 8.35 Representations have raised concerns regarding increased noise. The likelihood is that the increased number of dwelling will result in more occupants in the area, and this will likely result in an increase in noise. However, this is not likely to be to such an extent as to result in unacceptable levels of harm to neighbouring amenity.
- 8.36 Officers consider that there would be no adverse impact with regard to overlooking, noise, loss of light receipt, overshadowing or a sense of enclosure.
- 8.37 Concerns have been raised about the impact on amenity during construction. It is acknowledged that any construction project of this ilk is likely to have an impact due to dust, noise and vibration creation as well as comings and goings of deliveries

and collections to and from the site. The Council's Environmental Health Team have been consulted on the proposal and have recommended conditions to ensure that any potential disturbance is minimised.

Amenity for future occupiers of the site

8.38 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All units proposed comply with, or exceed, these standards. In this regard, Officers consider that all the new homes proposed would provide a high quality internal living environment for the future occupants. The table below outlines the schedule of accommodation provided.

<b>Unit Type</b>	<b>No. of levels</b>	<b>Min standard (sqm)</b>	<b>Min proposed (sqm)</b>
1bed, 2person	1	50	50
2bed, 3person	1	61	61.4
2bed, 4person	1	70	70
2bed, 4person	2	79	79.4
3bed, 5person	2	93	93.4

8.39 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space.

8.40 All of the proposed dwellings benefit from a private amenity area. These take the forms of terraces and balconies.

8.41 As well as the private amenity spaces, the development benefits from direct access into the hard and soft landscaped areas that are proposed. It is noted that a representation raises concerns over the lack of communal open space although the constrained nature of the site means that provision of such space on-site is difficult to achieve. As such, financial contributions are sought through the S106 to improve informal open space at Cherry Hinton Recreational Ground, the children's play area at Tenby Close Play Area, indoor sports facilities at Cherry Hinton Village Centre and sports pitch and floodlit training facilities at Cherry Hinton Recreation Ground. In the absence of on-site communal open space provision, the contributions sought are considered adequate in mitigating the likely impact of the development.

- 8.42 It is considered that the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and is compliant with Cambridge Local Plan (2018) policy 50.
- 8.43 The development has been assessed for compliance with Policy 51 and all dwellings comply with the requirements of Part M4(2) of the Building Regulations. A condition is recommended to secure these requirements. Of the 48 dwellings proposed for the wider site, two are proposed to be M4(3) – this equates to 4.16%. Whilst it is acknowledged that policy 51 seeks to secure “5 per cent of the affordable housing component...” as M4(3) dwellings, it is considered appropriate to bear in mind that a scheme of 48 dwellings is only required to provide 20 affordable dwellings, and this would require just 1 M4(3) unit. It is not considered appropriate to insist upon more M4(3) units as a result of over-provision of affordable housing. If permission were to be granted, a condition should be attached to ensure this provision is secured.
- 8.44 The Police’s Designing Out Crime Officer has confirmed that they have been involved in early conversations with the applicants on this scheme and have raised no objection to the proposal. The Officer also states that he is awaiting a ‘Gold’ standard application to be forthcoming from this development, meaning a high level of security would be achieved.
- 8.45 Officers consider that the layout and design would not only result in a safe standard of accommodation for future residents, but also for users of the open spaces provided which would benefit from a good level of natural surveillance.
- 8.46 It is noted that a representation has raised concerns over balconies overlooking the High Street not being good although it is not clear what the actual concern is. If it with regard to the quality of these spaces, it is worthy of note that the buildings are set back significantly from the High Street and so the balconies would be afforded some protection from noise and air pollution associates with vehicles using the High Street.
- 8.47 Subject to the imposition of the condition suggested earlier, Officers are content that the proposal complies with Cambridge Local Plan (2018) policies 50 and 51.



## **Refuse Arrangements**

- 8.48 The proposed refuse storage arrangements are shown to be of a logical layout, with internal bin stores servicing Block A and Block B. The houses within Block C would have bins located to the front of their properties which are to be presented on collection day. The applicant has provided calculations of storage provision and these demonstrate that the quantum of provision is in accordance with the required levels. The applicant has provided detailed tracking plans demonstrating how refuse vehicles would be able to negotiate the development safely when collecting refuse and recycling.
- 8.49 The Council's Refuse and Recycling Officer has been consulted on the application and no comment has been received.
- 8.50 Officers consider that the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

## **Highway Safety**

- 8.51 The application has been supported by a number of plans demonstrating how the development would be accessed and egressed. This includes swept path analysis which show safe use by refuse trucks is possible within the site. A Transport assessment has also been submitted. The Highway Authority has been consulted as part of the application and they have not raised any concerns.
- 8.52 Conditions have been suggested and these have been added these to the list of conditions at the end of this report accordingly.
- 8.53 The County Council's Transport Assessment Team have reviewed the application documents submitted, including details of likely trip generation to the site, accident data, and nearby developments which have been granted permission but have not been constructed - which also need to be considered.
- 8.54 The Transport Assessment Team Officer is content that the proposal is acceptable.
- 8.55 Concerns have been raised about the conflict between vehicles and pedestrians that would be created by the new accesses to

the car parking areas proposed. Whilst these would be new accesses, they would not create an alien relationship between pedestrians and vehicles with crossovers, access roads commonplace in urban environments of this ilk.

8.56 Officers consider that, subject to the imposition of conditions as outlined above, the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

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

#### Car Parking

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

8.59 The maximum car parking provision on site is for:

- No more than a mean of 1.5 spaces per dwelling (up to 2 bedrooms)
- No less than a mean of 0.5 and not more than 2 spaces per dwelling (for 3 bedrooms)

8.60 The proposal provides a total of 29 parking spaces for the 48 dwellings – a ratio of 0.60:1, which complies with policy 82. Two of these spaces would be a disabled parking bay and this would be allocated to the M4(3) unit.

8.61 Eight of the 29 parking spaces would have active electric charge points with the remainder having the infrastructure to allow for future connection.

8.62 The site is in a sustainable location, and is in close proximity of bus stops. The level of parking provided is considered to adhere to the spirit of the policy whilst also actively encouraging more

sustainable forms of transport. The proposal, therefore, complies with the requirements set out above.

- 8.63 The Council's Environmental Health Officer has requested 50% of all spaces to have active slow-charge points, with all remaining spaces having passive provision.
- 8.64 Policy 82 states that where appropriate and viable charging point, or the infrastructure for these, should be provided. There is no stipulation afforded within the policy for quantum.
- 8.65 The level of provision proposed, and outlined above, is considered in accordance with Local Plan policy 82, and a condition to secure this level of provision has been recommended.

### Cycle Parking

- 8.66 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L of the same document.
- 8.67 The standards set out that one cycle space should be provided per bedroom for dwellings. It is stated that cycle parking should not, where possible, be located at basement level.
- 8.68 Block A and Block B would have internal cycle stores at ground floor level whilst the houses within Block C would have their own private stores. In total, the proposal provides 84 residential cycle parking spaces, one greater than the minimum requirement.
- 8.69 A further 14 spaces are provided externally for visitors of both the residential and commercial units.
- 8.70 It is considered that the proposal promotes the prevalence of sustainable transport methods, and provides an acceptable balance between car and cycle parking. The proposal is considered to be compliant with Cambridge Local Plan (2018) policy 82.

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

- 8.71 The application has been designed with drainage considerations in mind, and a flood risk and drainage strategy report was submitted with the application.
- 8.72 The site is located within Flood Zone 1, indicating a low level risk of flooding.
- 8.73 The Drainage Team and Local Lead flood Authority have both advised that the strategy provided is acceptable. Conditions are recommended to ensure a detailed drainage scheme and maintenance and management strategy are secured, as well as details for foul water drainage. Officers consider that the proposal is compliant with the paragraph 163 of the National Planning Policy Framework (2021) and policy 31 of the Cambridge Local Plan (2018).

## **Trees and Ecology & Biodiversity**

### Trees

- 8.74 The application was accompanied by a tree survey and arboricultural impact assessment.
- 8.75 The Arboricultural Impact Assessment identifies that a number of C category trees would require removal in order to facilitate the proposed development.
- 8.76 The Council's Tree Officer has been consulted on the proposal although no comment has been received. It is considered prudent, in the event of permission being granted, to condition the provision of an Arboricultural Method Statement and a Tree Protection Plan. This would allow for Officers to ensure the development is carried out in an acceptable way with respect to the trees that are to be retained.
- 8.77 It is noted that the proposal includes new tree and hedge planting which Officers consider this would mitigate the loss of the existing trees. The proposed landscaping conditions will allow Officers to ensure an adequate replacement planting scheme is achieved.
- 8.78 Officers consider that the proposal complies with policy 71.

## Ecology & Biodiversity

- 8.79 The application has been supported by an Ecological Impact Assessment. The report identifies that the site has the potential to provide habitat for foraging bats, hedgehogs and breeding birds, and makes recommendations for ensuring such species are not harmed during the construction process. The document identifies a number of opportunities for biodiversity enhancement.
- 8.80 The Council's Nature Conservation Officer has been consulted on the proposal and he has requested a condition securing details of bird boxes to be added. Officers consider additional condition seeking compliance with the Ecological Impact Assessment and a scheme demonstrating 10% biodiversity net gain are also prudent.
- 8.81 The proposal would, subject to the conditions recommended, be in accordance with Policies 57 and 70 of the Cambridge Local Plan (2018).

## **Energy and Sustainability**

- 8.82 A number of energy efficient and sustainability measures form part of the proposed design. These include, but are not limited to:
- PV panels
  - Green roofs
  - EV charging points
  - Gas free development
  - Electric air Source Heat Pumps
  - Mechanical Ventilation with Heat Recovery (MVHR) in all buildings
  - BREEAM Very Good commercial units
- 8.83 The application has been supported by an energy statement and a sustainability statement.
- 8.84 The Energy report demonstrates that the approach chosen would comply with policy 28 of the Local Plan and would significantly exceed the 19% reduction in carbon dioxide emissions target within Part L of Building Regulations – providing a 66.2% reduction.

- 8.85 The Council's Sustainability Officer has been consulted on the proposal and has raised no objections subject to the imposition of conditions relating to carbon reduction, water efficiency measures, and BREEAM certification.
- 8.86 I have no reason to consider the information submitted differently to the Sustainability Officer and have recommended the suggested conditions accordingly.

### **Affordable Housing**

- 8.87 Policy 45 of the Cambridge Local Plan (2018) seeks to secure 40% affordable housing on schemes of 15 or more dwellings.
- 8.88 The proposed development is for a scheme of 48 dwellings with all of these being for affordable housing – the exact breakdown of tenures to be secured by S106 agreement.
- 8.89 The securing of these dwelling for affordable housing purposes will form part of the S106 agreement in the event of a resolution to grant permission being arrived upon.

### **Public Art**

- 8.90 A public art strategy and delivery plan has been provided as part of the application submission. A budget of £25,000 is set out within the document. The public Art Officer has been consulted on the proposal and no comments have been received.
- 8.91 The applicant has subsequently requested that the strategy and delivery plan be removed from consideration as the financial contributions requested from County and City Council Officers with regard to S106 contributions is significantly greater than expected, and requested on the scheme to the east of the site on Colville Road (19/1034/FUL). The applicant has calculated that the financial contributions per dwelling on the previously approved scheme amounted to £999 per dwelling, whilst the current scheme is being asked to provide £2,853 per dwelling.
- 8.92 Whilst it is unfortunate that the document has been withdrawn, and whilst Officers acknowledge that the provision of public art would be a public benefit, the harm of the non-provision needs to be weighed up against the other public benefits provided by

the scheme. Given the significance of these – including 100% affordable housing provision – Officers consider that the non-provision of public art is, in this instance, acceptable.

### **S106 Contributions**

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

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

8.94 In bringing forward recommendations in relation to the Planning Obligation for this development Officers have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The Heads of Terms are summarised below.

<b>Heads of Terms</b>	<b>Summary</b>
City Council Infrastructure	
Informal open space	£13,328 towards the provision of and/or improvement of/and/or access to Informal Open Space facilities at Cherry Hinton Recreation Ground
Provision for children and teenagers	£13,552 towards the provision of and/or improvements of the children's play area facilities at Tenby Close Play Area
Indoor sports	£11,060 for the provision of and/or improvement to indoor sports facilities and equipment at Cherry Hinton Village Centre
Outdoor sports	£15,064 for the provision and/or improvement of sports pitched and floodlit training facilities at Cherry Hinton

	Recreation Ground
Community facilities	No contributions sought
Affordable housing	100% provision on site
County Council – Education / Refuse	
Early years	£52,323 towards additional Early Years places in Colville catchment
Primary School	No contributions sought
Secondary School	£30,214 towards as new secondary school at Land North of Cherry Hinton
Life Long Learning (Libraries)	No contributions sought
Strategic waste	No contributions sought
Monitoring	No contributions sought

8.95 Subject to the completion of a S106 planning obligation to secure the above infrastructure contributions and 100% affordable housing provision, Officers are satisfied that the proposal accords with Cambridge Local Plan (2018) policies 45 and 68 and the Planning Obligation Strategy 2010.

### **Third Party Representations**

8.96 Many of the third party representations have been discussed in the above commentary. The remainder are covered below.

#### Concerns over displaced tenants

8.97 This is not a material planning consideration, although the Council's Housing Team would be required to have a decant strategy to ensure that disruption to existing residents is minimised, and interim housing is provided.

#### The use of the development under construction to the east along Colville Road as justification for the increased massing on this site by the Urban Design Officer

8.98 The approved scheme to the east of the site is a material consideration in the determining of this planning application. The likelihood of the development being realised impacts upon



the weighting that this can be afforded. In this instance, the development has commenced and therefore has a high probability of being realised, and is therefore a significant material consideration.

Consideration being given to developer profit in determining acceptability of a scheme by the Urban Design Officer

- 8.99 The Urban Design Officer has made mention in her comments that adding additional lift cores would add additional cost to the build, and would impact, therefore, on the viability of the scheme. The comments were made in relation to seeking solutions for single aspect units – with particular mention given to ventilation and overheating. It is accepted that the reduction in single aspect units would be favourable, however, issues of ventilation and overheating have been addressed adequately through the provision of Mechanical Ventilation and Heat Recovery (MVHR) and the submission of an overheating Assessment which demonstrates adequate solutions.

## **9.0 CONCLUSION**

- 9.1 The proposal is for the development of the site involving the erection of 48 new dwellings (100% affordable), and the provision of replacement commercial units.
- 9.2 The proposed development has had extensive pre-application consultation with a variety of consultees prior to its submission. Nevertheless, the scheme has been amended post submission to address issues that were not satisfactorily resolved at the pre-application stage and to take on board local concerns.
- 9.3 The application has been considered against the relevant policies, and upon assessment, Officers consider that the application complies with national and local policies, and should, therefore, be granted planning permission subject to appropriate planning conditions and a S106 legal agreement.

## **10.0 RECOMMENDATION**

**APPROVE** subject to a S106 in accordance with paragraph 8.94 and the following conditions and informatives:

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

Reason: In accordance with the requirements of section 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. Notwithstanding the plans hereby approved, all dwellings shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the building Regulations 2010 (as amended 2016).

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

4. Notwithstanding the plans hereby approved, two dwellings shall be constructed to meet the requirements of Part 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, Policies 50 and 51).

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

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

6. Prior to first occupation of any dwelling, the manoeuvring and car and cycle parking areas required for that purpose shall be provided as shown on the drawings hereby approved and retained free of obstruction.

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

7. Prior to the commencement of works, a traffic management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

8. Wherever proposed inter vehicle visibility splays intersect land that is outside the adopted public highway, the land encompassed by the splays shall be maintained free from any obstruction exceeding 0.6m above the level of the adopted public highway for the lifetime of the development. Thereafter, they shall be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway in perpetuity.

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

9. All proposed metaled surfaces are to be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

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

10. No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory

undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Foul And Surface Water Drainage Strategy prepared by Create Consulting Engineers Limited (ref: 02/001-B) dated 28th July 2021 and shall also include:

- a) Full results of the proposed drainage system modelling for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Permissions to connect to a receiving watercourse or sewer;

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

11. No development, including preparatory works, shall commence until details of measures indicating how additional surface water

run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

12. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall be based upon the principles within the agreed Colville road phase 3, Cambridge - Flood Risk Assessment and Drainage Strategy prepared by Create Consulting Engineers dated June 2021 and shall also include:

- a) Full results of the proposed drainage system modelling for the 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- b) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- c) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- d) Full details of the proposed attenuation and flow control measures;

- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

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

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development

13. Finished ground floor levels are to be set in accordance with Colville road phase 3, Cambridge - Flood Risk Assessment and Drainage Strategy prepared by Create Consulting Engineers dated June 2021

Reason: To reduce the risk of flooding to the proposed development and future occupants.

14. No development shall commence until a scheme for flood resilient /resistant construction has been submitted to and approved in writing with the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

15. No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.

16. 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).

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

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

18. The development (or each phase of the development where phased) shall not be occupied until the approved Phase 3 Remediation Strategy has been implemented in full.

Reason: To ensure that any contamination of the site is effectively remediated in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

19. The development (or each phase of the development where phased) shall not be occupied until a Phase 4 Verification/Validation Report demonstrating full compliance with the approved Phase 3 Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

21. No material for the development (or phase of) shall be imported or reused until a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP shall include:

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

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

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

22. Demolition and construction shall be carried out fully in accordance with the methodology, proposed mitigation and monitoring as specified within the following documents:

1. Create Consulting Engineers Ltd "Demolition/construction noise and vibration assessment - revision B" report dated June 2021 (ref: BD/CS/P21-2225/06 rev B).
2. Create Consulting Engineers Ltd "Demolition dust



management plan - revision B" dated 27th May 2021 (Ref: NP/CS/P21-2225/04 Rev B).

3. Create Consulting Engineers Ltd "Construction dust management plan - revision B" dated 27th May 2021 (Ref: NP/CS/P21-2225/05 Rev B).

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

23. The noise insulation scheme and mitigation requirements as stated within the Create Consulting Engineers Ltd "noise impact assessment - revision B" report dated 3rd June 2021 (Ref: SW/CC/P21-2225/02 Rev B) shall be fully implemented, maintained and not altered.

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

24. No operational plant, machinery or equipment shall be installed until a noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

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

25. The Class E use shall not be open outside the hours of 07:00 and 23:00 hrs.

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

26. Use Class E(b) development use shall not commence until a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours has been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

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

27. Use Classes E(b), E(d) & E(f) development use shall not commence until a noise insulation / mitigation scheme in order to minimise the airborne / impact noise emanating from the premises is submitted in writing for approval by the Local Planning Authority. The scheme as approved shall be fully implemented before the use is commenced and shall be retained as such.

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

28. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

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

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

29. No development (or phase of) shall commence until a Phase 3 Remediation Strategy based on the findings of the Phase 2 Report (Phase 2 Geo-Environmental Assessment by Create Consulting Engineers Ltd, ref: TB/CS/P21-2225/03, dated June 2021) has been submitted to and approved in writing by the Local Planning Authority:

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

30. The electric vehicle charge points and associated infrastructure as detailed in and as shown on drawing CVLPH3-EV01 (Colville Road Phase 3 Electric Vehicle Charging Space Plan 09.06.21) shall be fully installed and operational before final occupation of the residential units and shall be retained thereafter. The charge points associated with the commercial units shall be operational prior to first use.

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).

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

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

32. Within 6 months of commencement of development, or as soon as is reasonably practicable, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'Very Good' as a minimum will be met, with at least 3 credits for Wat 01 (water consumption). Where the design stage certificate shows a shortfall in credits for BREEAM 'Very Good', a statement shall also be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building

design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

35. The development, hereby permitted, shall not be used or occupied until the approved approach to the energy strategy set out in the RIBA Stage 2 Energy Assessment Colville Road Phase 3 (Eight Associates, 28/5/2021 Issue 2) has been fully implemented. Any associated renewable and/or low carbon technologies shall thereafter be retained and remain fully

operational in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority before the development is first occupied.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised approach to meeting a 19% reduction in carbon emissions shall be submitted to and approved in writing by the local planning authority. The approved revised approach shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2018, Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

36. Prior to the commencement of above ground works, with the exception of demolition, a scheme for the provision of nest boxes on site shall be submitted to and agreed in writing by the Local Planning Authority. The measures shall be implemented in accordance with the agreed scheme.

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

37. 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.

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

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

39. 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.

40. 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 (or subsequent replacements), 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.

41. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The submitted plan shall include details of:

- monitoring of any standing water within the site temporary or permanent
- sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at [www.aoa.org.uk/policycampaigns/operations-safety/](http://www.aoa.org.uk/policycampaigns/operations-safety/)).
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' (available at [www.aoa.org.uk/policycampaigns/operations-safety/](http://www.aoa.org.uk/policycampaigns/operations-safety/)) \* See next page for information \*
- reinstatement of grass areas
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- monitoring of waste imports (although this may be covered by the site licence)
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds.

Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Cambridge Airport through interference with communication, navigational aids and surveillance equipment.

42. Hard and soft landscaping: No development above ground

level, other than demolition, shall commence until remaining details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure (fences and walls); SUDs features in paving, minor artefacts and structures (e.g. refuse and cycle, or other storage units, signs, lighting); proposed services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports). Soft Landscape works shall include: written specifications including cultivation and other operations associated with plant and grass establishment; specification/method statement for over-seeding/plug planting in existing perimeter woodland areas, specification/method statement for relaying and improving the drainage for the playing pitches, protection of new planting in existing perimeter woodland areas, 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)

43. Green roofs can be biodiverse (green/brown) extensive roofs, or intensive (roof gardens) or blue roofs. This condition focusses on biodiverse roofs. Details of the biodiverse (green) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. Details of the green roof(s) shall include means of access for maintenance, plans and sections showing the make-up of the sub base to be used and include the following:
- a) Roofs can/will be biodiverse based with extensive substrate varying in depth from between 80-150mm,
  - b) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum,
  - c) The biodiverse (green) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or



escape in case of emergency,

d) The biodiverse roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter,

e) Where solar panels are proposed, bio-solar roofs should be incorporated under and in-between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation,

f) A management/maintenance plan approved in writing by the Local Planning Authority,

g) Evidence of installation shall be required in photographic form prior to handover.

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

44. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of all the materials to be used in the construction of the external surfaces of buildings, which includes external features such as proposed brick patterning; windows, cills, headers and surrounds; doors and entrances; porches and canopies; external metal work, balustrades, rain water goods, edge junction and coping details; colours and surface finishes, shall be submitted to and approved in writing by the local planning authority. This may consist of a materials schedule, large-scale drawings and/or samples. Development shall be carried out in accordance with the approved details.

Sample panels (minimum of 1.5x1.5m) of the facing materials to be used shall be erected to establish the detailing of bonding, coursing, colour and type of jointing and any special brick patterning/articulation detailing (i.e. soldier course banding) shall be agreed in writing with the local planning authority.

The quality of finish and materials incorporated in any approved sample panels, which shall not be demolished prior to completion of development, shall be maintained throughout the development

Reason: To ensure that the appearance of the external surfaces

is appropriate and that the quality and colour of the detailing of the facing materials maintained throughout the development. (Insert relevant Local Plan Policies e.g Cambridge Local Plan 2018 policies 55 and 57)

45. Notwithstanding the plans hereby approved, the north-most windows at first and second floor levels on the eastern elevation of Block B shall be fitted with obscure glass, and shall be non-openable to a height of 1.70m above the finished floor level of the rooms they serve. The windows shall be retained as such thereafter.

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

46. Prior to above ground works, with the exception of demolition, details of privacy screens to be fitted to the north facing balconies at first and second floor levels on Block B shall be submitted to, and approved in writing by, the Local Planning Authority. The screens shall be installed prior to first occupation of the north units within Block B associated with the north facing balconies, and retained as such thereafter.

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

47. The development shall be carried out in accordance with the findings and recommendations set out in the Preliminary Ecological Appraisal by Geosphere Environmental dated 01 June 2021 (report Number 4821,EC,AR/PEA/RS,RF,KML/01-06-21/V3)

Reason: To ensure the development is carried out in accordance with best ecological practices and to comply with Policy 70 of the Cambridge Local Plan (2018).

48. Prior to above ground works, a scheme demonstrating a biodiversity net gain of a not less than 10% shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall be carried out not later than the first appropriate planting period (species dependent) after first occupation of the site. The improvements shall be retained and maintained thereafter in perpetuity.

Reason: To maximise biodiversity gains, in accordance with Policy 57 of the Cambridge Local Plan (2018).

## **INFORMATIVES**

### **1. Green Roofs:**

All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).

### **2. Pollution Control:**

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

### **3. To satisfy and discharge Environmental Health conditions relating to artificial lighting, contaminated land, noise / sound, air quality and odours / fumes, any assessment and mitigation shall be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction SPD, (Adopted January 2020) <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd> and in particular section 3.6 - Pollution and the following associated appendices:**

- o 6: Requirements for Specific Lighting Schemes
- o 7: The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide
- o 8: Further technical guidance related to noise pollution

This page is intentionally left blank

<b>Application Number</b>	20/02289/S106A	<b>Agenda Item</b>	
<b>Date Received</b>	4th May 2020	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	29th June 2020		
<b>Ward</b>	Trumpington		
<b>Site</b>	Land At Anstey Way Cambridge		
<b>Proposal</b>	Modification of planning obligations (Affordable Housing tenure) contained in a Section 106 Agreement dated 11 July 2018 pursuant to planning permission 17/2214/FUL.		
<b>Applicant</b>	David Greening Head of Housing, Cambridge City Council		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The development would not reduce the level of affordable housing provision on site.</li> </ul>
RECOMMENDATION	APPROVAL

**0.0 BACKGROUND**

- 0.1 This planning application has been submitted by Cambridge City Council.
- 0.2 Planning permission was granted to the Cambridge Investment Partnership (CIP), which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership, in 2018 for 56 affordable apartments, car parking, and associated landscaping. The purpose of the partnership is to help increase the amount of affordable housing within Cambridge. The target is to provide 500 new dwellings across the City using mainly council owned sites/assets. The City Council has received £70million support from central government as part of the Devolution Deal to help achieve this target.

0.3 Planning permission was granted in 2018 under application reference 17/2214/FUL for 56 new dwellings – all for Council rental purposes. The 56 homes granted permission formed part of the above-mentioned property.

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

1.1 The application site is a rectangular shaped parcel of land which was granted planning permission in 2018 for the erection of 56 no. affordable apartments, car parking and associated landscaping.

1.2 The development has been constructed, and occupation of some of the units has taken place.

## **2.0 THE PROPOSAL**

2.1 The application is made under S106A of the Town and Country Planning Act 1990. The application seeks to modify the S106 attached to the planning permission (reference 17/2214/FUL) which was granted planning permission in 2018. The change sought is as follows:

- to remove the clause which stipulates that 12 of the dwellings are to be occupied by people aged over 55 years of age only.

## **3.0 SITE HISTORY**

3.1 The most relevant application is detailed below

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
17/2214/FUL	Erection of 56 no. affordable apartments, car parking and associated landscaping	Permission granted

## **4.0 PUBLICITY**

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

## **5.0 POLICY**

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	45

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	Planning Obligation Strategy (March 2010)

## 7.0 ASSESSMENT

7.1 The main issue relates to:

The acceptability of there being no units for people over 55 years of age being provided within the scheme

### Occupation Restriction

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

7.3 The original approval secured 100% affordable housing, all for Council rent, above the policy threshold of 40%.

7.4 The policy does not specify a percentage that needs to be allocated to any particular age groups.

- 7.5 The existing legal agreement requires that 12 of the dwellings are to be occupied by people aged over 55 years of age only.
- 7.6 This application seeks to change this requirement to allow for wider use of these properties, and to allow the Council to respond more flexibly to housing demand.
- 7.7 The rationale for seeking this amendment to the legal agreement was triggered largely by the coronavirus pandemic, and the need to house all homeless people, which added significant demand for social housing within the City Council's jurisdiction.
- 7.8 It was identified by the Council's Housing Team that the restriction resulted in an inability to allocate available housing stock in the most efficient way. Figures provided as part of this application demonstrate that people aged over 55 years of age account for a small proportion of the identified housing need only.
- 7.9 There is no policy reason to insist upon the provision of over-55 year old accommodation in this scheme, and the proposed change does not reduce the overall amount of affordable housing being provided on site. Officers consider that the proposal is compliant with policy 45 of the Cambridge Local Plan (2018).

## **8.0 CONCLUSION**

- 8.1 The proposal is to make changes to the existing S106 agreement with respect to the finer details regarding affordable housing provision on an approved scheme at this site.
- 8.2 The proposal seeks an amendment to remove a clause stipulating that 12 units would be for the sole purpose of people aged over 55 years. This request is not in conflict with any Local Plan policy, and the amendment would allow for the Council's Housing Team to better respond to the growing demand for social housing, and the continued changes in circumstances caused by the coronavirus pandemic.

## **9.0 RECOMMENDATION**

**Grant permission subject to a varied S106 agreement**





This page is intentionally left blank

<b>Application Number</b>	19/1010/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	17th July 2019	<b>Officer</b>	Lewis Tomlinson
<b>Target Date</b>	16th October 2019		
<b>Ward</b>	Abbey		
<b>Site</b>	185-189 Newmarket Road And 1 Godesdone Road Cambridge Cambridgeshire CB5 8HA		
<b>Proposal</b>	Conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.		
<b>Applicant</b>	N/A  C/O Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposal will preserve and enhance the Conservation Area.</li> </ul>
----------------	---

	<ul style="list-style-type: none"> <li>• The proposed development would not have any adverse impact on the residential amenity of adjoining neighbours and would provide acceptable living conditions for the future occupiers.</li> <li>• The proposal will reduce the overall height of the common wall and therefore improve the residential amenity of the Godesdone Road properties.</li> <li>• The proposal will improve the street scene of Newmarket Road.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is situated on the northern side of Newmarket Road and western side of Godesdone Road. 185-189 Newmarket Road is a two storey building which is on the corner of Newmarket Road/Godesdone Road. It consists of a commercial unit and 2 flats above. 1 Godesdone Road is an old shop which since has been converted into a two storey dwelling fronting Godesdone Road and continues to the rear of the site. To the rear of the site is a garage and stores.

1.2 The site is located within the Riverside and Stourbridge Common Conservation Area. The properties to the north of the site in Beche Road are identified in the Area Appraisal as 'Buildings Important to the Character'. However, none of the properties in Godesdone Road are identified as such. The site is within the controlled parking zone. There are no other relevant site constraints.

## 2.0 THE PROPOSAL

2.1 The proposal is for the conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12

1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.

2.2 The existing retail unit fronting Newmarket Road and Godesdone Road known as 185-189 Newmarket Road is to be retained and extended to the west. The proposal seeks to reconfigure the first floor element above the retail unit at 185-189 Newmarket Road and to extend it across at first floor level to No.1 Godesdone Road. This will allow the first floor element to be reconfigured to replace the 2 existing first floor residential units above the retail unit to create 3x1 bedroom first floor residential units (Unit no's. 8, 9 and 10). An extension to the roof form of this element will allow for the creation of 2x1 bedroom new additional residential units (Unit no's. 11 and 12) on the second floor. All of these units are will be accessed via a staircase from the courtyard.

2.3 The existing residential unit at 1 Godesdone Road will be split into 2x1 bedroom residential units. 1 residential unit will be located on the ground floor (Unit No.1) and accessed from Godesdone Road. 1 residential unit will be located on the first floor (Unit No.5) and will be also be accessed from Godesdone Road.

2.4 The garage and stores to the rear of the site will be partially demolished and rebuilt to provide 2 x1 bedroom residential units at the ground floor (Unit no's. 2 and 3), 1x1 bedroom residential unit duplex unit (Unit no. 4) and 2x1 bedroom units at the first floor level (Unit no's. 6 and 7). All of these units will be accessed from the rear courtyard.

2.5 Amended plans have recently been received which have sought to address comments received regarding design.

### **3.0 SITE HISTORY**

None relevant

### **4.0 PUBLICITY**

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 3, 28, 29, 31, 32, 33, 34, 35, 36, 50, 51, 55, 56, 57, 59, 61, 62, 70, 71, 80, 81, 82

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

Central Government Guidance	National Planning Policy Framework 2021 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Supplementary Planning Guidance	Sustainable Design and Construction (2020) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material	<u>City Wide Guidance</u>

<p>Considerations</p>	<p>Arboricultural Strategy (2004)</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>The Cambridge Shopfront Design Guide (1997)</p>
	<p><u>Area Guidelines</u></p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (2012)</p>

## **6.0 CONSULTATIONS**

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

- 6.1 No objection. Recommends the inclusion of conditions regarding traffic management plan, waste deliveries, bin store access, dropped kerb reduction, commercial unit servicing plan. Informative regarding works within the highway.

#### **Conservation Officer**

- 6.2 Supports. Recommends the inclusion of a condition regarding shop front details.

#### **Developer contributions Officer**

- 6.3 The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.

#### **Drainage Officer**

- 6.4 Supports. Recommends the inclusion of conditions regarding a surface water drainage scheme and long term maintenance arrangements.

#### **Environmental Health**

- 6.5 No objection subject to conditions regarding construction hours, collection during construction, construction, demolition noise, vibration and piling, dust condition, contaminated land, noise insulation, alternative ventilation scheme, plant noise, hours of use for retail unit, deliveries/dispatches es retail unit, bin store, eternal artificial lightning, boilers and associated informatives.



## **Lead Local Flood Authority (Cambridgeshire County Council)**

- 6.6 Objects. On grounds of no hydraulic calculations, run off and sewage undertaker consent. (Additional information has been submitted, an update will be provided on the amendment sheet)

### **Sustainability Officer**

- 6.7 No objection subject to conditions regarding water efficiency.

### **Urban Design Officer**

- 6.8 Supports. Recommends a materials condition.

### **Disability Panel**

- 6.9 The Panel were disappointed that a scheme with so many new build elements regarded itself as a 'renovation' and therefore did not need to comply with Part M (4) Building Regs. Some simple, inexpensive improvements such as sliding shower doors would give this scheme some accessibility credentials; as would designing the ground floor flats to lifetime standard.
- 6.10 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 3 Godesdone Road
- 7 Godesdone Road
- 9 Godesdone Road
- 58 Beche Road

- 7.2 The representations can be summarised as follows:

- High concentration of 1 bed units in a family housing area
- The reduction of the courtyard wall would open up further views of the Travel Lodge stairwell

- While part of the wall be reduced by circa 2m in height, the rear lower section of the brick wall bordering No.3 Godesdone Roads' garden will increase in height and be overbearing and will also reduce sun light.
- The windows on the west elevation above unit 7 and unit 11 appear to overlook part of the gardens of neighbouring houses in Godesdone Road
- Materials such as old Cambridge brick should be used to incorporate with the conservation area
- Increase in green space and designed garden path on the site is a positive
- The lack of car parking on the site will exacerbate the existing parking issues on Godesdone Road for existing residents especially given recently approved development Easyhotel.
- Previously the back courtyard area was used for parking for the commercial unit but this was removed when ownership changed. This resulted in customers using resident parking spaces, illegally parking on double yellow line and in some cases paths. The class of usage for the commercial unit needs to be carefully considered so highway safety is not compromised.
- Comments from highways regarding parking, residents parking permits not being issued to residents and the suggestion of a smaller off-road area should be given careful consideration.
- Overdevelopment – increasing the number of dwellings by 60 per cent
- Mechanical ventilation systems should draw air from the rear of the site. Concern regarding potential noise impact from this.

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

## **8.0 ASSESSMENT**

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

1. Principle of development

2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Drainage
8. Biodiversity
9. Sustainability
10. Affordable Housing
11. Third party representations

### **Principle of Development**

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

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

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

- 8.3 The site falls within the Riverside and Stourbridge Common Conservation Area. The statutory considerations as set out in section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, are matters to which the determining authority must give great weight to when considering schemes which have the potential to impact on heritage assets.
- 8.4 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for a local planning authority, in the exercise of its planning powers with respect to any buildings or other land within a Conservation Area, to:

*'Pay special attention to the desirability of preserving or enhancing the character or appearance of that area'*

- 8.5 In respect of development proposed to be carried out within the setting of, or which may impact upon a listed building, or in a conservation area, a decision-maker must, in respect of a conservation area, give a high priority to the objective of 'preserving or enhancing the character or appearance of the area', when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status.
- 8.6 The respective national policy guidance is set out in paragraphs 199-208 of the NPPF. Para. 199 of the NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, "great weight" should be given to the asset's conservation (meaning the more important the asset, the greater the weight should be). Para. 200 makes it clear that any harm to, or loss of significance of a heritage asset should require clear and convincing justification. Para. 202 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use. Para. 206 makes it clear that local planning authorities need to look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals which make a positive contribution to the asset or better reveals its significance should be treated favourably.
- 8.7 In respect of non-designated heritage assets para.203 of the NPPF states that the effect that a proposal will have on such an asset should be taken into account in determining the application, and in considering such applications a balanced judgment is required having regards to the scale of any harm or loss and the significance of the heritage asset.

- 8.8 The proposal is for the conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed-use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above.
- 8.9 The proposed building height for 185-189 Newmarket Road is circa 2m taller than the existing building, because of the proposed roof extension. The ridge height then steps down to the retained building frontage at 1 Godesdone Road, creating a positive scale relationship between the proposed mixed-use corner block and the adjoining terraced housing on Godesdone Road. The scale and massing is appropriate to the location and the building turns the corner in a suitable manner. A buff brick, standing seam zinc roof cladding, aluminium/timber composite windows & doors, and metal box guttering rainwater goods are proposed on the proposed elevations, and these materials would be considered acceptable in design terms subject to a satisfactory colour/finish.
- 8.10 The retention of the frontage of no. 1 Godesdone Road is welcomed. This shop front is distinctive in the street and makes a positive contribution to the character and appearance of the conservation area. The Conservation Team and Urban Design Team support the application subject to a number of conditions requiring further details or materials to be submitted. The scheme will also provide landscaping within the courtyard and green roofs on the flat roof elements of the development which will help improve the appearance of the courtyard.
- 8.11 In officer's view, the proposal would preserve and enhance the Conservation Area due to retention of 1 Godesdone Road and the improvement the scheme will have in the street scene especially on Newmarket Road. As such, the proposal is compliant with Cambridge Local Plan 2018 policies 55, 56, 59, 57, 61 and 62, NPPF guidance and meets the statutory tests as set out in paragraphs above.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

### *Newmarket Road properties to the south*

- 8.12 The Newmarket Road properties to the south of the site share a close relationship with the site. The proposal would remove the existing wall of three storey height opposite these properties and replace it with a two storey form. The proposal would also result in the demolition of the lean-to roof garage, that projects significantly above a normal boundary treatment height, which immediately abuts the common boundary. The development would be pulled off this boundary. At present there are 3 first floor windows on the three storey elements which are opposite the rear first floor windows of the Newmarket Road properties which results in a degree of inter-looking. The proposal would introduce further first floor windows where there currently isn't any further west into the site and this would result in further inter-looking. It should be noted that no objections have been received from the Newmarket Road properties on grounds of residential amenity impact. The rear areas to the Newmarket Road properties appear to be used for storage. Given the reduction in the three storey element, the removal of the lean-to garage element, the existing inter-looking and the use of the rear areas of the Newmarket Road properties, on balance Officers consider this to be acceptable in this case and would not warrant a refusal of the application. A condition is recommended to remove the permitted development rights regarding windows for unit 4.

### *Godesdone Road properties to the north*

- 8.13 No.3 Godesdone Road is the closest property to the north and immediately abuts the boundary. The existing relationship between the site and No.3 Godesdone Road and the further properties on Godesdone Road to the north is defined by a two storey wall which at 2 points reaches a three storey scale. The first three storey element is in line with the rear roof slopes of the Godesdone Road properties while the second three storey element sits just in front of the rear elevation. This (existing) 2<sup>nd</sup> three storey element results in a significant overbearing impact and would also result in the loss of light, due to the orientation, upon the rear ground floor and first floor windows and also the main rear amenity areas of particularly 3 & 5 Godesdone Road. The proposal seeks to remove these three storey elements which would remove circa 2.7m of height.

- 8.14 Godesdone Road residents have raised concerns the rear lower section of the brick wall bordering No.3 Godesdone Roads' garden will increase in height and be overbearing and will also reduce sun light. The proposal would slightly raise the rear element of the two storey wall by 300mm. This increase is considered minor given that it is towards the very rear of the gardens of the Godesdone Road properties. It is the view of the officer that this minor increase should not result in a significant overbearing impact or significant loss of light. Officers have judged this minor increase of height at the very rear of the gardens against the major decrease in height immediately adjacent to the main rear amenity area, and have concluded that overall the proposal would significantly improve the residential amenity of the Godesdone Road properties.
- 8.15 Godesdone Road residents have raises concerns that the windows on the west elevation above unit 7 and unit 11 appear to overlook part of the gardens of neighbouring houses in Godesdone Road. The views from the windows on the western elevation would either be too oblique or would be partially obscured by roof of the proposed development which would mean that these windows would not significantly overlook the gardens of the Godesdone Road properties. No windows are proposed on the north facing elevation abutting the common boundary with the Godesdone Road properties.

*Wider area*

- 8.16 The Environmental Health Team has recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. This advice is accepted and the conditions are recommended accordingly. The impact of additional demand for car parking spaces on residential amenity is assessed in the 'car parking' section below.
- 8.17 For the above reasons the proposal adequately respects the residential amenity of its neighbours and the constraints of the site, and improves the residential amenity for No.3, 5 and 7 Godesdone Road in accordance with Cambridge Local Plan 2018 policies 57 and 35.

## Amenity for future occupiers of the site

8.18 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All single storey 1 bedroom units would either comply or exceed the 1 bedroom 1 person size requirement. Given that the bedrooms are over 11.5m, these units could be classed as 1 bedroom 2 person. Within the supporting text of Policy 50 it states that new homes created through residential conversions should seek to meet or exceed the standards as far as it is practicable to do so. Therefore there is some flexibility in the policy regarding this. All the units have an acceptable level of outlook with a percentage being dual aspect. In this regard, the units would provide an acceptable level of internal living environment for the future occupants. The floor space of the proposed units is presented in the table below against the requirements of policy 50.

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit (m <sup>2</sup> )	Difference in size
1	1	1	1	37	39	+2
2	1	1	1	37	37	0
3	1	1	1	37	37	0
4	1	2	2	58	58	0
5	1	1	1	37	47	+10
6	1	1	1	37	37	0
7	1	1	1	37	37	0
8	1	1	1	37	49	+12
9	1	1	1	37	45	+8
10	1	1	1	37	47	+10
11	1	1	1	37	41	+4
12	1	1	1	37	43	+6

8.19 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. Within the supporting text of Policy 50 it also states that new homes created through residential conversions should seek to meet or exceed the standards as far as it is practicable to do so. It is to be noted that all the units are 1 bedroom units. These 1 bedroom units are not family units. Due to the site being surrounded by residential properties, the introduction of balconies would result



in potential overlooking issues. The site is also located in the Conservation Area and balconies onto Godesdone Road would be out of keeping with the character of the area. Given the noise from Newmarket Road, balconies would also not be appropriate and would not be supported from an Environmental Health point. For these reasons, the proposal has not provided any private external amenity areas for the residential units as it is not practical to do so.

### Accessible homes

- 8.20 The requirements of Part M4 (2) of the Building Regulations and Policy 51 do not apply to this proposal as it is for a conversion. Officers note the comments from The Disability Panel and the applicant is encouraged, if planning permission is granted, to review accessibility credentials of the scheme.

### **Refuse Arrangements**

- 8.21 The bins would be located in a bin store close to Godesdone Road. The proposal is therefore compliant with policy 57 of the Cambridge Local Plan (2018).

### **Highway Safety**

- 8.22 Neighbouring properties have raised concern about customers of the commercial unit using resident parking spaces, illegally parking on double yellow line and in some cases paths. Whilst officers have sympathy with residents over these concerns, officers cannot control the behaviour of motorists or prevent motorists from parking illegally. The Highway Authority was consulted as part of the application and does not consider there would be any adverse impact upon highway safety. The proposal is for the retention of the existing commercial unit. The proposal would therefore be compliant with policies 81 and 82 of the Cambridge Local Plan (2018).

### **Car and Cycle Parking**

#### *Car Parking*

- 8.23 The proposal would provide no car parking on site. Neighbouring properties have raised concern about the lack of car parking for the proposed development and how this will

exacerbate the existing car parking issues on Godesdone Road.

- 8.24 The site and the streets in the immediate vicinity of the site predominantly fall within the controlled parking zone. The residents of the new dwellings will not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets. The site is in a highly sustainable location close to the city centre, with public transport links on Newmarket Road and pedestrian/cycle links including along Riverside. Therefore, it is officer's view that the proposal would not increase parking pressures on nearby streets to an unacceptable degree and would not therefore be detrimental to the amenity of nearby residents. The proposal would be in accordance with Cambridge Local Plan 2018 policy 82.

#### *Cycle Parking*

- 8.25 The proposal would include 2 secure cycle parking stores. A total of 16 cycle spaces, 12 for the 12 x 1 bed residential units and 4 for the commercial unit. It is considered the level of cycle parking provision is policy compliant with appendix L of the Cambridge Local Plan 2018 and the cycle parking arrangements are convenient in accordance with policy 82 of the Cambridge Local Plan 2018.

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

- 8.26 The Drainage Officer supports the application and recommends conditions regarding a surface water drainage scheme and a maintenance scheme. The Lead Local Flood Authority objected on grounds of no hydraulic calculations, run off and sewage undertaker consent. Additional information has been submitted which appears to overcome the objections raised by the LLFA. Officers will provide an update on this on the amendment sheet.

#### **Biodiversity**

- 8.27 Given the nature of the existing site, there are limited opportunities to enhance the biodiversity on the site. A condition is recommended to secure green roofs on the flat roof of the courtyard block and above the cycle store in the courtyard. The

proposal therefore complies with Cambridge Local Plan 2018 policy 70.

### **Sustainability**

8.28 The Sustainability Officer has been consulted as part of the application and supports the proposal subject to a condition regarding water efficiency. While the carbon reduction requirements of policy 28 do not apply to this proposal given that it involves the redevelopment of existing buildings, the water efficiency requirements should be applied, given the level of water stress facing Cambridge. The proposal therefore complies with Cambridge Local Plan 2018 policy 28.

### **Affordable Housing**

8.29 There are 3 existing residential units on the site and the proposed development is for a scheme of 12 residential units. This is a net increase of 9 units. Policy 45 of the Cambridge Local Plan (2018) states that affordable housing provision should be calculated on the basis that the thresholds are to be considered against the net increase in the number of units on the site. As the proposed net increase of units on the site would be below the threshold, there is no policy basis to require affordable housing provision as part of this application. The proposal is compliant with policy 45 of the Cambridge Local Plan (2018).

### **Third Party Representations**

8.30 The third-party representations have been mainly dealt with in the preceding paragraphs. Neighbours have raised concerns that the proposal amounts to overdevelopment due to the increase of residential units by 60 per cent. Officers do not consider the proposal would amount to overdevelopment due to the reasons set out in this report and the compliance with policies.

8.31 Neighbours have raised concern about the high concentration of 1 bed units in a family housing area. Officers acknowledge this concern and also note that the proposal is also located on Newmarket Road. In terms of the type of units being provided, there is no conflict with local or national policy.

8.32 Neighbours have raised concern that the reduction of the courtyard wall would open up further views of the Travel Lodge stairwell. Officers acknowledge the concern. The Travel Lodge is situated a considerable distance away and is separated by Newmarket Road. Notwithstanding that, the view of Travel Lodge would not warrant a refusal of the application.

8.33 Neighbours have raised concern that the Mechanical ventilation systems should draw air from the rear of the site. The Environmental Health detailed consultation response reflects this. Neighbour have also raised concern regarding the potential noise impact from this. Suitable conditions have been recommended by Environmental Health to ensure the amenity of neighbouring properties will be protected.

## **9.0 CONCLUSION**

9.1 The scheme provides a number of benefits. The proposal would result in 9 additional residential units while retaining the existing commercial unit. The redevelopment of the site would improve the street scene on Newmarket Road. The reduction of the common wall from 3 storey to 2 storey would significantly improve the residential amenity of the Godesdone Road properties to the north. Officers therefore consider that the proposal would provide a high quality development that preserves and enhances the character of the conservation area, would not have an adverse impact upon the occupiers of neighbouring properties and would provide an acceptable level of amenity for future occupiers.

## **10.0 RECOMMENDATION**

**APPROVE** subject to conditions

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

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

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

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

3. No construction or demolition work shall be carried out and no plant or power operated machinery 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, , unless otherwise previously agreed in writing with the Local Planning Authority.

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

4. There should 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 unless otherwise previously agreed in writing with the Local Planning Authority.

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

5. In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed 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 statement.

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

6. No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme.

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

7. Contaminated Land - Unexpected Contamination

If unexpected contamination is encountered whilst undertaking the development, works shall immediately cease on site, a land contamination site investigation shall be carried out by a competent person and subsequently a report detailing the findings of that investigation and proposed remediation measures (if required) shall be submitted in writing to the Local Planning Authority for approval. No further works shall be undertaken unless otherwise approved in writing by the Local Planning Authority.

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.

8. Noise insulation scheme

Prior to the commencement of development / construction, a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the residential units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

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

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

#### 9. Alternative Ventilation Scheme

Prior to the commencement of development / construction, details of an alternative ventilation scheme for the residential accommodation units / habitable rooms on noise impacted facades to negate / replace the need to open windows (in order to protect future occupiers from external traffic noise) shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from Newmarket Road and be able to achieve at least 2 air changes per hour in the impacted habitable rooms. Full details are also required on the operating noise level of the alternative ventilation system.

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

#### 10. Plant Noise

Prior to the installation of plant, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the said plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

11. Hours of Use: Retail Unit

The retail use hereby permitted, shall only be open to customers between the hours of 0700 and 2300 Monday to Sunday and Bank Holidays.

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

12. Deliveries / Dispatches: Retail Unit

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

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

13. Bin store

Prior to the commencement of development, a bin store noise insulation scheme and full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the noise insulation measures of the bin store to minimise noise emanating from the store.

The approved bin store noise insulation scheme and facilities shall be installed / provided prior to the commencement of the use hereby permitted and shall be retained thereafter.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph



180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

#### 14. External Artificial Lighting Condition

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

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

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

#### 15. LOW NOx (Nitrous Oxides) Boilers

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

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

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and in accordance with the requirements of the National Planning Policy Framework (NPPF, 2019) paragraphs 170 and 181, policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan 2018 and Cambridge City Councils adopted Air Quality Action Plan (2018).

16. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principle areas of concern that should be addressed are:

- i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

17. Prior to the first occupation of the commercial units, a servicing plan shall be submitted and approved in writing by the Local Planning Authority. The servicing plan will not be supported if it proposes servicing from Newmarket Road. The development will operate in accordance with the agreed details.

Reason: in the interests of highway safety

18. Prior to the occupation of the units, an access control scheme shall be submitted to and approved in writing by the local

planning authority. The access control scheme should outline how the existing dropped kerb to the site off Godesdone Road will be narrowed so that it does not exceed 1.5m in width and should also outline what measures will be put in place to prevent access by a private motor vehicle while still permitting the serving of the bin store. The agreed scheme shall be implemented prior to occupation of the first units and be retained as such thereafter.

Reason: in the interests of highway safety

19. All deliveries of materials or any removal of waste during the demolition and construction phase shall be constrained to the hours of 09.30hrs-15.30hrs seven days a week unless otherwise agreed in writing.

Reason: in the interests of highway safety

20. Water efficiency:

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

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

21. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
  - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
  - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
  - d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
  - e) Full details of the proposed attenuation and flow control measures;
  - f) Site Investigation and test results to confirm infiltration rates;
  - g) Full details of the maintenance/adoption of the surface water drainage system;
  - h) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.

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

Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

23. No development shall take place above ground level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The details shall include brickwork; windows; doors and entrances; roof cladding; balustrades, rainwater goods, edge junctions, soffits, and coping details; colours and surface finishes. Development shall be carried out in accordance with the approved details.

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

24. Prior to installation of any shopfront, large scale drawings of all joinery (doors, window frames, etc.) and other elements of the shopfront shall be submitted to and approved in writing by the local planning authority. This includes stallriser, fascia etc.. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the conservation area (Cambridge Local Plan 2018, policy 64).

25. Prior to occupation of the units, the flat roof on the courtyard block which serves units 2, 3, 4, 6 and 7 and the flat roof above the cycle store in the courtyard shall be fitted with green roofs. The development shall be maintained as such in perpetuity.

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

26. For the hereby approved unit 4, notwithstanding the provisions of Schedule 2, Part 1, Classes A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the insertion of new windows shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

27. Notwithstanding the approved plans, and instead of the shown ramp, the access to the lower ground floor cycle store should be in the form of steps with a gully to wheel bicycles down. Both the cycle stores shall also have electrical connections in the form of 4 plug sockets in each cycle store to allow for the charging of electric cycles. Notwithstanding the approved plans, 2 sheffield stands should be provided in the south west corner of the courtyard adjacent to access to the lower ground floor cycle store to allow cycle parking for visitors. All of the above shall be implemented prior to the occupation of the units and shall be retained as such thereafter.

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

### **Informatives**

1. The details required to discharge the submission of materials condition above should consist of a materials schedule, large-scale drawings and/or samples as appropriate to the scale and nature of the development in question.

<b>Application Number</b>	19/1453/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	21st October 2019	<b>Officer</b>	Jane Rodens
<b>Target Date</b>	16th December 2019		
<b>Ward</b>	Arbury		
<b>Site</b>	Shah Jalal Mosque, 107 Darwin Drive		
<b>Proposal</b>	Two storey rear extension with single storey projecting bay for a Mimbar pulpit. Increase the number of attendees for the community use to 29 daily and 37 (Friday afternoon only), and extension to the opening hours until 11pm, including a 30 minute opening for morning prayer between 02:50 and 6:30		
<b>Applicant</b>	Shah-Jalal Islamic Centre 107 Darwin Drive		

<b>SUMMARY</b>	<p>The development does not accord with the Development Plan for the following reason:</p> <p>Due to the intensification of the use of the site through the increase in attendees and the hours of use, this will likely harm the amenity of the neighbouring properties as the application site is in a residential area and the use of the building is not considered appropriate for a further intensification of the mosque use. The application is therefore not considered to be in conformity with Policy 35 of the Cambridge Local Plan 2018 and Paragraph 130 f) of the NPPF.</p>
<b>RECOMMENDATION</b>	<b>REFUSAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

**1.1** The application site comprises of a semi-detached two storey building, the Shah-Jalal Islamic Centre, at no.107 Darwin Drive.

The Centre accommodates a community and prayer hall at the ground floor and residential accommodation at first floor, for the resident Imam. The site is accessed by car from Darwin Drive, with a hardstanding, car and cycle parking and turning area to the side, there is an outbuilding and garden to the rear.

- 1.2** The host building is attached to no.105 Darwin Drive that is to the north-east of the site, this is a residential unit. To the south of the site is no.109 Darwin Drive, to the east of the site is no.85 Stretten Avenue. To the west of the site is the main highway of Darwin Drive. The site is not in a Conservation Area or in the controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1** This full planning application is for *“Two storey rear extension with single storey projecting bay for a Mimbar pulpit. Increase the number of attendees for the community use to 29 daily and 37 (Friday afternoon only), and extension to the opening hours until 11pm, including a 30 minute opening for morning prayer between 02:50 and 6:30”*
- 2.2** The two storey extension is to be 6.8m in height and 4.7m deep from the rear elevation of the host building and 5.4m wide. The single storey element (*Mimbar pulpit*) is to be 1.4m deep and 2.9m in height and 2.1m wide.
- 2.3** The extension is to provide, on the ground floor, a ladies prayer area, gents prayer area, library and community meeting area, including disabled toilet, lobby and Mimbar pulpit. On the First floor it is to provide two bedrooms, bathroom, study and living/kitchen area for the resident Imam.
- 2.4** This application proposes to increase the number of attendees for the community use, to 29.no daily and 37.no on Friday afternoons, to extend the opening hours until 11pm, including a 30-minute opening for morning prayer between 02:50 and 6:30 during Ramadan.
- 2.5** The application is accompanied by the following:
- Design and Access Statement
  - Transport Statement
  - Supporting Statement
  - Noise Report



- Management Plan

### 3.0 SITE HISTORY

Reference	Description	Outcome
06/0743/FUL	Change of use from single family residential space to community house for the Bangladeshi community, including residential space for key worker.	Approved
07/1458/FUL	Part single, part two storey side and rear extension to incorporate first floor 2 bed flat.	Refused
09/0731/FUL	Two storey rear extension and single storey side extension to community house and first floor flat (key worker).	Refused
10/0730/S73	Removal of condition 5 of planning permission 06/0473/FUL to allow occupancy of more than 30 people at any one time, and 50 people at Friday prayer time.	Withdrawn
18/0272/FUL	Two storey rear extension with single storey projecting bay for a Mimbar pulpit, increase in the maximum number of attendees for the community use to 37 (Friday afternoon only), and extension to the opening hours	Withdrawn

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

## 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	35 58 73 80 81 82

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

Central Government Guidance	National Planning Policy Framework July 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
Supplementary Planning Documents	Sustainable Design and Construction (2020)
Material Considerations	<u>City Wide Guidance</u> Air Quality in Cambridge – Developers Guide (2008)  Arboricultural Strategy (2004) Cambridge City Council Draft Air Quality Action Plan 2018-2023  Cycle Parking Guide for New Residential Developments (2010)

## 6.0 CONSULTATIONS

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

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

## **Environmental Health**

- 6.2** “There are existing planning conditions in place (under planning permission 06/0743/FUL) controlling the number of visitors allowed to the premises and also controlling the allowable hours that the premises can be open to members of the public (see detailed commentary below). When considering this application, we must bear in mind that the area is a quiet residential area and that the original conditions were recommended for this reason - to ensure protection of local amenity. These circumstances have not changed.”

“We have no objection in principle to the proposed rear extension however, this new application also seeks to increase the number of visitors to the premises and also extend the opening hours into the evenings and to include allowance for dawn prayer. Given the potential for adverse impacts on amenity in the area, it is our view that the original conditions included on planning permission 06/0473/FUL were recommended for good reason and remain relevant. To this end, we cannot support this application.”

## **Shared Waste**

- 6.3** No comments received

## **7.0 REPRESENTATIONS**

- 7.1** The owners/occupiers of the following addresses have made representations objecting to the application:

87, 91, 105, 106 Darwin Drive  
9, 12, 18 Erasmus Close  
87 Stretten Avenue

- Increase in attendees to a use unsuited to residential area
- Increased noise and activity in evening and at night causing disturbance
- Increased number of cars from visitors causing disturbance and emissions
- More on-street car parking
- Compliance with restriction on numbers may not be practical e.g. will people be sent away?

- Visitors will not just be local, could be from anywhere in north Cambridge
- Loss of privacy
- Temporary openings for Ramadan prayers 00.30 to 03.30 have not been permitted except on one occasion
- Extension will block sunlight
- Other facilities are available elsewhere for increased numbers of visitors
- Existing planning conditions have been breached
- There is a boundary dispute in regards of the extension

**7.2** The owners/occupiers of the following addresses have made representations in support of the application:

8, 14, 52, 53, 55, 64, 65, 73 Darwin Drive  
 114 Cockerell Road  
 92 Akeman Street

The representations can be summarised as follows:

- Centre provides a valuable community service and facility for younger members of the Muslim community
- Community benefits of extensions providing space for worship
- Current building does not provide proper washing, WC, library or space for older users
- Majority of visitors will arrive by foot
- Opening for early prayer is important to limit need to travel further to other congregations
- The Masjid is only available to local residents who financially contribute
- Demand has grown over last 15 years
- The Council has granted temporary approval for Ramadan prayers between 00:30 - 03:30 every year

**7.3** The owners/occupiers of 68 Darwin drive have made a neutral representation stating that:

- Application is almost the same as 18/0272/FUL
- Applicants didn't consult with neighbours before re-submitting
- Are Environmental Health comments on 18/0272/FUL still applicable?
- Suggests leaving operating hours as they are but increasing current allowed to 29 during early evening to allow the

children to be taught at the same time as prayers and would allow the community centre to remain as an Islamic teaching centre without scheduling extra classes.

**7.4** A representation from the applicant has also been received. This responds to objections raised by local residents and states that:

- The applicant is unaware of any breaches of planning conditions within last 5 years. There has been no reported breaches since the last correspondence received from the planning enforcement team in Jan 2015 & March 2016.
- The users of the premises are local residents who walk to the facility. Housing officer has been contacted and confirmation received.
- Police has been contacted and confirmation received that there has been no reported crime in relation to the premises for the last ten years. The applicant believes that there has never been any crime reported

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Residential amenity
4. Highway safety
5. Car and cycle parking

### **Principle of Development**

**8.2** Policy 73 of the Cambridge Local Plan states that enhanced community, sports or leisure facilities will be permitted if:

- a. the range, quality and accessibility of facilities are improved;*
- b. there is a local need for the facilities; and*

*c. the facility is in close proximity to the people it serves*

8.3 The application site meets the definition of a community facility as set out in the supporting text for Policy 73 as listed in table 8.2 of the Policy, as the use of this building is a place of worship and has a provision for education.

8.4 In their Supporting Statement to the proposal, the applicants set out that:

*'The Shah-Jalal Islamic Centre ("Centre") opened in 2003, but the idea and Community that opened the facility had been offering the services of congregational prayers and importantly Islamic education to the local Bangladeshi Community since the early 1990s. The key focus of the services offered by the Centre is the elders of the Community to be able to complete prayers in congregation and for young children to obtain Islamic teaching. Both these demographics experience difficulties in accessing these services offered by other institutions due to location and travel requirements.*

*Prior to the opening of the Centre, classes and prayers were arranged in the homes of local residents and as the community grew, local institutions such as St Luke's Primary School, St Luke's Barn and Chesterton Community College were used to offer teaching to the youth.*

*As access to facilities reduced, the Community decided that a permanent solution was needed and with the commitment of all residents to donate and contribute financially, the property on 107 Darwin Drive was purchased. The local residents continue to financially contribute, through regular donation, to the ongoing running of the Centre.'...*

and

*'As the Community grew, the demand for the Centre and the services it offered increased and in 2006, a change of use application was submitted to allow the Centre to be used for Community purposes. The approval of the application contained a number of conditions, including on the hours of use and the number of permitted attendees at any given time. When consideration the application, the Community considered the*

*number of residents at the time and what was being offered and when.*

*The Community has continued to grow and as a result the Management Committee is seeking planning approval to change some of the conditions that have been in place for 13 years...'*

- 8.5 The proposed ground floor extension is to provide a ladies prayer area, gents prayer area, library and community meeting area including disabled toilet, lobby and Mimbar pulpit. Currently there is one community/prayer hall and washroom. This extension will provide a flexible space for a greater community use, as detailed in the supporting information to the application.
- 8.6 The proposed extended hours are to allow for the education use and the prayer use not to clash, allow space between the uses and to accommodate the lunar calendar, which the prayer times are based upon as they will vary throughout the year and at different times of the day. The applicants have set out that the extension will more generally help better meet the needs of the local community in their use of the mosque.
- 8.7 During the summer months the evening prayer, Ish'a, at the latest does not commence until 22:30. In the winter, Ish'a prayers will conclude by 20:00, after which the Centre would not be in use. Having the closing time set for 23:00 allows individuals of the Community who are unable to attend the congregational prayers, due to work and other commitments to have a place to complete their individual prayers.
- 8.8 Allowing for the opening hours to extend between 02:50 and 06:30 for 30 minutes is to cover the prayer time during Ramadan. This is to ensure that a yearly request is not reliant on being submitted to the Local Planning Authority for its approval.
- 8.9 Due to the proposed increase in floor space, it is being requested as part of this application to increase the number of attendees at any one time to be able to attend the mosque. This maximum total is proposed to increase from 20 people (including Friday) to 29 and 37 (Friday afternoon only) at any one time. This is to give greater flexibility to the building and the

current use to ensure that a larger section of the community can use the building.

- 8.10 This application is for an enhanced facility on the site through the extension, increase in hours and number of attendees. Therefore parts a) – c) of Policy 73 of the Local Plan are to be applied to the application.
- 8.11 This extension is to provide a greater range, quality and accessibility of the current facilities. Therefore, it is considered to meet part a) of the policy. Part b) of the policy ensures that there is a need for the extension and the increased facilities. It is stated in the application that this is required to meet the current need of the local community and the local people that it serves. It is therefore considered to meet part b) and c) of this Policy, based on the information that has been submitted.
- 8.12 Therefore, it is considered that the principle of this development is acceptable and the increase in the floor space, and the need of the increase in hours and level of attendees are in principle acceptable. The other material planning considerations and policy considerations are detailed below.

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

#### Response to context

- 8.13 The proposed two storey extension would be located to the rear of the existing property and would mimic the scale and design of an existing 2 storey rear extension on the neighboring attached dwelling, no.105 Darwin Drive. The proposed extension would be subservient to the existing building and due to its location at the rear would not be overly prominent in the street scene.
- 8.14 It would be constructed from brick and tile to match the existing materials.
- 8.15 It is considered that the proposed extension would not result in a significant adverse impact on the character and appearance of the area or the existing building and would comply with Policy 58 of the Cambridge Local Plan 2018.



## Residential Amenity

8.16 The impact on the amenity of neighboring occupiers is to be considered below. The extension and the increased opening hours and number of attendees are to be considered separately below.

8.17 Policy 35 of the Cambridge Local Plan 2018 states that developments will be permitted where it is demonstrated that:

*a. it will not lead to significant adverse effects and impacts, including cumulative effects and construction phase impacts wherever applicable, on health and quality of life/amenity from noise and vibration; and*

*b. adverse noise effects/impacts can be minimised by appropriate reduction and/or mitigation measures secured through the use of conditions or planning obligations, as appropriate (prevention through high quality acoustic design is preferable to mitigation).*

8.18 Policy 58 of the Cambridge Local Plan 2018 states that developments will be permitted where it is demonstrated that:

*Alterations and extensions to existing buildings will be permitted where they:*

*a. do not adversely impact on the setting, character or appearance of listed buildings or the appearance of conservation areas, local heritage assets, open spaces, trees or important wildlife features;*

*b. reflect, or successfully contrast with, the existing building form, use of materials and architectural detailing while ensuring that proposals are sympathetic to the existing building and surrounding area;*

*c. ensure that proposals for doors and windows, including dormer windows, are of a size and design that respects the character and proportions of the original building and surrounding context;*

*d. create altered or new roof profiles that are sympathetic to the existing building and surrounding area and are in keeping with the requirements of Appendix E (Roof extensions design guide);*

*e. do not unacceptably overlook, overshadow or visually dominate neighbouring properties;*

*f. respect the space between buildings where this contributes to the character of an area; and g. retain sufficient amenity space, bin storage, vehicle access and cycle and car parking.*

8.19 Paragraph 130 f) of the NPPF states that there should be a high standard of amenity for future and existing users.

### Extension

8.20 The extension is proposed alongside an existing extension of similar scale and proportions of that on no.105 Darwin Drive and so would not unduly overshadow or dominate the adjacent dwellings. Two first floor rear facing living room windows are proposed that would face towards the middle rear of the garden of no. 109 Darwin Drive. There are currently first floor bedroom and bathroom windows facing in this direction. The proposed first floor windows would be closer to the boundary with no. 109 and serve a living room space. The first floor would remain residential. Given the orientation, proximity and continued residential use of the windows to the boundary, officers consider the impact of the extension on the residential amenity of the adjacent neighbours to be acceptable. Some inter-looking between properties is to be expected in this area, and views from the new windows would not be significantly harmful in this context.

8.21 A first-floor side window is proposed to serve a study, which would introduce additional views towards the rear patio of no.109. As this window serves a study rather than a habitable room, it is considered that a condition could be attached to any consent granted, to ensure this window is obscure glazed to mitigate any overlooking.

8.22 The proposed extension (on the ground floor) is to increase the floor spaces of the proposed gents prayer area and provide a designated area for the Mimbar/Pulpit. In turn this allows for a marginally greater library / community meeting area / ladies

prayer area. On the rear elevation there are proposed to be two vertical glazed windows and a three paned bay window for the pulpit. All of the ground floor windows are shown on the plans to be triple glazed and fixed shut. The extension will increase the depth of the rear of the building to a level that is similar to no. 105. Darwin Drive, which is attached to the building. It is stated in the noise report that the materials of this element would be optimized to reduce the impact to the neighboring properties. It has been confirmed by the Environmental Health Officer that there is no concern over the impact on the neighboring property.

- 8.23 In regards of the physical and overlooking impacts to no.109 Darwin Drive, it is considered that this would be minimal. This application will bring the built form and the use closer to these neighbouring windows. There would be no direct overlooking, it is recommended that the proposed study window is obscurely glazed, if to be recommended for approval. It is considered that there would be minimal overshadowing as there is to be a separation distance of approximately 4m between the closest point of the proposed extension and the common boundary with no.109 Darwin Drive.

#### Increase in Community Use and Prayer Hours

- 8.24 This application is proposing to increase the maximum number of attendees at any given time that can use the mosque to 29, increasing to 37 on Friday afternoons, to extend the daily opening hours until 23:00 from 21:00, and to include a 30-minute opening for morning prayer between 02:50 and 6:30 during Ramadan (30 days).
- 8.25 Currently the maximum number of attendees for the mosque use at any given time is 20 people (including Friday) and the opening hours are 09.00 and 21.00 Monday to Sunday and 09.00 and 22.30 Monday to Sunday throughout the months of June and July.
- 8.26 In the supporting information that has been submitted it has been stated that the reason for the increase in the number of attendees to the site and the change and increase in the hours that the site is open for is to allow for greater flexibility through the school holidays and working patterns of the local residents that attend the congregation. The increase in the opening hours

are to allow for a longer period of prayer and use of the centre. There would be management of the attendees to the site through a request to be able to attend.

- 8.27 There has been a request over the previous years for the increase in opening hours between 00:30 – 03:30 for Ramadan each year. This has been submitted to the Cambridge City Planning Department and allowed. Including for these additional hours formally through this permission, would ensure that this is not needed to be applied for each year.
- 8.28 The management plan that has been submitted refers to the methods that will help to protect the amenity of the neighbouring properties. This includes requesting attendees to travel to the site either on foot or by bike and if there is no parking on the site to park elsewhere in the residential street.
- 8.29 In regards of the noise impact through the intensification of the use it has been recommended in the submitted noise report that the optimal building materials would be used to increase the sound insulation and ensure that windows are closed during potentially noisy activities. Limit the use of motorised vehicles for access and egress during the early morning prayer late at night when changes in noise levels are most sensitive. The noise report concludes that in the mitigation measures, the adverse impact of the change of hours and extension of the mosque is considered significant. However, the implementation of mitigation measures and a period of monitoring following completion of the extension and change in hours could help to enhance control measures.
- 8.30 The current restrictions to the site in regards of the numbers and the hours of use were restricted through Planning application 06/0473/FUL, granted on the 6<sup>th</sup> July 2006. This gave consent for the *“Change of use from single family residential space to community house for the Bangladeshi community, including residential space for key worker”*.
- 8.31 The consent included the following two conditions to protect the residential amenity in the locality. These are:

Condition 5:

*The community house shall not be occupied by more than 20 people at any one time, unless otherwise agreed in writing by the local planning authority.*

*Reason: To ensure that there is no intensification in the use of the building in order to safeguard the amenity of adjacent residential properties (Cambridge Local Plan 1996 Policies EO1 and BE2).*

Condition 7:

*The ground floor of the premises shall only be in operation between the hours of 09.00 and 21.00 Monday to Sunday and 09.00 and 22.30 Monday to Sunday throughout the months of June and July unless otherwise agreed by the local planning authority.*

*Reason To protect the amenity of adjoining residential properties (Cambridge Local Plan 1996 policies EO1 and BE2).*

8.32 The following previous applications were submitted:

*09/0731/FUL (Refused), Two storey rear extension and single storey side extension to community house and first floor flat (key worker).*

*18/0272/FUL (withdrawn) Two storey rear extension with single storey projecting bay for a Mimbar pulpit, increase in the maximum number of attendees for the community use to 37 (Friday afternoon only), and extension to the opening hours*

8.33 In both of those cases the Environmental Health Officer (EHO) recommended that the limitations on numbers of visitors and opening hours on 06/0473/FUL should remain in place at the site due to the overall residential nature of the area and the likelihood of adverse impacts of an intensified use on neighbouring residents in noise-sensitive hours. Concerns were also raised that noise complaints had been received in respect of the permitted use.

8.34 The EHO has stated that conditions imposed on 06/0743/FUL remain relevant, as the fundamental constraint to the site, which is its location within a predominantly residential area, has not changed from applications 09/0731/FUL and 18/0272/FUL.

- 8.35 In this application there are concerns that it is in a quiet residential area and there are no other commercial noise sources in the immediate vicinity. The original conditions were applied to the application to ensure there is protection of the local amenity. It is considered that these circumstances have not changed, the property is originally a semi-detached house and not a purpose-built place of worship, it is of standard residential construction with no consideration of noise outbreak from any other uses.
- 8.36 There is concern from the EHO that the proposal will result in complaints through the intensification of the use, particularly at unsociable hours.
- 8.37 An acoustic assessment has been submitted in support of the application. The assessment indicates that noise transmission from inside to outside (or into the adjoining house) is likely to be acceptable even with increased capacity and in the early hours of the morning.
- 8.38 However, there are concerns about the congregation of people outside of the building as they are leaving in the early hours of the morning.
- 8.39 Currently the number of allowed attendees at any one time is 20 people (including Friday) and this is proposed to be increased to a maximum of 29 and 37 on Friday afternoons only (the Friday congregation is called Jumma'h which takes place between 12:00 – 14:00). The combination of the increase in numbers and prolonged period that the centre is open for, to 23.00 hours every day of the week with a likely increase in visitors and members, would intensify the use and extending the hours is likely to result in adverse impact on existing residents, in particular through increased activities and movements occurring during noise sensitive hours.
- 8.40 Part of the mitigation to be able to protect the amenity of the neighbouring properties through the sensitive hours is to keep the windows and doors closed. The ground floor windows are proposed to be fixed shut and this could be conditioned as part of any permission, but the doors could be opened on humid / hot nights for thermal comfort particularly if there are a large number of attendees to a prayer session.

- 8.41 The main mitigation that is being proposed in the supporting information is to control behaviour during arrival, departure etc and the management plan indicates that mode of transport will be largely by foot / on bike. It is the EHO's concern that in these circumstances, the permission is entirely reliant on people's behaviour and behaviour is not easy to control. Conditions that could be imposed may not meet the six tests of a planning condition, as they might not be enforceable, precise or reasonable.
- 8.42 The potential for noise and disturbance to arise in the early hours of the morning as a result of people gathering, arriving and departing is significant when considering that the extension to hours as proposed are times when the background noise levels will drop to their lowest levels and therefore, any noise associated with the premises (inside or outside) will have much more potential to cause disturbance than during the daytime. Officers noted from their site visit that no. 109 Darwin drive had a significant no. of habitable windows facing the side of the Mosque which is where its main point of entrance is located.
- 8.43 With regard to additional opening hours during Ramadan, since the granting of 06/0743/FUL additional hours during this period have been agreed with the Council in writing each year, prior to the beginning of Ramadan.
- 8.44 These agreed timings vary but generally include a temporary increase in opening hours until 21:30, in addition to temporary relaxation of the opening hours to allow for prayers in the early morning, usually for a 2 to 3 hour period beginning in the late night around 23:00-12:00 and end early morning around 02:30.
- 8.45 It is proposed within this application for the Centre to be open until 23:00 every day and to allow a 30-minute opening slot between 02:50 and 6:30 during Ramadan (30 days). The applicants state that:

*'The first prayer of the day (Faj'r) takes place before sunrise and the proposal is to allow the Centre to be open for half an hour to allow for congregational prayers to be held. During the spring/summer months (June, July and August) this is between 03:00 – 04:00 and in the autumn/winter months (September –*

*May) between 05:00 – 06:00. Exact times will be confirmed, if approval is received.*

*As the Faj'r prayers are on occasions in the early hours of the day, the Management Committee is proposing that individuals wishing to attend will be required to submit a request. This will allow attendance to be controlled to prevent any impacts to our neighbours. Currently, a very small number of residents have expressed an interest to attend Faj'r prayers if it was to be offered.'*

- 8.46 While it is acknowledged that the Council has in the past approved similar times to those proposed, this is on a case-by-case basis and extensions to the opening hours that were deemed to adversely impact amenity or to be excessive have in the past been denied.
- 8.47 Within the proposed opening times, there would be no opportunity for the Council to review these requests and further assess whether or not they are appropriate in the residential area.
- 8.48 Therefore, it is considered that the application will not conform to Policy 35 of the Local Plan and Paragraph 130 f) of the NPPF as there is identified harm to the amenity of the neighboring residents of the site that would likely arise. Whilst a proposed management plan has been put forward, it is not sufficient to overcome the objections from the EHO.

### **Highway Safety**

- 8.49 No objections have been received from the Local Highway Authority (LHA) on the grounds of highway safety.
- 8.50 The proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

- 8.51 It has been concluded in the supporting information that the majority of the users of the site will travel to the facility by either foot or bicycle. This is not disputed. However, it is not considered to overcome the noise issues that have been raised by the EHO. It would be unreasonable to condition all users of



the site to arrive either by foot or cycle. Vehicular arrivals, whilst less likely, could not be ruled out, particularly in times of poor weather or for particular users with mobility needs.

- 8.52 The management plan that has been submitted as part of this application refers to the cycle parking that is to be installed. The existing cycle parking on site could be conditioned to be improved as part of any permission to ensure there is adequate cycle parking for the additional users of the site.

## **9.0 CONCLUSION**

- 9.1 It is considered that the principle of this application is acceptable as it meets a community need as demonstrated in the supporting information of the application. This meets the requirements of policy 73 of the Local Plan.
- 9.2 However, concerns have been raised by the neighbouring properties through the consultation and the Environmental Health Officer that there would be impact on the amenity of the neighbouring properties through the noise impact brought about by the intensification of use (through the increase in the number of attendees at any given time and the extended hours of use).
- 9.3 The mitigation that has been submitted in the Planning Application is not considered to overcome the concerns that have been raised.
- 9.4 Therefore, on balance, it is recommended that this application is refused, due to the noise and disturbance impacts of comings and goings to the mosque that would be likely to be created to the neighbouring properties and in particular such impacts at unsociable hours. In coming to this conclusion, officers recognise the benefits of the mosque in its present use that have been brought about since it began operating from the site. However, its sensitive location adjacent to residential properties and in particular the orientation of habitable windows in no. 109 directly towards the mosque's main entrance weigh against the proposal.
- 9.5 This relationship tips the balance of the application and is considered to outweigh the benefits the application would bring about to the community. The application is therefore not considered to be in conformity with Policy 35 of the Cambridge

Local Plan 2018 and Paragraph 130 f) of the NPPF and is to be recommended for refusal.

## **10.1 RECOMMENDATION**

### **REFUSE for the following reason**

1. The application is not in conformity with Policy 35 of the adopted Cambridge Local Plan 2018 and Paragraph 130 f) of the NPPF. Due to the intensification of the use of the site through the increase of attendees and the hours of use this will harm the amenity of the neighboring properties as the application site is in a residential area and the use of the building is not considered appropriate for a further intensification of the use. The mitigation measures that are being proposed are not considered appropriate or robust enough to overcome the harm that would be identified to the amenity of the neighboring properties.

<b>Application Number</b>	21/01437/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	29th March 2021	<b>Officer</b>	Tom Gray
<b>Target Date</b>	25th June 2021		
<b>Ward</b>	Newnham		
<b>Site</b>	18 Adams Road Cambridge		
<b>Proposal</b>	Erection of 2no dwellings following the demolition of No.18 Adams Road		
<b>Applicant</b>	Professor Cathy Speed 3 Manor Court Grange Road Cambridge		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The siting, form, height, layout and design of the proposed dwellings is acceptable and responds positively to the character of the Conservation Area, would be appropriate to the surrounding pattern of development and character of the area and sufficient garden space is retained which is important to biodiversity interests. In addition, it would have no adverse impacts upon the character of the Bird Sanctuary (ARBS) as a protected open space.</li> <li>- The proposed development follows the ecology mitigation hierarchy by minimising harm upon the protected species and habitats and providing deliverable compensation and mitigation measures.</li> <li>- Sufficient space for replacement tree planting is retained within the site. Acceptable protection for the remaining trees. It is not considered that the proposed dwellings would significantly increase the likelihood of</li> </ul>
----------------	--

	<p>tree removals taking place in the future.</p> <ul style="list-style-type: none"> <li>- The proposed development would not result in significant adverse impacts upon residential amenity.</li> <li>- The proposed development would provide for a high-quality living environment for future occupiers.</li> <li>- The proposed development would provide appropriate refuse and car/cycle parking facilities and would not result in unacceptable highways impacts.</li> </ul>
RECOMMENDATION	APPROVAL

## 0.0 ADDENDUM

0.1 Planning application reference 20/01437/FUL was considered at Cambridge City Council's Planning Committee meeting of 3<sup>rd</sup> November 2021. The committee resolved to defer the determination of the application to allow for a Committee Site Visit to take place prior to a future Committee Meeting.

0.2 An additional representation was received on behalf of the Chair of Adams Road Bird Sanctuary (Richard Buxton Solicitors). This is summarised as follows:

- Strongly object to proposal and legality of any decision to approve the application.
- Request that the application be withdrawn from consideration and inconsistencies with the Council's previous position reassessed. The current officer report fails to appropriately highlight that a previous application of very similar design (19/0831/FUL) was withdrawn following a recommendation of refusal. Urgent clarification needed for the Council's failure to issue the refusal decision notice. Inexplicable as to why the Council has changed its position so fundamentally.
- Request that a site visit be undertaken by Committee if this application continues to Committee.

- Failure to meet Policy 69 in terms of glass balconies facing the nature reserve at risk of bird strike. No detail at application stage to mitigate the harm.
- Sanctuary's privacy is a key element in the Conservation Area.
- Officer report fails to address fundamental issue that the proposal would result in the subdivision of an existing plot and the construction of two properties. Given that the Conservation Area Appraisal states that such a development is a key issue, we query whether this meets the S72 legislative requirements. It is also contrary to the reasons provided previously for refusal.

### **Previous withdrawn application 19/0831/FUL**

- 0.3 Whilst it is noted that the previous application 19/0831/FUL was initially recommended for refusal on the basis of harm to the tranquillity, recreational and amenity value of the Bird Sanctuary in December 2019, no formal decision was issued. In reference to the tranquillity concerns, the agent raised a concern with regards the policy basis of this judgement as this is not listed within Policy 67 (Protected Open Space). Officers felt that a further site visit was necessary and was carried out in February 2020. Following this visit, it was considered that the impacts upon the ARBS were not one of tranquillity but one of visual amenity and character. It was advised that taller elements should be pushed back from this northern boundary. Whilst re-locating the proposed dwelling to the south west corner of the site could be explored, it was felt that this would likely result in tree impacts and neighbour amenity issues.
- 0.4 Following this site visit and discussion with the agent, it is understood that the applicant wanted to consider their options as to whether to withdraw or accept a refusal with a view to appealing. Instructions were received in October 2020 to withdraw the application with the intention to re-submit a revised scheme.
- 0.5 The current application has been assessed on the basis of the higher elements being re-sited and in light of the changes undertaken, it is not considered that any harm upon the character of the ARBS would result.

## **Sanctuary's privacy**

- 0.6 Whilst the representation has drawn Officers attention to the mention of the Sanctuary's privacy within the Conservation Area Appraisal, notwithstanding that the context of this text is contained within the 'biodiversity' section of this appraisal and refers to principally the wildlife aspects of the Sanctuary, it is important to note that the proposed rear dwelling does not contain any windows/balcony on this northern elevation for a distance of approximately 16 metres and trees with the addition of a proposed green buffer zone would further reducing overlooking impacts. Therefore, taking all this into account, it is not considered that the proposal would detrimentally affect the privacy of the Bird Sanctuary.

## **Sub-division of garden land**

- 0.7 The representation has raised concerns about the Officer report failing to consider the sub-division of the plot as a whole with reference to Policy 52 (Protecting garden land and the subdivision of existing dwelling plots). Whilst the Officer report considers each dwelling independently with reference this policy and character impacts, for clarity, the layout, form/height of buildings and retention of sufficient garden space are now discussed further.
- 0.8 The application site would involve the sub-division of one residential plot. The existing plot is of a substantial size, measuring approximately 70 metres deep. It is not unusual to find several dwellings deep within the Grange Road part of the Conservation Area, an example of which include No.14 and No.15 Adams Road. In addition, No.5 Clarkson Road, No.7, No.6 and No.1 Clarkson Close form a north-south axis of residential development in a very similarly sized area to that of the application site. Five dwellings including that of No.4 Clarkson Close occupy this space. Similarly, the layout of the proposed dwellings would be perpendicular to the highway and would effectively result in a development of three dwellings deep when taking into account the neighbouring dwelling of No.19 Adams Road. Therefore, it is not considered that the proposed layout would adversely impact the Conservation Area in accordance with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2021, and the legislative requirement

of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 0.9 The sub-division of the existing residential plot would result in the reduction of No.18's existing garden land. Whilst this is the case, the existing site comprises approximately 4,750 sq metres, 4200 sq metres of which is garden land. Together, the proposed building footprints would occupy only approximately 25 per cent of the total application site area with approximately 750 sq metres of garden land for the rear plot and 1200 sq metres of garden land for the front plot. Whilst the available residential garden land would be reduced, very generous garden spaces around the proposed buildings would be maintained. Therefore, it is not considered that proposed development would adversely impact the Conservation Area in accordance with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2021, and the legislative requirement of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 0.10 The form and height of the proposed buildings, whilst distinct from each other, would complement the various designs found within the Conservation Area, where both contemporary and traditional forms comprising of two and three storeys in height are found. Therefore, it is not considered that the proposed dwellings would adversely impact the Conservation Area in accordance with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2021, and the legislative requirement of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 0.11 With regards criterion c and d of Policy 52, this is discussed in detail within the relevant residential amenity and parking provision sections of the Officer report. With regards criterion e, given the nature of the proposed development and the application site being situated outside of allocated sites for redevelopment, there is no detrimental effect on the potential comprehensive development of the wider area.

### **Committee Site Visit**

- 0.12 An Officer-led Planning Committee site visit is scheduled to take place prior to the Planning Committee Meeting. Arrangements are still to be confirmed at the time of writing.

## **Bird strike impacts**

- 0.13 As discussed within the Biodiversity section of the Officer report, it is considered that the application has been subject to the mitigation hierarchy and avoidance, minimisation and mitigation measures have been applied. With regards possible bird strike, balcony glazing is fairly low in height and located approximately 16 metres from the ARBS and window glazing at and above first floor levels is largely situated on the side elevations and would be conditioned to comprise specialist glazing to reduce the reflective properties of the glass, making this more visible to birds, and therefore reducing the chances of bird strike. Therefore, there is considered sufficient information to assess the application with regards bird strike and suitable mitigation is proposed to reduce any such impacts.

## **Other Matters**

- 0.14 Correction: Paragraph 8.23 of the Officer report should read 'approximately 65 percent of the total area of the **front plot** for the proposed dwelling'.
- 0.15 Following planning consent 15/1044/FUL and variations to these approved plans under 18/0149/S73 and 20/01953/S73, extant planning consent exists for extensions to the existing dwelling. The proposed front house under the current application is considered to represent an improved design and an enhancement to the Conservation Area compared to the plans approved under these previous applications.
- 0.16 Correction: Paragraph 1.1 of the Officer report should read 'The closest Listed Buildings are of **No.9 Wilberforce Road** and No.60 and No.62 Grange Road'
- 0.17 Correction: Paragraph 8.87 of the Officer report should read 'the rear house would accommodate vehicles within the drive **and within the proposed garage**'

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

- 1.1 The application site is situated within the Newnham Ward in the City of Cambridge. It is located within the West Cambridge Conservation Area.



The site is located adjacent to the Adams Road Bird Sanctuary (ARBS), designated as a Protected Open Space (Natural and Semi-natural Green Space) and City and County Wildlife Site within the Cambridge Local Plan 2018.

The closest Listed Buildings are of No.60 and No.62 Grange Road and Buildings of Local Interest are identified along Adams Road and statutory protected trees (TPOs) are located within the site in addition to the nearby open space of Trinity Old Field. The site is situated outside of the controlled parking zone.

## 2.0 THE PROPOSAL

2.1 The applicant proposes the erection of two dwellings following the demolition of No.18 Adams Road.

## 3.0 SITE HISTORY

Reference	Description	Outcome
15/1044/FUL	Demolition of garage. New extensions to west and east side of existing house	Permitted
15/1044/COND4	Condition 4 - Archaeology	Discharged
18/0149/S73	Section 73 application to vary condition 1 (Approved Drawings) of planning permission 15/1044/FUL (Demolition of garage. New extensions to west and east side of existing house) to correct the approved drawings to: 0228/P/110C, 0228/P/115 C, 0222/P/116 C and 0228/P/100.	Permitted
19/0831/FUL	Erection of 2no. dwellings following the demolition of 18 Adams Road	Withdrawn
20/01953/S73	S73 application to vary	Permitted

condition 1 (Approved Drawings) of planning permission 18/0149/S73 (Section 73 application to vary condition 1 (Approved Drawings) of planning permission 15/1044/FUL (Demolition of garage. New extensions to west and east side of existing house) to amend the approved drawings in order to make alterations to the design

21/02098/HFUL Installation of entrance gates to existing driveway Permitted

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 3 8 28 29 31 32 34 35 36 50 51 52 55 56 57 61 62 67 69 70 71 80 81 82

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework 2021</p> <p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</p> <p>Circular 11/95 (Annex A)</p> <p>Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Supplementary Planning Documents</p>	<p>Cambridgeshire and Peterborough Flood and Water</p> <p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Arboricultural Strategy (2004)</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p>

	<p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Buildings of Local Interest (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council Open Space and Recreation Strategy (2011)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Criteria for the Designation of Wildlife Sites (2005)</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire County Council Transport Assessment Guidelines (2017)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cambridgeshire Green Infrastructure Strategy (2011)</p>
--	--

	<p>Contaminated Land in Cambridge - Developers Guide (2009)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Greater Cambridge Sustainable Design and Construction SPD (2020)</p>
	<p><u>Area Guidelines</u></p> <p>West Cambridge Conservation Area Appraisal (2011)</p>

## 6.0 CONSULTATIONS

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

Recommends conditions regarding 2x2 metre visibility splays on western side of access; widening of driveway be constructed so that its falls and levels are such that no private water drains onto the adopted highway; driveway be constructed using bound material for a distance of at least 5 metres; no demolition or construction works shall commence on site until a contractors parking plan agreed and recommended informative.

### **Environmental Health**

No objection. Recommends conditions regarding EV charge points; construction/demolition hours and deliveries; piling; dust condition and plant noise insulation informative.

### **Conservation Officer**

Previous application 19/0831/FUL was supported by the Conservation Team.

Response to context:

Development in this area is well established.

The existing building on the site is architecturally appropriate for the location and contributes positively to the character and

appearance of the conservation area. Therefore, for the Conservation Team to support the loss of the existing building, any new structures proposed for the site must preserve, or enhance, the character or appearance of the conservation area. In this part of the Conservation Area, there is no specific building design but generally there are generous properties in large gardens. Although the two buildings would be sited close together, this can be seen in other plots within this part of the Conservation Area. There will be large gardens to the rear of each house which is important to the character of the area.

Layout: Acceptable.

North building moved further away from bird sanctuary than 2019 scheme but would not have any greater impact on the character or appearance of the Conservation Area.

Trees and hedging are important to the character of the area. Siting of the two houses are therefore only supported subject to the retention of a large number of trees on the site and hedging along the boundary.

Scale and massing: Supported.

Two and a half storeys of the front house plus basement is similar in scale to other residential buildings in the area.

Additional three storeys for the rear house would result in a minimal increase in eaves (1.37m) and ridge (0.34m) height when compared to the existing building.

Open space and landscaping:

Trees and Landscape Officer may wish to comment on landscaping plan.

Limited views across Trinity Old Fields to rear house and first floor/roof of front house. Proposed views preserve character of conservation area in terms of buildings of this scale being on the site.

Elevations and Materials: Generally supported.

Front house - some concerns over dormer window on second floor which is a dominant feature on the south elevation which does not sit comfortably on the roof. Size of opening should be reduced so that it is smaller than those at first floor level. Use of materials which blend in with the roofing may mean that it recedes into the background. Details of this element plus brick sample panel and roofing materials should be conditioned. Rear house is of a very different character and modernity has been successfully executed in the design. Third floor has been moved away since the 2019 application and subject to materials and details is supported.

Some concern about large areas of glass on both buildings would cause some degree of light pollution. Proposed use of switchable opaque glass on rear house but glazing on front house is not labelled as such on glazed single storey element. Applicant should consider reduction in glazing.

Proposal preserves character or appearance of the conservation area, complies with policies 57 and 61 and para 190 of the NPPF.

Recommends conditions regarding sample panel of facing materials, roof covering materials and dormer details.

### **Historic England**

No comments offered.

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

Proposal fails to consider detrimental impact retained trees will have on usability of outside space and impact of shading on the southernmost property.

While the existing house is shaded by the trees towards the south of the site, it benefits from the large garden to the north. The new front house will also be shaded but will gain little benefit from light, space or views to the north resulting from the proposed new northern house. This will result in reasonable pressure to allow additional tree removals to improve light to the property and create usable outside space.

I have concerns about the availability of space outside tree canopies and root protection areas for sustainable drainage, access, storage of materials and construction.

Both the AIA and DAS refer to replacement planting for the proposed 9 trees requiring removal. I have not been able to locate any landscaping proposals but suggest that there is insufficient space to mitigate the loss of trees as this would only further reduce the amount of useable outside space and increase unwanted shading.

For the reasons above the proposal is not supported arboriculturally and it does not respect policy 71 of the Local Plan.

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

Informal discussion only.

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

Development is acceptable subject to foul and surface water conditions.

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

Comments made 27<sup>th</sup> May 2021

Request review by ecologist of the submitted PEA, as fails to identify that the site is adjacent to the Adams Road Sanctuary County Wildlife Site. This site is known to host protected species including nesting birds, bats, great crested newts and an important invertebrate assemblage.

Comments made on 1<sup>st</sup> July 2021

Revised PEA still fails to recognise the non-statutory wildlife site designation when considering designated sites, though identified later in evaluation section. Refute that the proposals are 'not of a scale to have a major negative impact'. Mitigation measures for light spill and potential bird window strike have been proposed in the accompanying Ecological Mitigation Plan. however, I do not see evidence as to how the site layout and building form has followed the mitigation hierarchy with respect



the designated site boundary. For instance, by positioning the buildings further from the boundary and reducing glazed elements that face Adams Road Sanctuary. I therefore object to the current proposal that does not meet Policy 69: Protection of sites of biodiversity and geodiversity importance.

In addition, proposal represents a significant loss of existing garden to built form and hardstanding. Suggest that if Defra Biodiversity Net Gain metric were applied the proposed additional woodland meadow and tree planting would still result in a net loss of site biodiversity.

Note presence of single bat roost in garage and this will require a Natural England licence and agreed mitigation as proposed.

If minded to approve, recommend conditions regarding Natural England licence.

Features proposed within Ecological Mitigation Plan such as bird boxes, hedgehog holes and hibernaculum would be appropriate but would not mitigate for the proposed proximity of the built form to the local wildlife site boundary.

If minded to support, principle of proposed specialist glazing and less than 1 lux lighting zone are supported and request condition that requires detailed glazing specification and an ecological lighting design strategy, including modelling of light levels.

Recommend condition with regards pre-commencement Construction Ecological Mitigation Plan to limit impacts on designated site.

Comments made on 27<sup>th</sup> August 2021

The BNG metric supplied evidences that the landscape scheme will deliver a small onsite BNG for the proposed development, subject to appropriate ongoing management. If minded to approve I would request standard ecology conditions to specify and secure the proposed biodiversity enhancement features.

### **Natural England**

No comments to make.

## Cambridgeshire County Council (Archaeology)

Site has been subject to an archaeological evaluation, the result of which indicate that significant archaeological assets will not be affected by the development. No condition necessary.

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 objecting to the proposal:

- Adams Road Bird Sanctuary
- 7A, 10, 11, 13, 16 and 19 Adams Road
- 3, 7, 9, 15 and 30 Wilberforce Road
- 6, 11 and 19 Clarkson Road
- 5 and 31 Madingley Road
- 135 and 145 Victoria Road
- 32A Storeys Way
- 5 Merton Street
- 30 Eachard Road
- 2 Grange Court
- 13 Grange Road
- Church Rate Corner
- 4 Eltisley Avenue
- 2, 4 Hedgerley Close
- 64 Richmond Road
- 22 Riverside Place
- 76 Gilbert Road
- 11 City Road
- 22 Hertford Street
- Orchard House, Conduit Head Road
- 50 Thornton Close, Girton
- 80 High Street Girton

7.2 The representations can be summarised as follows:

#### Comments on original submission

Impact upon Adams Road Bird Sanctuary (Protected Open Space, City and County Wildlife Site)

- Adverse impact upon ecology and tranquility of this natural space, especially over construction period.
- Three storey design inappropriate. Visual impact upon users.
- Critical to respect a 30 metre green buffer building line around the Sanctuary to protect the habitat. Siting is inappropriate. Previous applications for even modest developments have usually been rejected or withdrawn.
- No details provided on visual impact on access lane to the Sanctuary.
- Increased noise and movements, increased artificial light on dark and tranquil nature of Sanctuary.
- Social harm to users of sanctuary.
- Will destroy uniqueness and public contribution of Bird Sanctuary.
- NPPF states that decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value, mitigate and reduce noise from new development and limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- Contribution to public and social amenity and likely impacts on it of light, noise, vehicle movement and other disturbance (Policy 52), importance of Sanctuary and its large surrounding gardens to Conservation Area (Policy 61).
- Dominate entrance track.
- Harm the character of open space of environmental and/or recreational importance, and conflict with Policy 67.
- Open space identified for protection in the 'Natural and Semi Natural Green Space' category. Third highest among the 41 sites identified.
- Visual amenity issue as main bulk still evident from adjacent reserve path and accessway with light spill.
- Noise from gravel drive and construction works.
- Loss of significant portion of garden adjacent to ARBS harms its character (Policy 61)
- Glazing would be 20 to 25 metres from ARBS and would have near-continuous effect of the visible movements within this domestic space.

## Sustainability

- Destruction of perfectly good 1930s house
- Embodied carbon.
- Demolition of house and replacement contravenes the Council's own Climate Change Strategy

## Biodiversity impact

- 2018 ARBTECH appraisal is inadequate. No thorough assessment. Dismissive of biodiversity and simplistic to propose a few bat and bird boxes, reptile refugia and hedgehog domes. Policy 69 put onus squarely on the developer to demonstrate that proposals will not have an adverse effect on biodiversity. Approval can only be granted if the benefit of the development outweighs the impacts to the nature conservation site and if the harm can be mitigated. Developer has done neither.
- Mitigation measures are wholly inadequate and demonstrate lack of due diligence and failure to take seriously the value of such a green space for biodiversity and as a public amenity.
- A full ecological impact assessment should be part of the application process.
- The few mitigation measures proposed are inappropriate in scale and will unlikely create a net gain in biodiversity.
- Applicants had two versions of the same ecological assessment document.
- Substantial hazard to bird populations which get confused by large tracts of reflective glass
- Scale of disruption caused by construction period especially between March and August (breeding season). Likely that longest established breeding birds would be lost forever.
- Formidable cost to natural environment and wildlife.
- Important to green infrastructure, linking open fields and the Backs. Conflict with Policies 8, 52, 55, 57 and 61 of the Local Plan in terms of local pattern of development , the height, scale, form and massing of planned buildings, and the character of the relevant conservation area.
- Loss of open ground removes foraging territory for a diversity of creatures and reduces unrestricted flight paths into the reserve.

- Diminish richness of biodiversity observed in and around the Sanctuary.
- Likely to disturb bird populations and priority habitat, and fails to minimise ecological harm (Policy 70).
- Light pollution on species.
- Loss of biodiversity in garden.
- Contrary to Policy 69 and 70 of the Local Plan.
- Adverse impact on CiWS and CWS (Policy 69)

#### Impact upon Conservation Area/heritage assets

- Underutilized garden acts as a habitat buffer zone and West Cambridge Conservation Area Appraisal highlights huge contribution that unusually large private gardens make to the amenity and conservation value.
- Handsome house positively contributes to character of West Cambridge Conservation Area.
- Design not appropriate and visible.
- Development is out of scale with surrounding houses which are mostly set in large gardens.
- Building would not add further quality to the conservation area and would not be akin to the natural surroundings and format of the bird sanctuary.
- Scale of building would cover almost 60% of the site in buildings and hard surfacing. 1926 map as identified by the Conservation Officer does not set a precedent for a development of this scale.
- Out of character and style of local area, with reference to Policy 51 and 57. Does not have a positive impact on the area.
- Demolition of front building should be the last resort.
- Irreplaceable damage to special nature of Conservation Area.
- At odds with the nature of this site.
- Positioning any house to eliminate the typical long back gardens is damaging and out of keeping with the distinctive local character and pattern.
- 2016 inspector's judgement on a site similarly adjoining the Bird Sanctuary (on the northern side) stated that '[This] part of the Conservation Area is distinguished by long straight roads with properties set in discernible building lines with large detached properties situated towards the front of the individual plots. Behind the frontage there [are] large rear gardens that provide a

leafy backdrop' (Inspector Graham Chamberlain, Appeal Ref: APP/Q0505/D/16/3157264).

- Conservation Area Appraisal stressed importance of large green spaces, hedges and areas of woodland.
- Rear house seems only 2m back from previous application. No other property in this stretch of conservation area stands three deep in from the road. Will degrade vital green buffer and materially narrow important green corridor.
- With regards scale, massing and alignment and loss of garden space, visual effect may affect view of listed Grange Rd buildings.
- Inadequate response to its context (Policy 55).
- Heritage statement submitted is incomplete.
- Street view image confirms that development would be a single structure and wholly out of proportion with anything else in the Conservation Area.
- Concerns about housing density.

#### Impacts upon trees

- Likelihood of tree management applications succeeding.
- Concerned about the survival of mature trees along No.16's boundary.
- Trees although not having their root protection areas within the area of the proposed building would likely be felled, given that No.19 Adams Road has large trees a considerable distance and was allowed to be felled. Trees along Sanctuary boundary would face similar threat and are still growing.
- Trees and hedgerows at risk. Loss of pear tree is regrettable. Trees along Sanctuary boundary may be earmarked for felling as they grow. Intended fate of valued wester hedgerow is unclear.
- Concern with regard to future felling of trees and fate of hedging (Policy 71)
- Additional conflicts with trees (Policy 55 and 71)

#### Landscaping

- Proposed landscaping has not been carefully designed. Artificial new hard landscaped areas will relate poorly to ARBS.

- Paving close to T15 and T17 trees would pose a risk to these and would be heavily shaded for the day. Should be accommodated elsewhere within the expansive site.
- Proposed planting along this boundary would take a long time to be established.
- No mention of protection for eastern hedge.
- Need to ensure south end of hedge was not damaged by vehicles turning into the drive
- New planting of trees would be inserted in an area already heavily shaded and dense with root systems, causing harm and nullifying any advantage that might have followed.

#### Neighbour amenity impacts

- Visual intrusion on privacy of No.16 Adams Rd, from glowing light and large areas of glass.
- Loss of amenity to occupants of No.16.
- Illuminated 3 storey dwelling would compete with height of trees and full light spillage would negatively affect tranquil location of No.16.
- Glazing of front building would also allow an open and illuminated view of occupants' indoor activities. More light pollution than existing dwelling.

#### Other matters

- Inaccurate visual representations. Misleading site plans.
- Most houses are in fact two storeys with attic accommodation. It is misleading to call them three storeys.
- Other houses around the Sanctuary stand well back from the border. Photographs submitted with the planning statement are deliberately misleading.
- Ancillary structures could be built in small amenity space in NW corner of plot.
- Multiply traffic.
- Public benefit would be minimal.
- Not explained what economic activities will become possible.
- Socially benefits contentious, at worst wholly wrong.
- No indication of length of time of threat of building work.
- Plans do not extend up to the gates on the drive

- Accurate plan needed to establish how long a vehicle could turn into the drive. Risk to cyclists and impact of construction vehicles/times with pedestrians.
- Does not make it clear that this is a County site not only as a City one.
- Divert resources from higher priority projects.
- Concerns regarding contradictory documents and intentions for boundary treatments, landscaping and tree protection. Unclear whether hedgerow on plot's eastern boundary would be preserved and whether reliable protection for trees growing within the Sanctuary if this development went ahead.
- Green corridor and wildlife site network protected from harm under Policies 8, 61, 67, 69 and 70 (NPPF 99, 100, 170, 174, 177, 180 and 9, 12 and 47). Reserve is key part of context, setting and surroundings of 18 Adams Rd and of the character and function of immediate area, and the development would conflict with Policies 52, 55 and 57.
- Insufficient mention of policies within submitted planning statement
- Article 4 Directive restricting permitted development was lodged prior to this application and is currently under consideration
- Second home could be located in the south-west quadrant of the garden.
- Protection needed of Sanctuary fence and its foundations.
- Use of precedent for future applications.
- Groundwater pollution to Sanctuary.

*Comments on Updated Preliminary Ecological Appraisal and Ecological Mitigation Plan*

Ecological appraisal and mitigation information

- Selection of species differs greatly from Sanctuary records
- Omissions in the criteria for designation.
- Mitigation is inadequate and unenforceable.
- Mitigation plan focuses almost entirely on the construction phase and consists largely of generic measures with little or no consideration of longer term impacts of the removal of buffer zone habitats from the nature reserve.



- No data request has yet been made to CPERC no approach to ARBS.
- Neither ecological appraisal is adequate.
- Version of ecological report denied existence of any wildlife designation or larger issues of biodiversity anywhere near the site. Amended appraisal contradicts this. Mitigation measures proposed only minimal measures to protect the distinctiveness and precious resources of the land.
- Listing of a few bird sightings within 2km of the proposed building is extremely slight and unrepresentative.
- Do not have an informed sense of the environment and therefore are not in a position to make a judgement. Only a preliminary survey has been carried out and no evidence to purport their claims. Planning Statement is erroneous.
- Wildflower meadow mitigation measures lacks clarity and does not adequately offset the loss of undeveloped ground
- Lack of information regarding glass to mitigate bird strikes and impact of light pollution on current dark sky oasis
- Inadequacy of survey work in relation to invertebrates

#### Impact upon Protected Open Spaces

- Neither the planning statement nor appraisal identifies the ARBS as a protected open space (Policy 67). The character of the Sanctuary and indeed its viability as a nature reserve with a high diversity of species depends on the open spaces that surround it in the form of large gardens.
- Policy 67 also has provision for previously unidentified sites, regardless of ownership to qualify as protected open spaces. The gardens surrounding such space fulfil one or more of the three criteria for environmental importance in Appendix I of the Local Plan through their function as a vital buffer zone around an important nature reserve.

#### Comments on Biodiversity Net Gain Calculations and Mitigation Hierarchy

- Biodiversity metric does not take into account indirect impacts

- No mention of use in metric within national or local policy.
- User guides for metrics recommend that the tools be applied at the beginning of planning rather than tacked on at the end.
- No mention of how green buffer zone citing heathland and shrub:mixed shrub in moderate condition would be achieved and managed in the future. New lawn areas which are assumed to be seeded with a species rich flowering lawn seed mix but no reliable management planning and monitoring process to enforce this condition.
- Hedges have been excluded from calculations. Eastern hedge partially within property boundary so should have been included in the calculations.
- Inadequate level of analysis of retained trees.
- Answers to questions on strategic significance and ecological connectivity all the answers are firmly negative.
- Inadequacies of analysis
- Does not address impacts of amenity, biodiversity and environmental values of the ARBS. Even if species rich meadow managed as such, properly managed scrub habitat with access holes on eastern border and perhaps widened hedge on eastern boundary would not compensate for light, noise, dust, motor vehicles, visual presence and general disturbance arising so near to the ARBS. The existing buffer of amenity grassland and scattered trees is present in all but one of properties bordering the ARBS.
- If lawn areas are classed as amenity grassland in poor condition, then it cannot be difficult to argue for improvement in biodiversity.
- Only minor amendments have not addressed concerns. Seems that applicants chose the site, then design, then denied special qualities of surrounding land.
- BNG proposition is not practicable.
- Mitigation hierarchy hasn't been followed.
- Avoiding harm trumps minimising it. Impossible to constrain impacts during construction to an acceptable level.
- BNG assessment of gain based on thin desktop evaluation and past its validation date has been conceived on dubious assumptions.
- Dispute accuracy in figures, particularly with regards omission of trees, inclusion of floodplain glazing marsh and dismissal of strategic habitat and connectivity
- Agent states that site is capable of delivering gains and ecology officer states that it would require appropriate ongoing management.

- BNG inputs have major impacts on BNG calculations.
- Wider, indirect effects on biodiversity cannot be ignored
- Natural environment would be left in a worse state than before.
- Would destroy the peace of the Sanctuary and no amount of mitigation measures would address these.

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.

### **Local Member for Newnham**

Cllr Dr Markus Gehring (Newnham) – Call it in to Committee if officers recommend approval. Very large development very close to one of the most sensitive nature areas in Newnham

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Setting of Listed Buildings
4. Carbon reduction and sustainable design
5. Biodiversity impacts
6. Tree Impacts
7. Residential amenity
8. Water management and flood risk
9. Refuse arrangements
10. Highway safety
11. Car and cycle parking
12. Other Matters

### **Principle of Development**

8.2 The proposal is for the demolition of the existing dwelling and erection of two dwellings within the site.

8.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

- 8.4 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with Policy 3 of the Local Plan 2018.
- 8.5 Policy 52 of the Local Plan 2018 states that proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:
- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
  - b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
  - c. the amenity and privacy of neighbouring, existing and new properties is protected;
  - d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
  - e. there is no detrimental effect on the potential comprehensive development of the wider area.
- 8.6 With this in mind, the principle of the proposal is acceptable subject to satisfaction against the above criteria. This will also be assessed against other relevant policies within the Local Plan 2018 in the below section.

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

- 8.7 Policy 55 of the Local Plan 2018 states that development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places. Development will:

- a. identify and respond positively to existing features of natural, historic or local importance on and close to the proposed development site;
  - b. be well connected to, and integrated with, the immediate locality and wider city; and
  - c. use appropriate local characteristics to help inform the use, siting, massing, scale, form, materials and landscape design of new development.
- 8.8 Paragraph 7.3 within the supporting text states that the context of a development describes the setting of a site or area including land uses, open spaces, the built and natural environment and social and physical characteristics. Proposals for new development should create a scale and form that is appropriate to existing buildings, the public realm and open spaces, which complement the local identity of an area.
- 8.9 Policy 57 of the Local Plan 2018 states that high quality new buildings will be supported where it can be demonstrated they:
- a. have a positive impact on their setting in terms of location on the site, height, scale and form, materials and detailing, ground floor activity, wider townscape and landscape impacts and available views;
  - b. are convenient, safe and accessible for all users;
  - c. are constructed in a sustainable manner and are easily adaptable;
  - d. successfully integrate functional needs such as refuse and recycling, bicycles and car parking;
  - e. design measures to reduce the environmental impact of the buildings, such as renewable energy systems and other rooftop plant and services, in an architecturally integrated way;
  - f. successfully integrate features such as meter boxes in an unobtrusive manner;
  - g. position building names and numbers clearly and ensure that secure letter boxes are conveniently located and accessible from the street; and
  - h. include an appropriate scale of features and facilities to maintain and increase levels of biodiversity in the built environment.
- 8.10 Paragraph 7.10 within the supporting text states that it is important that a proposed development is considered in terms of site location, height, scale, form and proportions, along with

materials and detailing, with the latter two linking directly to the quality and durability of a proposal.

- 8.11 Policy 61 of the Local Plan 2018 states that proposals should:
- a. preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas;
  - b. retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area;
  - c. be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality;
  - d. demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context; and
  - e. provide clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of substantial public benefit, through detailed analysis of the asset and the proposal.
- 8.12 The West Cambridge Conservation Area Appraisal highlights that the area provides an interesting mix of mainly late 19<sup>th</sup> or early 20<sup>th</sup> Century houses, in addition to more modern buildings. The largest Character Area is the Grange Road Area, which is defined by its spacious family houses of the late 19<sup>th</sup> Century, large gardens on generous plots with mature trees and planting and a high ratio of green open space to built area.
- 8.13 The Appraisal continues by adding that the layout is notable for the survival of many of the late 19<sup>th</sup> Century residential buildings in their original plots, which tend to be quite narrow but deep, providing large back gardens.
- 8.14 Policy 67 states that the development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space can be satisfactorily replaced or re-provision located close to the site.
- 8.15 The Conservation Area Appraisal identifies the ARBS as a City Wildlife Site which is important for environmental and

recreational purposes as well as the biodiversity contained within it.

- 8.16 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires decision-makers to, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.17 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.18 Paragraph 185 of the National Planning Policy Framework (NPPF) 2021 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
  - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
  - c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

*Demolition of the existing dwelling*

- 8.19 The proposal would comprise the demolition of the existing building within the site. The dwelling was built in 1938 and the contribution it makes to the wider Conservation Area is considered to be positive.
- 8.20 Although this is the case, the building is not identified as either a positive building within the West Cambridge Conservation

Area Appraisal, nor considered to be a Building of Local Interest (BLI). Whilst the building is of a high-quality design and architecture, following a formal consultation with the Council's Conservation Officer, it is considered that subject to the design of any replacement dwelling preserving or enhancing the character and appearance of the Conservation Area, its demolition could be supported in principle in accordance with Policy 55, 57 and 61 of the Local Plan 2018.

*Replacement dwelling ('Front House')*

- 8.21 The West Cambridge Conservation Area is characterised by a number of different styles/eras, largely generous buildings with substantial gardens. The proposed replacement dwelling, described as the 'Front House' would be located on the footprint of the existing dwelling. The scale would be 2.5 storeys in height (and basement) and would comprise traditional materials, resulting in a proposal that would be similar in scale and design to other buildings within the locality. Therefore, it is considered that the proposal would sit comfortably within the site and in the context of the Conservation Area. In addition, it is considered that the overall form takes cues from early 20<sup>th</sup> Century established dwellings within the area whilst providing a glazed single storey element, contemporary in style, which whilst noting the Conservation Officer's concerns, is considered by virtue of its positioning and subservient scale, unobtrusive in the wider context.
- 8.22 Given its location behind the dwelling of No.16 Adams Road and substantial screening to the south and east of the application site, only limited long range views would be possible (from Adams Road and from Grange Road). Following a formal consultation with the Council's Conservation Officer, although some concerns have been raised with regards the southern elevation dormer size, in Officers' view, it is considered that this is proportional to the roofscape of the proposed dwelling and would be in-keeping with other nearby dwellings which consist of variations in dormer styles and sizes, most of which are more prominent within the street scene. Therefore, this is not considered sufficient reason to warrant refusal of the application and therefore subject to dormer details and materials being conditioned on any planning consent granted, the proposed Front House would not have a greater impact upon the character and appearance of the Conservation Area than the



existing dwelling and is compliant with Policy 55, 57 and 61 of the Local Plan 2018.

- 8.23 Although the loss of the substantial rear garden space is noted, significant portions of the green space including grass, trees and shrubs would remain with the principal outside amenity spaces positioned to the south and west of the proposed dwelling. Whilst large portions of the site would comprise hardstanding and patio area, outdoor space would represent approximately 65 percent of the total area of application site for the proposed dwelling and therefore it is considered that the proposal would accord with the West Cambridge Area Appraisal in terms of ensuring that the character of large gardens within generous plots with mature trees and planting with a high ratio of green open space to built area is maintained.
- 8.24 In terms of bin and cycle store provision, the proposed dwelling would have both stores located at the plot's frontage. The location and details of which are considered acceptable in accordance with Policy 57 of the Local Plan 2018.
- 8.25 Taking all this into account, it is considered that the proposed development would have an acceptable siting, form, height, layout and design, which responds positively to the character of the Conservation Area, would be appropriate to the surrounding pattern of development and character of the area and sufficient garden space is retained that is important to biodiversity interests. Therefore, the proposal is compliant with Policy 52, 55, 57 and 61 of the Local Plan 2018.

*Proposed new dwelling ('Rear House')*

- 8.26 The proposed dwelling would be situated immediately behind the Front House, with a separation distance of approximately 5 metres between these two storey elements. Whilst it is noted that in plan form, the proposed dwellings would appear as one residential unit, the separation by virtue of a combination of hardstanding and hedging would when viewed within the site's context appear as two stand-alone, distinctive dwellings.
- 8.27 Although the dwelling would be clearly visible from the private access to the ARBS and to some extent, from the ARBS site itself, given its position within the site, public views would be

limited which would be partially hidden by mature vegetation bordering the Old Trinity Field/ARBS access.

- 8.28 Whilst several representations concerning this and the housing density are acknowledged, taking all this into account and given that it is not unusual to find generous detached dwellings being situated in close proximity to each other (as noted by the Council's Conservation Officer) within the Grange Road part of the West Cambridge Conservation Area, examples of which include those along the southern side of Adams Road and the cul-de-sac of Clarkson Close, it is not considered that the limited space between the buildings would harm the character and appearance of the Conservation Area in this instance.
- 8.29 As discussed previously, the West Cambridge Conservation Area is characterized by a wide range of different architectural styles, including contemporary designs such as No.9 Wilberforce Road. The proposed dwelling would consist of a flat roof form, with largely two storey elements, a single storey 'wing' and a three storey section set back approximately 16 metres from the ARBS to the north of the application site.
- 8.30 Whilst the overall design has steered away from a traditional approach, and the dwelling lacks subservience in scale and massing to the existing dwelling, the proposal is of high quality design, resulting in a unique and individual building which draws on the contemporary buildings found elsewhere in the wider context. The scale is such that there is minimal increase in eaves and ridge height when compared to the existing building. Moreover, when viewing the proposed dwellings from the eastern elevation, the ridge line would not extend beyond the Front House ridge height and in the context of 2.5 storeys and 3 storey properties along Adams Road including the substantial massing and scale of No.6 and No.10 Adams Road, it is not considered that the proposed dwelling would be out of keeping with the prevailing character of the Conservation Area, noting that the proposal would be in a much less prominent position when compared with other examples in the local area.
- 8.31 Whilst the Conservation Officer raises concerns about the large sections of glazing and it is agreed that light spill may result upon the wider area, particularly from first floor and second floor elevations, this could be adequately addressed requiring that specialist glazing be installed mitigating excessive light spill.

- 8.32 The area is characterized as having large rear gardens and the inspector noted in an appeal at 15 Clarkson Close that ‘behind the frontage, development is large rear gardens that provide a leafy backdrop to the street scene’ (APP/Q0505/D/16/3157264). A predominant section of the existing rear garden would be occupied by the proposed dwelling. Whilst this is the case, the building footprint would only equate to approximately 30 percent of the total plot size, with approximately 42 per cent of the site comprising soft landscaping, with the remainder hard landscaping (patio and driveway). Therefore, it is considered that significant portions of the green space including grass, trees and shrubs would remain with the principal outside amenity space positioned to the west of the proposed dwelling. Therefore, it is considered that the proposal would accord with the West Cambridge Area Appraisal in terms of ensuring that the character of large gardens within generous plots with mature trees and planting with a high ratio of green open space to built area is maintained.
- 8.33 Several representations have been raised with regards the impact of the proposal on the character of the ARBS, specifically in terms of noise impacts, light spill and visual impacts, and adverse impacts upon this designated protected open space. As discussed above, the proposed three storey element would be located approximately 16 metres from this northern boundary, with the two storey element situated approximately 8 metres from this boundary. A reasonable green buffer zone is proposed, details of species specification and mix would be conditioned on any approval granted. The mature trees within the boundary of the ARBS would be unaffected by the construction as demonstrated in the provided method statement within the arboricultural report, which will be conditioned as an approved document on any consent granted.
- 8.34 Whilst representations have raised the importance of the residential garden land which acts as a buffer and fulfills one or more of the criteria of land under Policy 67 of the Local Plan, the current application site is designated as residential garden land and is not vacant, therefore, whilst it may contribute to the biodiversity of the area, it cannot be considered as open space under this policy in its own right.
- 8.35 Following withdrawal of the previous application, 19/0831/FUL, the proposed three storey element has been re-sited further

from the ARBS, the two storey element re-sited a further 2 metres and the extent of glazing on the northern elevation substantially reduced. The current proposal is to a large extent solid walls, materials consisting of beige stone and metal. Although some glazing on this northern elevation is proposed, this would either be confined to the single storey wing, located approximately 28 metres from the ARBS boundary or modest amounts within the three storey element. Following a formal consultation with the Council's Nature Conservation Officer, the lux levels of the glazing would be controlled by condition, details of which would be required.

8.36 The proposed height of the two storey element would measure approximately 6 metres and whilst the width of this would be extensive, measuring approximately 24 metres, when viewed from the closest Bird Sanctuary path and noting the existing mature vegetation, following the case officer's site visit, it is considered that only glimpse views would be possible.

8.37 Taking all this into account, whilst the proposed dwelling would be partially visible, particularly in the winter months, the set back within the plot, the predominantly two storey scale of the dwelling and the limited light spill would not in the view of Officers result in unacceptable dominating impacts upon the character of the ARBS and would not adversely impact its natural recreational and environmental purposes. Given that this is the case, the proposal is not considered by Officers to have a social harm upon the purposes of this wildlife site nor its public contribution and its special characteristics/uniqueness.

8.38 Whilst concerns regarding noise impacts are acknowledged, given that the area surrounding the application site is largely residential in nature, comprising gardens and ancillary detached garden rooms, it is not considered that potential noise levels would have such an impact upon the character of the ARBS to warrant refusal of the scheme. It is noted that principal outdoor amenity spaces and the third storey balcony would be a substantial distance from the ARBS boundary in any case. To mitigate noise and dust impacts during the construction phase, a construction ecological mitigation plan and restrictions on construction times will be conditioned on any consent granted.

8.39 Moreover, attention has been drawn to previous developments close to the ARBS. Whilst each application is determined on its

own merits, the development at 1 Clarkson Close has a siting closer to the ARBS than this proposal and a similar length of elevation adjacent to the ARBS, whilst being 9 metres in height and was considered to not have an adverse impact on the City Wildlife Site in visual terms.

- 8.40 Other representations have referred to other previously proposed developments close to the Bird Sanctuary being either withdrawn or rejected. Although these comments are acknowledged, Officers are not aware of recent cases. Notwithstanding this, each case is determined on its own merits.
- 8.41 Concerns have been raised with regards the visual impact upon the ARBS access track and its proximity of such. The proposal would be sited approximately 13 metres from this access. Whilst the proposal as demonstrated in the supporting documentation would be clearly visible, given the transient purpose of the access to serve users of the ARBS, it is not considered that the proposal would have a detrimental impact upon the character of the ARBS in this instance.
- 8.42 In terms of bin and cycle store provision, the proposed dwelling would have a refuse area at the entrance to the plot. The bike store would be located to the side of the dwelling in relation to the proposed pool/gym area and is considered to be easily accessible to future occupiers. The location and details of these elements are considered acceptable in accordance with Policy 57 of the Local Plan 2018.
- 8.43 Taking all this into account, it is considered that the proposed development would have an acceptable siting, form, height, layout and design, which responds positively to the character of the Conservation Area, would be appropriate to the surrounding pattern of development and character of the area and sufficient garden space is retained which is important to biodiversity interests. In addition, it would have no adverse impacts upon the character of the ARBS as a protected open space. Therefore, the proposal is compliant with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2021.

## **Setting of Listed Buildings**

8.44 Whilst representations concerning the impact upon the setting of Listed Buildings is acknowledged, no objections from the Conservation Officer are raised regarding this and given the substantial distance from the nearest Listed Buildings and the intervening vegetation and built forms, it is not considered that the proposal would result in harm to the setting of Listed Buildings in accordance with Policy 61 and 62 of the Local Plan 2018.

## **Sustainable design and construction**

8.45 Policy 28 of the Local Plan 2018 seeks opportunities to integrate the principles of sustainable design and construction into the design of proposals.

8.46 A number of representations have highlighted that the demolition of the existing dwelling would have adverse impacts upon the environment in terms of embodied carbon. Whilst the loss of this dwellings fabric is acknowledged, given that the proposed design and construction of the replacement dwelling would be an improvement in sustainability terms over the existing dwelling and both this dwelling and additional dwelling to the rear would comprise ground source heat pumps and energy/water efficiency measures, the proposals are considered to be compliant with Policy 28 and 29 of the Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

## **Biodiversity impact**

8.47 Policy 69 of the Local Plan 2018 states that in determining any planning application affecting a site of biodiversity or geodiversity importance, development will be permitted if it will not have an adverse impact on, or lead to the loss of, part or all of a site identified on the Policies Map. Regard must be had to the international, national or local status and designation of the site and the nature and quality of the site's intrinsic features, including its rarity.

Where development is permitted, proposals must include measures:

a. to minimise harm;

- b. to secure achievable mitigation and/or compensatory measures; and
- c. where possible enhance the nature conservation value of the site affected through habitat creation, linkage and management.

In exceptional circumstances, where the importance of the development outweighs the need to retain the site, adequate replacement habitat must be provided.

Any replacement habitat must be provided before development commences on any proposed area of habitat to be lost.

- 8.48 The Adams Road Bird Sanctuary (ARBS) is one of a number of designated City Wildlife Sites and County Wildlife Sites based on substantive nature conservation interest against published criteria.
- 8.49 Paragraph 7.65 supporting text states that development would only be supported where it can be adequately demonstrated that proposals will not have an adverse effect on biodiversity; and that, where required, suitable mitigation measures are acceptable and deliverable. In addition, the potential for the enhancement of the site and adjacent habitats should also be explored. Proposals on or adjacent to a site of local conservation importance should not be granted without proper consideration of the potential to enhance the designated site's biodiversity through enhanced management, habitat creation or the formation of new linkages with adjacent habitat areas.
- 8.50 Paragraph 7.66 states that where development is proposed within, adjoining or which will otherwise affect a locally-designated nature conservation site, comprehensive surveys of the historic and existing biodiversity importance, a professional ecological assessment of the impact of the proposed development and details of measures to protect and enhance the habitat or species identified will be required.
- 8.51 Policy 70 of the Local Plan 2018 states that development will be permitted which protects priority species and habitats and enhances habitats and populations of priority species... If significant harm to the population or conservation status of a protected species, priority species or priority habitat resulting from a development cannot be avoided, adequately mitigated,

or, as a last resort, compensated for, then planning permission will be refused.

- 8.52 The existing application site comprises amenity grassland, trees, shrubs and hedgerows. According to the updated Preliminary Ecological Appraisal (PEA), the adjacent City Wildlife Site is designated on the basis of its broadleaved woodland, swamp, marginal vegetation and standing and running water.
- 8.53 Whilst several representations regarding the validity and reliability of this PEA have been received and the fieldwork survey was carried out in 2018, the updated report was dated September 2019 and therefore valid at the time this application was received. No objections from the Nature Conservation Officer with regards this are noted.
- 8.54 Following a formal consultation with the Council's Nature Conservation Officer, it is understood that the ARBS is known to host protected species such as nesting birds, bats, great crested newts and invertebrates. Following the revised PEA, concerns were raised from the Officer with regards the associated negative impact upon this adjacent site, and the lack of consideration of the mitigation hierarchy with respect the designated site boundary, for instance, by positioning the buildings further from the boundary and reducing glazed elements that face Adams Road Sanctuary. The Nature Conservation Officer therefore objects on the basis of Policy 69 of the Local Plan 2018.
- 8.55 Whilst these comments are acknowledged, following withdrawal of the previous application, the glazing elements at both single and two storey level closest to the ARBS have been removed from the proposal and the three storey element sited substantially further from the boundary than previously proposed and sufficiently outside the root protection areas of these adjacent trees. Whilst it is noted that the proposal would still remain fairly close to the ARBS, these changes are considered to avoid the indirect impacts such as bird strike implications associated with the glazing.
- 8.56 Given that the proposed dwelling would be sited on largely amenity grassland, the habitat value is considered to be fairly small. A reasonable green buffer, measuring approximately 6



metres in depth would separate the proposed hardstanding and built form of the proposed Rear House which would help to compensate for any loss of vegetation. In addition, replacement trees would be planted within the site which will be discussed in a later section. Therefore, it is considered that large parts of the grassland would be retained and enhanced through the proposed green buffer, the proposal is compliant with Policy 52 of the Local Plan 2018.

- 8.57 Following these comments, a biodiversity net gain metric has been provided. Whilst several representations have questioned the calculations and the inadequacy of the analysis, a formal consultation with the Council's Nature Conservation Officer confirms that the landscape scheme would deliver a small onsite net gain. In discussion with the Landscape Officer, a suitable soft landscaping scheme could be achieved within the site and therefore it is considered reasonable and necessary that this is conditioned in addition to securing its ongoing management.
- 8.58 In addition, measures to minimize harm could be secured via a construction management ecological condition to limit noise, dust and removal of vegetation outside of active seasons. In addition, specialist glazing and less than 1 lux lighting zone would be conditioned as part of the ecological lighting design strategy and therefore any impacts on the adjacent designated site could be minimized in accordance with Policy 69(a) of the Local Plan 2018.
- 8.59 As discussed above, whilst the proposed Rear House would be situated within 8 metres of the ARBS and the Nature Conservation Officer objects to the proposal, the ecological mitigation plan demonstrates that appropriate compensation measures could be achieved such as bird boxes and hedgehog holes in accordance with Policy 69(b) of the local Plan 2018.
- 8.60 Moreover, as demonstrated through the Biodiversity Net Gain calculations, the creation of the green buffer zone is considered to provide habitat creation and linkages to adjacent sites in accordance with Policy 69(c) of the Local Plan 2018.
- 8.61 With regards any direct harm upon protected species, a single bat roost in the garage has been identified and following a formal consultation with the Council's Nature Conservation

Officer, a condition requiring mitigation will be attached on any approval granted in accordance with Policy 70 of the Local Plan 2018.

- 8.62 Whilst several representations have been received with regards the adverse effects on biodiversity and the lack of mitigation, it is considered that on balance the supporting information has demonstrated that the proposal meets the criteria within Policy 69 and Policy 70 subject to the recommended conditions in addition to the green roof condition in accordance with Policy 31.

### **Tree Impacts**

- 8.63 Policy 71 of the Local Plan 2018 states that development will not be permitted which involves felling, significant surgery (either now or in the foreseeable future) and potential root damage to trees of amenity or other value, unless there are demonstrable public benefits accruing from the proposal which clearly outweigh the current and future amenity value of the trees.

Development proposals should:

- a. preserve, protect and enhance existing trees and hedges that have amenity value as perceived from the public realm;
- b. provide appropriate replacement planting, where felling is proved necessary; and
- c. provide sufficient space for trees and other vegetation to mature.

- 8.64 A total of nine trees would be removed to enable the construction of the two dwellings. The two statutory protected trees (TPOs) within the site would not be impacted. Following a formal consultation with the Council's Trees Officer, whilst there is no objection to the loss of these nine trees, concerns have been raised regarding the lack of space within the site to mitigate the loss of trees via replacements and further reduction on the amount of useable outdoor space and resultant shading.

- 8.65 The existing dwelling is shaded by trees situated to the south of the site. Whilst this benefits from a large garden and private outdoor amenity space to the rear, by virtue of its position within the plot, closer to existing trees than the proposed dwelling

(front house), it is considered that habitable room windows are currently subject to substantial shading.

- 8.66 The proposed front house would be situated slightly further north within the plot and extensive glazing is proposed at ground floor level with additional rooflights so that it maximizes sunlight internally.
- 8.67 The Trees Officer and third party representations have raised concerns regarding the reasonable future pressure for tree removal resulting from the lack of usability of outside space and impact on shading. It is acknowledged, as demonstrated by the 'proposed site plan with tree survey' that the front house plot would be shaded for some parts of the day. However, small parts of the garden would be subject to no shading and at other times of the day, parts of the patio area would not be subjected to shading. Whilst the usability of the garden space would largely be dictated by the sun's movement, it is considered that given the extensive garden space and multiple patio areas proposed, on balance, it is not considered that the proposal would result in additional future pressure for tree removal in accordance with Policy 71 of the Local Plan 2018.
- 8.68 Whilst this is the case with the front house, the proposed rear house would be sited a reasonable distance away from trees along or close to the western boundary and therefore would not result in pressure for future tree removal as a result of existing trees on site.
- 8.69 Replacement tree planting is proposed as illustrated by the 'proposed site plan'. Whilst the Council's Trees Officer and third party concerns regarding insufficient space for these replacement trees and the potential for future reduction of usable outside space is acknowledged, the proposed replacement trees would be situated along the northern boundary and would contribute to the green buffer bordering the ARBS.
- 8.70 The illustrative replacement tree planting, whilst positioned fairly close to the proposed rear house, would in principle be acceptable due to the extensive 62 metres length by 6 metres depth of assigned buffer zone. Moreover, due to the area's northern orientation and the lack of fenestrations in the proposed rear house at ground and first storey level, it is

considered that a replacement tree planting scheme could be deliverable on the site without impacting the usability of the proposed dwelling's internal and external spaces, nor impacting the root protection areas of trees within or adjacent to the site. Therefore, subject to a soft landscaping scheme detailing species choice and specification, the proposal is in accordance with Policy 71 of the Local Plan 2018.

8.71 An arboricultural survey and impact assessment has been provided which demonstrates that the other trees within the site could be protected from harm. Whilst the Council's Trees Officer has concerns regarding the availability of space for drainage, access, storage of materials and construction, there is considered to be substantial space in the north west and north east parts of the site which in principle could avoid the canopies and root protection areas of the trees. In addition, service trenches and species techniques would be employed to avoid incursions into the root protection areas of trees as described in the Arboricultural report and method statement. Therefore, it is considered that the proposal is in accordance with Policy 71 of the Local Plan 2018.

8.72 Other concerns have been raised with regards the trees within the ARBS boundary, and the western hedgerow bordering the access track. It is considered that there is sufficient space to avoid impacts upon this hedgerow.

### **Residential Amenity Impact**

#### *Neighbour impacts*

8.73 The proposed dwellings would be situated a substantial distance from the closest neighbouring dwellings, with respective distances to No.16 and No.19 Adams Road being approximately 40 metres from any first and second floor windows. Therefore, it is not considered that the proposed dwellings would result in significant overbearing, loss of light or overlooking impacts upon nearby neighbouring dwellings.

8.74 Whilst the separation distances between the two proposed dwellings are close, given that any windows serving habitable rooms on first and second floors of the proposed front house dwelling would be secondary or serve non-habitable room

windows, these could be conditioned to be obscured on any consent granted.

- 8.75 An extensive balcony/terrace is proposed on the second floor of the proposed rear house. Given that any views to the south would be blocked by the bulk and massing of the front house, limited overlooking of the front house's garden space would be possible and therefore not significant in this instance.
- 8.76 Concerns have been raised regarding the visual intrusion on No.16 Adams Road. Whilst extensive areas of glazing are proposed on the rear house's western elevation, given the substantial distance and intervening mature vegetation, it is not considered that the proposal would result in significant disturbance on account of excessive lighting/illumination. Moreover, as discussed previously, it is considered that the light spill could be further mitigated by conditioning specialist glazing on any approval granted.
- 8.77 Following a formal consultation with the Council's Environmental Health Officer, it is considered that in the interests of safeguarding neighbouring residential amenities, conditions could reasonably be attached with regards construction, noisy works and deliveries, piling, and dust on any consent granted in accordance with Policy 35 of the Local Plan 2018.
- 8.78 Following consultation with the Environmental Health Officer, due to the proposed close proximity of ground source heat pumps to each dwelling, it is considered that sufficient noise insulation should be provided to mitigate associated noise impacts. This will be conditioned on any approval granted in accordance with Policy 35 of the Local Plan 2018.
- 8.79 Therefore, taking all this into account, subject to conditions, it is considered that the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 35, 52, 55 and 56.

### *Future occupiers*

- 8.80 The proposed dwellings would meet the requirements of a 6 bedroom, 8 person internal space standards in accordance with Policy 50 of the Local Plan 2018.
- 8.81 Whilst as discussed previously, the front house's outdoor amenity space would be subject to some shading, taking into account the amount of patio space available, it is considered that at times during the day, this amenity space would enjoy some direct sunlight. It is therefore considered that there is sufficient quality and amount of outdoor amenity space to provide residents with acceptable practicable space for play, rest and clothes drying in accordance with Policy 50 of the Local Plan 2018.
- 8.82 In terms of accessibility of the proposed dwellings, the proposal exceeds the requirements of Policy 51 (part M4(2) of Building Regulations compliance) by providing a ground floor WCs, level access, and lift access. Therefore, the proposal is in accordance with Policy 51 of the Local Plan 2018.

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

- 8.83 The application site is situated within Flood Zone 1 with no high surface water issues identified within the footprints of the proposed dwellings. Whilst third party representations concerning ground water pollution are acknowledged, no objection has been raised by the Council's Drainage Officer subject to foul and surface water conditions which would have regard for appropriate disposal of surface water. This is considered reasonable and necessary in accordance with Policy 31 and 32 of the Local Plan 2018.
- 8.84 Policy 31 requires all flat roofs to be green or brown providing it is acceptable in the historic environment. In this instance, extensive flat roofs are proposed to both dwellings and green or brown roofs would not detract from the character of the Conservation Area. Therefore, it is considered that this will be conditioned on any approval granted in accordance with this policy requirement.

## **Refuse Arrangements**

- 8.85 Bin stores are considered to be appropriately located with easy direct access to the roadside. Taking into account the dragging distance involved of the existing dwelling, it is not considered that the additional distance required for the additional dwelling to the north would be unacceptable in this instance. Therefore, the proposal is considered to be compliant with Policy 57 of the Local Plan 2018.

## **Highways Safety**

- 8.86 Whilst third party representations regarding the potential increase in traffic and risks to pedestrian/cyclists are acknowledged, following a formal consultation with the Local Highways Authority, it is considered that subject to a contractors parking plan, 2x2 metre pedestrian visibility splays and driveway construction conditions, the proposal is compliant with Policy 81 of the Local Plan 2018.

## **Car parking and cycle provision**

- 8.87 The application site is located outside of the controlled parking zone. The proposed front house would accommodate car parking within the basement and the rear house would accommodate vehicles within the drive. Therefore, it is considered that there would be sufficient space within the plots of the proposed dwellings for at least two car parking spaces with turning capacity in accordance with Policy 52 and 82 of the Local Plan 2018.
- 8.88 Covered cycle parking would be provided in convenient locations as demonstrated and details of which would be conditioned on any consent granted in accordance with Policy 52 and 82 of the Local Plan 2018.

## **Other matters**

- 8.89 Third party representations have been received with regards misleading information, planning policies and visual representations within the supporting documentation. This planning assessment has been subject to a site visit to the application site and ARBS and a thorough assessment of the

materials provided with input from specialist officers regarding technical matters.

- 8.90 Whilst minimal social and economic benefits of the scheme have been raised, as discussed, it is considered that the proposal accords with the policies within the Local Plan 2018.
- 8.91 Whilst comments regarding an Article 4 Directive removing permitted development rights are acknowledged, as this matter is ongoing and has not been determined, it cannot be given weight in the planning assessment process.
- 8.92 Third party representations regarding the length of time of building work and impact upon the ARBS fence and foundations are acknowledged. Whilst it wouldn't be reasonable to control the length of time for construction works to take place, conditions would be attached to mitigate impacts such as hours of work and control of noise and dust as discussed. Any potential impacts upon adjacent fences and structures is a civil matter outside of this planning assessment.
- 8.93 Following a formal consultation with the County Archaeological Officer, it is noted that the site has already been subject to investigation and no objections nor conditions are required in this instance in accordance with Policy 61 of the Local Plan 2018 and the NPPF 2021.
- 8.94 The applicant has agreed to the recommended pre-commencement conditions to be attached to any planning consent granted.

### **Planning balance and conclusion**

- 9.1 In conclusion, the proposed development would preserve the character and appearance of the Conservation Area, the retention of sufficient garden land and considerable numbers of trees within the site. The scheme provides for a high-quality living environment for future occupiers whilst protecting neighbour amenities.

Whilst objections from the Council's Trees Officer and Nature Conservation Officer are acknowledged, it is considered that on balance, the scheme has demonstrated that the biodiversity



interests of the site and adjacent designated site would be both minimized, mitigated and compensatory measures provided in accordance with local plan policies. It is considered that there is sufficient space within the site for a deliverable tree planting scheme whilst not resulting in future pressure for tree removal.

For the reasons set out in this report, officers consider the planning application to be acceptable in accordance with relevant national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

## **10.0 Recommendation**

10.1 Officers recommend that the Planning Committee approve the application, subject to the following conditions:

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

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

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

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

3. No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, 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).

4. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall include:

- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
  - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
  - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
  - d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
  - e) Full details of the proposed attenuation and flow control measures;
  - f) Site Investigation and test results to confirm infiltration rates;
  - g) Full details of the maintenance/adoption of the surface water drainage system;
  - h) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policy 31 and 32 of the Local Plan 2018.

5. No demolition or construction works shall commence on site until a contractors parking plan has been agreed in writing with the Planning Authority. The aim of the plan should be to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub-contractors under taking the works.

Reason: in the interests of highway safety in accordance with Policy 81 and 82 of the Local Plan 2018.

6. No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of biodiversity protection zones.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timings of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure that before any development commences appropriate construction ecological management plan has been agreed to fully conserve and enhance ecological interests in accordance with Policies 57, 69 and 70 of the Local Plan 2018.

7. No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include: a) 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; The scheme must be developed and delivered in line with the Landscape Institute's current guidance on plant

biosecurity (Biosecurity Toolkit); b) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas. c) If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation. d) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected including provision for gaps in fencing for hedgehogs.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants (existing retained or proposed) that, within a period of five years after planting (or replanting if previously failed), 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: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

8. No operational plant, machinery or equipment shall be installed until a noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

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

9. There should 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 unless otherwise previously agreed in writing

with the Local Planning Authority.

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

10. No construction or demolition work shall be carried out and no plant or power operated machinery 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, unless otherwise previously agreed in writing with the Local Planning Authority.

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

11. In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be assessed 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 statement.

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

12. The development, hereby permitted, shall not be used or occupied until, carbon reduction measures have been implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO<sub>2</sub> emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
  - a) Levels of carbon reduction achieved at each stage of the energy hierarchy;
  - b) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit;

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

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

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

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

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

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

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

14. The development hereby approved, shall be carried out in strict accordance with the recommendations contained within the Arboricultural Impact Assessment and Method Statement prepared by A.T Coombes Associates Ltd, dated 20th March 2021 and the associated drawings (Appendix 4 - Tree Protection Plan).

Reason: To ensure that any works undertaken comply with

arboricultural best practice and minimise the impact on the tree's health and amenity in accordance with Policy 71 of the Local Plan 2018.

15. The 'Rear House', hereby permitted, shall not be occupied until the proposed first floor windows in the northern elevation of the 'Front House', have, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity) and shall be fixed shut or 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: To prevent overlooking of the adjoining properties (Cambridge Local Plan 2018 policies 55, 57/58).

16. The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

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

17. The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the bin stores provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the refuse for future occupiers (Cambridge Local Plan 2018 policy 56, 57).

18. Notwithstanding the Ecological Mitigation Plan and Biodiversity Net Gain calculations provided, no development above ground level, other than demolition, shall commence until a biodiversity

enhancement scheme has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and / or bat boxes on the new buildings and any other measures to demonstrate that there will be a net biodiversity gain on the site of at least 10%. The installation of the boxes and biodiversity enhancements as agreed shall be carried out prior to the occupation of the development and subsequently maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To provide ecological enhancements for protected species on the site in accordance with Policy 69 of the Local Plan 2018.

19. 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).

20. The flat roofs hereby approved shall be a Green Roof or Brown Roof 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. The roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance/repair or escape in case of emergency.

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)

21. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff



sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with Policy 31 and 32 of the Local Plan 2018 and the NPPF 2021.

22. No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policy 31 and 32 of the Local Plan 2018.

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

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

24. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the Local Planning Authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

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

25. No dormers shall be constructed until full details, at a scale of 1:10, showing the construction, materials, rainwater disposal and joinery of the dormers, including their cheeks, gables, glazing bars and mouldings, have been submitted to and approved in writing by the Local Planning Authority. Dormers shall thereafter be constructed only in accordance with the approved details.

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

26. Prior to first occupation of the dwellings, the pedestrian visibility splay of 2m x 2m to the western side of the access (as shown on dwg 10 of the Transport Statement) shall be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway for the life time of the development.

Reason: In the interests of highway safety in accordance with Policy 81 of the Local Plan 2018.

27. The widening of the drive way shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: In the interests of highway safety in accordance with Policy 81 of the Local Plan 2018.

28. The drive shall be constructed using a bound material for a distance of not less than 5m from the boundary of the adopted public highway (in this case the back of the footway) to prevent debris spreading onto the adopted public highway.

Reason: In the interests of highway safety in accordance with Policy 81 of the Local Plan 2018.

29. 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 for each 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).

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

Reason: To safeguard protected species in accordance with Policy 57, 69 and 70 of the Local Plan 2018 and the NPPF 2021.

31. Prior to development above slab level, a detailed glazing specification shall be provided and agreed in writing with the Local Planning Authority, detailing the specialist glazing and less than 1 lux lighting zones hereby approved in principle. All development shall be carried out in accordance with these details.

Reason: To conserve ecological interests. (Cambridge Local Plan 2018 policy 57, 69 and 70).

32. Prior to occupation a "lighting design strategy for biodiversity" features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for

example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57, 69 and 70).

33. No works to any trees shall be carried out until the Local Planning Authority has received and approved in writing the full details of replacement tree planting. Details are to include number of replacements, species, size, location and approximate date of planting. The replacement planting shall be carried out as approved.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity in accordance with Policy 71 of the Local Plan 2018.

## **INFORMATIVES**

1. The granting of a planning permission does not constitute a permission or license to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014+A1:2019) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background sound level (LA90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

If noise sensitive premises are located within the site boundary, then the glazing of the premises and/or amenity areas will also be a location for the rating level of all plant not to exceed the existing background sound level (LA90).

Tonal/impulsive sounds and other sound characteristics should be eliminated or at least considered in any assessment and should carry an additional correction (rating penalty) in accordance with BS4142:2014+A1:2019. This is to prevent unreasonable disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the application boundary having regard to neighbouring premises.

Whilst our requirements are for the rating level not to exceed the background sound level at the application site boundary, if the plant is roof mounted and nearby noise sensitive receivers are in closer proximity than the site boundary and / or the site boundary is afforded shielding from the application building parapet, the nearest noise sensitive receiver would be the required assessment location.

It is important to note that a full BS4142:2014+A1:2019 assessment is not required, only certain aspects to be incorporated into an acoustic assessment as described within this informative.

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

operation.

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

3. To satisfy the dust minimisation condition, it is required that a dust management plan should reference and have regard to various national and industry best practical technical guidance such as:

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

Guidance on Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018)

<b>Application Number</b>	21/03899/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	26th August 2021	<b>Officer</b>	Tom Gray
<b>Target Date</b>	21st October 2021		
<b>Ward</b>	Trumpington		
<b>Site</b>	157 Shelford Road Cambridge		
<b>Proposal</b>	Change of use to 11bed HMO for 11 persons (sui generis).		
<b>Applicant</b>	M Fas Malik 157 Shelford Road Cambridge		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The HMO is situated within a sustainable location with alternative modes of accessible transport, the building is suitable for use as such with appropriate parking, refuse facilities and outdoor amenity space. In addition, it does not create an over-concentration of such a use in the local area</li> <li>- Given its location outside the town centre and taking all submitted evidence into account, it has been demonstrated that the existing lawful visitor accommodation was no longer economically viable to be retained as such and all reasonable efforts have been made to preserve the facility</li> <li>- There is no significant impact upon neighbour amenities. Both internal and external amenity spaces are considered to be of an acceptable quality and amount. The number of occupants will be controlled by condition.</li> <li>- Car and cycle provision is acceptable.</li> </ul>
----------------	--

	Sheffield stands exist to the front of the building in an appropriate location. Additional Sheffield stands would be to the rear to provide for overflow cycle provision and will be conditioned.
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

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

1.1 The application site comprises a detached building situated outside the controlled parking zone. Statutory protected trees are located to the rear of the site and adjacent to the site (within the garden of No.165 Shelford Road). Surface water flooding issues have been identified within the application site and the immediate area.

1.2 Whilst the application form states that the current use is residential, according to the site's planning history, its lawful use is as a B&B. It is understood that an HMO license has been granted and therefore this application seeks retrospective planning consent for the use of the property as a HMO.

## **2.0 THE PROPOSAL**

2.1 The applicant proposes the change of use to 11bed HMO for 11 persons (sui generis).

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
05/0619/FUL	Change of use of six rooms from residential to use for Bed and Breakfast	Refused
06/0255/FUL	Change of use of six rooms for the use of bed and breakfast	Permitted
07/0450/FUL	Change of use of 2 rooms to the use for bed and breakfast	Permitted
13/1484/FUL	Additional guest bedroom,	Permitted



additional  
owners bedroom and detached  
garden  
building

14/1446/FUL	Change of use from Bed and Breakfast (C1) to create 8 studio flats (Sui Generis)	Withdrawn
21/02475/FUL	Change of use to large 11bed HMO for 11 persons (sui generis)	Refused

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 3 32 35 36 48 50 51 52 55 56 58 71 78 80 81 82

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

Central	National Planning Policy Framework 2021
---------	---

<p>Government Guidance</p>	<p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Supplementary Planning Documents</p>	<p>Cambridgeshire and Peterborough Flood and Water</p> <p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Arboricultural Strategy (2004)</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p>

	<p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Greater Cambridge Sustainable Design and Construction SPD (2020)</p>
--	--

## **6.0 CONSULTATIONS**

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

No adverse effect upon the Public Highway.

### **6.2 Environmental Health**

No objection.

I have previously provided comments for a similar application at this address on 22nd June 2021, specifically in response to the consultation on 21/02475/FUL - Change of use to large 11bed HMO for 11 persons (sui generis). At that time, I spoke with our Residential Team who lead on the licensing of HMO's and it was confirmed that 157 Shelford Road has already met the necessary standards for an 11 bed HMO in terms of the Housing Health and Safety Rating System (HHSRS). I understand that the applicant has been issued with the relevant HMO license.

Given the above, we have no specific concerns regarding this application. However, as previously advised, should approval of the application not be granted, we would ask that the Planning Case Officer contacts the Residential Team of Environmental Health either via telephone no. 01223 457000 or email [env.health@cambridge.gov.uk](mailto:env.health@cambridge.gov.uk) to confirm the decision as it may

have repercussions for the existing HMO license issued for the premises.

## **7.0 REPRESENTATIONS**

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

**149 Shelford Road** – Objection. Council have previously approved a number of extensions to the property and is now out of keeping with the neighbourhood. Potential for 22 occupants (11 bedrooms). All along Shelford Road there are cars/vans parked and dangerously obscure view of other drivers. Gross overdevelopment. Previous development not carried out in accordance with the permission. Further creeping expansion of use. Effectively a small room only hotel.

**165 Shelford Road** – Support. Never had any issues with noise, car parking or any other topic. All residents parking within designated area.

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Highway safety and Parking Provision
5. Other Matters (Trees, Flood Risk etc.)

### **Principle of Development**

8.2 The applicant seeks retrospective planning consent for the change of use of B&B use to House of Multiple Occupancy (HMO) sui generis use, comprising an 11-bedroom, 11 person HMO.

8.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

8.4 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with Policy 3 of the Local Plan 2018.

*Suitability for use as a House of Multiple Occupancy (HMO)*

8.5 Policy 48 of Cambridge Local Plan 2018 states that proposals for large houses in multiple occupation (sui generis use) will be supported, where the proposal:

a. does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area;

b. the building or site (including any outbuildings) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying area;

c. will be accessible to sustainable modes of transport, shops and other local services.

8.6 In this instance, the local area is largely characterised by large independent family dwellings and flats, and there is no large concentration of houses in multiple occupation within the vicinity of the application site. Therefore, the proposal is compliant with criterion a of Policy 48.

8.7 The property comprises a good-sized kitchen and large breakfast room with additional space for facilities if required by the occupants. In addition, a reception room is located to the rear of the building within a conservatory. These communal areas will be conditioned to remain as such on any planning consent granted. A sizeable outdoor amenity space with covered decking area, suitable for recreational use and an area of lawn for drying clothes is provided. It is noted that the building to which this planning application relates has been granted a residential licence to be used as a house in multiple occupation and therefore has met the suitability test in addition to health and safety as assessed by the Environmental Health Residential Team.

- 8.8 Provision is made for appropriate refuse and recycling storage at the front of the site, with car parking and cycle provision within the area fronting Shelford Road. With regards parking standards, this will be discussed further in the highways section below.
- 8.9 Moreover, given the application site's location on a main road entering the City of Cambridge and easy access to shops and local services including places of work including Addenbrookes, and taking all this into account, it is considered that the proposal would be compliant with criterion a, b and c of Policy 48 of the Local Plan 2018 subject to parking standards compliance.

*Loss of visitor accommodation*

- 8.10 Although the Design and Access Statement states that the building is currently in residential (C3) use, the planning history suggests that its lawful use (and last use) was B&B accommodation (C1 use). The proposed change of use from visitor accommodation to an HMO use would therefore result in the loss of visitor accommodation and Policy 78 of the Local Plan 2018 would be engaged.
- 8.11 Policy 78 of the Local Plan 2018 states that development will not be permitted which would result in the loss of existing visitor accommodation (as defined within the supporting text to Policy 77) unless the use is no longer viable.  
Applications for change of use will need to demonstrate that:
- a. all reasonable efforts have been made to preserve the facility but it has been proven that it would not be economically viable to retain the visitor accommodation in its current form; and
  - b. the property or site has been appropriately marketed for at least 12 months in order to confirm that there is no interest in the property or site for visitor accommodation use.
- 8.12 Supporting text (paragraph 8.56) of this policy states that where the case can be made that the visitor accommodation is not and cannot be made viable with investment, its loss may be acceptable. Evidence would be required, in terms of marketing and viability of existing uses. The preference is for conversion to residential use.

- 8.13 The previous application 21/02475/FUL was refused on the basis of the lack of evidence to demonstrate that visitor accommodation is no longer economically viable to be retained as such nor evidence provided to demonstrate that all reasonable efforts have been made to preserve the facility including marketing information to demonstrate that the guest house has been unsuccessfully marketed for at least 12 months.
- 8.14 In response to this refusal reason, the applicant has provided information to support the application, including a letter from their accountant, income statements and correspondence from the estate agent. Within the supporting letter, the applicant states that the property was originally purchased in an attempt to make the property profitable. Unfortunately, due to other competition within the area, particularly large hotel chains and the emergence of Airbnb, the business struggled. In 2020, the applicant decided to let it as long-term accommodation.
- 8.15 The accountant's letter states that the property was used as a B&B facility from 2012 until 2020. The attached accounts for years 2019 and 2020 demonstrate that only a very small profit was made, and it was only because of the applicant's other investment income that the business managed to continue. In the accountant's view, the operation of the property as a bed and breakfast was therefore not viable.
- 8.16 According to the estate agent's letter, the property was first advertised as a B&B in Summer 2018 and no interest from third parties was forthcoming.
- 8.17 Moreover, given the application site's location outside the City Centre (approximately 4 km distance), it is not considered that the loss of visitor accommodation would be detrimental the provision of suitable visitor facilities in convenient locations within the City.
- 8.18 Therefore, taking all this into account, it is considered that sufficient evidence has been provided to demonstrate that the existing visitor accommodation is no longer economically viable to be retained as such and all reasonable efforts have been made to preserve the facility. Therefore, the proposal is compliant with Policy 78 of the Local Plan 2018.

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

- 8.19 No external changes are proposed to the existing building. The applicant has undertaken some internal works to make the property suitable for use as an HMO. Cycle and bin storage are provided to the front of the site and additional cycle storage is proposed to the rear of the site which would be controlled by condition. Therefore, it is considered that the proposal is compliant with Policies 48, 55, 56 and 58 of Local Plan 2018.

### **Residential Amenity Impact**

#### *Impact upon neighbouring amenities*

- 8.20 No external changes to the existing building are proposed. The existing lawful use of the building is as B&B accommodation, which comprised seven bedrooms plus three bedrooms for residential staff. Given that this is the case, it is not considered that the proposal would give rise to any significant noise and disturbance to surrounding occupiers compared to its use as visitor accommodation. Therefore, the proposal is compliant with Policies 48, 55, 56 (58) and 35 of the Cambridge Local Plan 2018.

#### *Amenity for future occupiers*

- 8.21 No objections from the Environmental Health Officer have been received regarding the proposal. Whilst a third party representation concerning the potential for 22 occupants is acknowledged, given that the proposed HMO has already been assessed in terms of its suitability as a 11 person, 11 bedroom large HMO during the licensing assessment, and noting that bedroom floor areas either meet or exceed the residential space standards for single occupant bedrooms, with sufficient dining and kitchen facilities for the number of occupants, it is considered that there is sufficient internal space for private accommodation and communal living space. Therefore, subject to the limitation of the number of persons to a maximum of 11 people to be conditioned on any planning consent granted, the proposal is in accordance with Policy 50 and Policy 48 of the Local Plan 2018.

The outdoor amenity space is of an acceptable quality/amount to provide for rest, recreation and circulation for the proposed



11 occupants. Therefore, the proposal is compliant with Policy 48 and Policy 50 of the Local Plan 2018.

### **Highways Safety and Parking Provision**

- 8.22 No objections from the Local Highways Authority have been received regarding the proposal. The application site has adequate pedestrian and vehicular visibility and therefore would not result in significant highway safety impacts in accordance with the NPPF 2021.
- 8.23 The previous application 21/02475/FUL was refused on the basis of the inadequate three parking spaces as stated to be retained on the site and the potential pressure for on-street car parking. In response, the applicant has shown on the submitted plans that a total of 9 car parking spaces would be retained on site (including 1 disabled space).
- 8.24 Whilst the Local Plan Policy 82 and Appendix L does not explicitly provide indicative car parking requirements for HMO sui generis use, it is noted that the application site is situated in a fairly sustainable location with a bus stop located across the road and cycle storage located to the front of the site. In addition, it is understood that the HMO currently provides accommodation for key workers at the Addenbrookes site, which is within walking distance. Whilst third party comments concerning cars/vans on occasion having been parked on the grass verges, taking all this into account, the car parking facilities are considered to be an appropriate amount which would provide for the vast majority of occupants. Therefore, the proposal is in accordance with Policy 82 of the Local Plan 2018.
- 8.25 Ten cycle parking spaces comprising Sheffield stands are provided to the front of the site. Given the close proximity of this store to the entrance to the property, it is considered that the cycle store is appropriately located and is positioned to provide natural surveillance. Additional overflow cycle facilities are proposed to the rear of the site as shown on the plans submitted, comprising Sheffield stands, details of such will be conditioned on any planning consent granted. Therefore, subject to this condition, the stands would provide for 1 cycle space per bedroom in accordance with the standards within the Cycle Parking Guide for New Developments (2010) document.

## **Other matters**

- 8.26 Given that no external changes are proposed, and considerable outdoor amenity provision provided, it is not considered that any increased pressure on existing statutory protected trees would result from the proposal and is compliant with Policy 71 of the Local Plan 2018.
- 8.27 As no external changes are proposed, it is not considered that any increased flood risk would result from the proposal and is compliant with Policy 32 of the Local Plan 2018.
- 8.28 Whilst a third party representation has been received concerning previous extensions to the property in the past, given that these were assessed and permitted at the time, have already been built out and noting that these developments were carried out on the site over four years ago, and therefore immune from enforcement action, these are not considered to be material to this planning assessment.
- 8.29 Whilst a third party representation has been received concerning the expansion of use, overdevelopment of the site and nature of the proposal, the development is considered to meet the policies contained with the Local Plan 2018 and NPPF 2021.

## **Planning balance and conclusion**

- 8.30 In conclusion, the proposed development is in accordance with the policies contained within the Local Plan 2018.

## **9.0 Recommendation**

- 9.1 Officers recommend that the Planning Committee approve the application, subject to the following conditions:
1. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

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

2. The property within the site edged red, known as 157 Shelford Road, Cambridge, CB2 9ND, shall be occupied by no more than 11 people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2018 policies 48 and 56).

3. The internal communal areas as shown on the approved drawings shall be retained for communal uses and used for no other purpose(s).

Reason: To ensure adequate internal communal space is provided for future occupants (Cambridge Local Plan 2018 policies 48 and 50).

4. Unless otherwise agreed in writing with the Local Planning Authority, within 6 months of this planning consent, hereby granted, three Sheffield stands shall be constructed to the rear of the site as shown on the Block Plan (1:500 scale) submitted and retained thereafter.

Reason: To ensure appropriate bicycle parking in accordance with Policy 82, Appendix L of the Cambridge Local Plan 2018.

This page is intentionally left blank

<b>Application Number</b>	21/03508/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	29th July 2021	<b>Officer</b>	Dean Scrivener
<b>Target Date</b>	29th September 2021		
<b>Ward</b>	Kings Hedges		
<b>Site Proposal</b>	Land to the r/o 368-370 Milton Road Cambridge Erection of 2no dwellinghouses together with associated access and landscaping works		
<b>Applicant</b>	Mr. Kevin Francis c/o Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The design and scale of the proposed development would not have an adverse impact on the character of the surrounding area;</li> <li>- The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; and</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 The site is located to the rear of No. 368 and 370 Milton Road. The site is accessed by a 4m wide access from Kendal Way which serves neighbouring garages, outbuildings and allotment land. The proposal site has no constraints.

## 2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for the erection and 2 no. dwellinghouses with associated access and landscaping works.
- 2.2 The proposed dwelling houses mirror each other and have a depth of 12.3 metres, 6.8 metres in width with a maximum ridge height of 5.4 metres. The dwellings have a L-shaped footprint with a projecting gable to provide integrated car parking to the front for each dwelling.
- 2.3 The application is accompanied by the following supporting information:
- Plans
  - Design and Access Statement

## 3.0 SITE HISTORY

Reference	Description	Outcome
20/04684/FUL	Erection of three new dwellings with associated access and landscaping works	Withdrawn
C/00/0637	Erection of two semi-detached houses.	Refused
C/98/1116	Erection of two storey dwelling house.	Refused

## 4.0 PUBLICITY

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

## 5.0 POLICY

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

## 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 29 31 35 36 50 51 52 55 56 57 59 80 81 82

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

Central Government Guidance	National Planning Policy Framework 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
Previous Supplementary Planning Documents (These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Biodiversity Checklist for Land Use Planners in Cambridgeshire and

	<p>Peterborough (March 2001).</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire County Council Transport Assessment Guidelines (2017)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
--	---

## 6.0 CONSULTATIONS

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

- 6.1 As the existing track to the rear of the 368-370 Milton Road provides access to potential off-street car parking for the existing properties there will be no significant increase in vehicular traffic and therefore, no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission

### **Environmental Health**

- 6.2 The development proposed is acceptable subject to the imposition of conditions regarding construction and demolition hours, piling and electrical vehicle charge points. Informatives have been recommended regarding Low NOx Boilers.



## **Sustainable Drainage Officer**

6.3 The development proposed is acceptable subject to the imposition of conditions relating to surface water drainage, management and maintenance of the surface water drainage system and foul drainage.

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

## **7.0 REPRESENTATIONS**

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

- 1A Kendal Way
- 309 Milton Road
- 313 Milton Road
- 366 Milton Road
- 374 Milton Road

7.2 The representations can be summarised as follows:

- Consultation period and notification methods
- Public Access Tracking of Applications
- Overdevelopment of site
- Backland Development
- Out of Character
- Overlooking (internal and to amenity space)
- Loss of light
- Parking impact on Kendal Way
- Parking for tradespeople
- Road access impaired
- Access road surfacing
- Unlit access road
- Width of access road/impact to vehicular traffic movements
- Highway Safety
- Access for emergency vehicles
- Noise impact from additional dwellings
- Waste collection
- Loss of trees
- Installation of services to the new properties

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously development land, and enabling the maximum number of people to access services and local facilities.

8.3 The site was previously garden land for numbers 368 and 370 Milton Road with garages to the rear, and the proposed siting of the dwellings would constitute back land development. Policy 52 of the Cambridge Local Plan (2018) states that: Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:

- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
- b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution

- to the character of the area and their importance for biodiversity;
- c. the amenity and privacy of neighbouring, existing and new properties is protected;
  - d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
  - e. there is no detrimental effect on the potential comprehensive development of the wider area.
- 8.4 It is considered that the proposal complies with the above five criteria and the reasons for this are set out in the relevant sections of this report.
- 8.5 The principle of the development is acceptable and in accordance with policies 3 and 52 of the Cambridge Local Plan 2018.

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

#### Response to context

- 8.6 This site is located within an area characterized by predominantly two storey semi-detached houses with long rear gardens. It is accessed from a private road, off Kendal Way. The private drive is unsealed and wide enough for one-way traffic. Adjoining the private drive to the north-east is an area of protected allotments. Whilst there is a strong linear pattern of development along Milton Road and Kendal Way, there is a strong character of outbuildings, garages and backland development along the private access. The proposed dwellings would be 1.5 storey in scale. Considering the existing backland development along the access track, the relationship to the adjacent dwelling, 1A Kendal Way, the proposed development is not considered to harm the character of the area. A materials condition is recommended to ensure the proposed dwellings would be of an acceptable appearance. The proposed would also include a reasonable sized amenity area and gaps around the dwellings for soft landscaping.
- 8.7 Having regard to criteria 'a' and 'b', the proposed development has a relatively low ridge height (5.4 metres). The dwellings have a single storey lean-to to the side elevation to reduce the

scale and massing of the development on the adjacent neighbours. The design of the dwelling provides windows that face the garden areas. The appearance, whilst more modern than the surrounding properties, is acceptable and would not be considered to be a dominant feature having regard to the surrounding houses and fences. The proposal, being set off the access track, would have minimal views from Kendal Way and does not strongly contribute to the street scene.

- 8.8 It is considered that the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment of the site.
- 8.9 The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 59.

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

- 8.10 To ensure compliance with Cambridge Local Plan (2018) policies 28 and 30 and the Greater Cambridge Sustainable Design and Construction SPD 2020, conditions will be attached to any consent granted requiring submission of a Carbon Reduction Statement to meet part L of Building Regulations, and a water efficiency specification, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations.

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

- 8.11 Subject to the imposition of conditions requiring submission of a surface and foul water drainage strategy as requested by the Sustainable Drainage Officer, the proposed development is considered acceptable in terms of water management and flood risk which is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

No. 1A Kendal Way and No. 1B Kendal Way

- 8.12 No. 1A Kendal Way is a two storey dwelling sited to the south west of the site which fronts Kendal Way with the main amenity set to the side (north west) of the dwelling. The two storey rear elevation of 1A Kendal Way is set approximately 2.3 metres from the common boundary, and has a ground floor window, which serves a dual aspect kitchen/dining room, and first floor window on the rear elevation. A conservatory has been built to the rear boundary which is presently used for storage.
- 8.13 A previous permission, 20/03684/FUL, was withdrawn due to concerns regarding scale, design and density. The revised application has reduced the number of units from three to two and designed the buildings to appear 1 storey with a pitched roof. The proposal has been set off the boundary and the proposed dwelling has an eaves height of 2.5 metres closest to the boundary with a single storey element reducing the massing on the adjacent property. The pitched roof to the front of the property, would reduce the visual dominance of the building from the first floor window of no. 1A Kendal Way. The ridge of the building is set approximately 5 metres from the rear elevation of 1A Kendal Way and would not intersect the 45 degree or 25 degree BRE guidance in terms of overbearing impact or loss of light to the windows on the rear elevation of 1A.
- 8.14 The proposed dwellings' rear elevations would not extend beyond the side (north west) elevation of No. 1A Kendal Way and therefore it is not considered to lead to a significant adverse visual dominance from the garden space and would not result in a substantial overbearing impact on the garden space. A Shadow Study has been provided with the application which demonstrates that the proposed development would cause no significant overshadowing of No 1A or its amenity space. Officers are therefore satisfied that the proposed dwellings would not be significantly harmful to warrant refusal of the planning application in terms of overbearing impact or loss of light of 1A Kendal Way.
- 8.15 No windows are proposed in the side elevations and the velux windows to the front elevation are high level windows, 1.7 metres above the floor level, and therefore are not considered to lead to overlooking at the adjacent properties. The windows to the rear face down the garden and due to the layout of the

adjacent site is not considered to lead to overlooking of the main amenity space due to the oblique angles.

- 8.16 Given the separation distance between the site and No.1B Kendal Way, the proposed dwellings are not considered to result in any significant overbearing or overshadowing impacts upon this neighbouring property. Furthermore, given that the velux windows on the front elevation of the dwellings are high level windows, no overlooking impact is considered to arise upon this neighbouring property in this instance.

No. 368 and 370 Milton Road

- 8.17 Given that the minimum distance between the neighbouring properties and the proposed rear elevations of the dwellings is circa 27 metres, and the proposed houses are of an appropriate scale, the proposal is not considered to have a significant overbearing/overshadowing impact upon occupiers of the neighbouring properties. Due to the distance between rear elevations, it is not considered to lead to an overlooking impact between dwellings within a built-up environment.
- 8.18 The proposal adjoins the western boundary of No. 272 Milton Road. To the rear garden of No. 272 is a garage building and covered storage area. Whilst the proposal would lead to an increased level of overshadowing in the afternoon it is not considered significant enough to warrant a refusal due to the use of the building and separation from the dwellinghouse.
- 8.19 I have assessed above the potential impact on the residential amenity of the surrounding occupiers in terms of overlooking, overbearing sense of enclosure and overshadowing. I am satisfied that the proposed dwellings due to their orientation, layout and distance from existing dwellings and boundaries, would not have a significant adverse impact on the residential amenity of the neighbouring occupiers such that it would warrant refusal.
- 8.20 In the opinion of officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 52, 55 and 56.

Amenity for future occupiers of the site

8.21 Policy 50 of the Cambridge Local Plan (2018) set out internal residential space standards. The proposed units would comply and exceed space standards. In this regard, the units would provide a high quality of internal living environment for the future occupiers. The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	3	4	2	84	106	+22
2	3	4	2	84	106	+22

Size of external amenity space: 70 sq metres per dwelling

8.22 Policy 50 of the Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. The proposed dwellings would have a west facing garden of an appropriate size for a three bed dwelling. A condition is recommended to remove permitted development rights not only to protect neighbouring properties, but also to protect the character of the area and the external amenity space provided for the dwellings. To ensure that adequate private amenity space is retained, and privacy for neighbours, it is recommended that permitted development rights are removed for extensions, windows and outbuildings.

8.23 The development has been assessed for compliance with Policy 51 and complies with the requirements of Part M4(2) of the Building Regulations. I have recommended a condition to secure this requirement.

8.24 In the opinion of officers, the proposal provides a high-quality and accessible living environment and an appropriate standard of residential amenity for future occupiers, and in this respect it is compliant with Cambridge Local Plan (2018) policies 50, 51, 53 and 56.

### **Wider Impacts**

8.25 The Environmental Health Officers have recommended various construction related conditions in order to protect the residential amenity of the nearby occupiers during the construction.

Officers accept this recommendation and would add them to any consent granted.

### **Refuse Arrangements**

- 8.26 The proposed refuse storage arrangement consists of a dedicated bin storage point in the rear gardens which access to the highway collection point via the side passageways. The drag distance for the bins to the collection point (pavement of Kendal Way) would be circa 35 metres. This is over the recommended travel distance of 25 metres as set out in the RECAP Waste Design Guide (2012). As the access track is a private, refuse vehicles are unlikely to use the access road to collect the bins. Therefore the onus will be on the future occupiers to ensure the bins are taken to the collections point and returns. As there is no alternative solution, it is not considered the issue with the drag distance is not significant enough to warrant a refusal of this application. Officers consider that the proposal is compliant in this respect with Cambridge Local Plan (2018) Policy 57.

### **Highway Safety**

- 8.27 The Local Highway Authority have been consulted on the application and do not consider that the proposal would have a significant adverse effect of upon the safe and effective operation of the Public Highway. The existing track to the rear of properties 368-384 Milton Road is private and not under the ownership of the Highway Authority. This track provides access to potential and existing off-street car parking and there will be no significant increase in vehicular traffic as the application only proposes two car parking spaces.
- 8.28 Residents have raised concerns over the safety of the entry and exit point there is no expert advice that could justify a reason for refusal based on highway grounds. The parking space is able to accommodate the turning of vehicles on the track and consequently the access and egress will be in forward gear. Although the track is narrow and there is no space for vehicles to pass due to the replacements of existing garages it is not considered that the proposed dwellings would significantly increase vehicular traffic movements and this is not considered to be a reason for refusal. To ensure that the access track is sufficient for the dwellings Officers would recommend a



condition to ensure that the access within the red line as shown on the location plan, is upgraded with a new surface material which is permeable and well lit, in order to provide a more safe and legible means of access for the future occupiers.

- 8.29 The proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

- 8.30 The proposal includes 1 car parking space per dwelling. This complies with the maximum standards in the Cambridge Local Plan (2018) Policy 82 and Appendix L. The access is via a private access leading to the proposed dwellings, garages and to the rear of No's. 368 – 384 Milton Road which is also shared with the Allotments. Therefore the proposed car parking arrangements for the proposed dwelling and additional noise would not have a significant impact upon the neighbouring residential properties due to the existing situation.

### **Cycle Parking**

- 8.31 The proposal includes a secure and covered cycle parking within the rear gardens of the dwellings. Officers consider that the proposal is compliant with the Cambridge Local Plan (2018) Policy 82.

### **Third Party Representations**

- 8.32 Third party comments have been received regarding the consultation process which have met the requirements of the legislation and our Statement of Community Involvement. All neighbours adjacent the proposal have been notified and a site notice was put up. All information in relation to the application have also been uploaded for the public to view. Officers therefore consider that the consultation was satisfactory and compliant.

Comment	Response
Consultation on the application	The consultation process met the requirements of the legislation and our Statement of Community Involvement. All neighbours adjacent the proposal have been notified

	and a site notice was put up. All information in relation to the application have also been uploaded for the public to view. Officers therefore consider that the consultation was satisfactory and compliant.
Tracking Application on Public Access	This has to be set up by the account holder on Public Access
Utility Serve arrangement	Utility service arrangements are not a planning matter.
Loss of trees	The trees are not protected and could be removed without planning permission
Parking Impacts on Kendal Way	The proposal meets the requirements of Policy 82 for car parking spaces for a new dwelling outside of a Controlled Car Parking Zone. Whilst Kendall Way does not fall within a Controlled Parking Zone Officers cannot restrict parking in the vicinity.
Surfacing	Section 8.27
Parking for tradesmen	Visitor parking is not required under Policy 82/Appendix L for under 4 units.
Width of Access	Section 8.26 – 8.27
Highway Safety	Section 8.26 – 8.27
Access for Emergency Vehicles	The Government Publication “The Manual for Streets” sets out that there should be vehicle access for a pump appliance within 45 m of a property entrance which the proposed development accords to.
Overdevelopment	In consideration of the assessment within the main body of the report, it is my view that the proposal does not constitute an overdevelopment

	of the site.
Character	Section 8.6 – 8.9
Loss of Light	Section 8.12 – 8.19
Noise Impact	Officers do not consider that the proposed dwellings would significantly increase noise levels to the surrounding properties.
Waste Collection	Section 8.25
Overlooking	Section 8.12-8.19

## 9.0 CONCLUSION

- 9.1 Officers consider the proposed development would not amount to overdevelopment of the site nor would it have an adverse impact upon the area. The scheme is acceptable in terms of its impact on neighbouring properties and in terms of future occupants' amenity.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

3. No construction or demolition work shall be carried out and no plant or power operated machinery 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, unless otherwise previously agreed in writing with the Local Planning Authority.

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

4. In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be assessed 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 statement.

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

5. No permanent connection to the electricity distribution network shall be established 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 one active electric vehicle charge point per parking space will be designed and installed with a minimum power rating output of 7kW per charge point to serve the approved allocated on-plot parking spaces for the proposed residential units.

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).

6. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with

Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall include:

- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water;
- i) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available.

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

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.

7. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS

components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

8. No development above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage (Cambridge Local Plan 2018, policies 32 and 33).

9. The development, hereby permitted, shall not be used or occupied until, carbon reduction measures have been implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO<sub>2</sub> emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:

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

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

- c) A schedule of proposed on-site renewable energy

technologies, their location, design, and a maintenance programme; and

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

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

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

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

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

11. No development above slab level shall commence until a biodiversity enhancement scheme has been submitted to and approved in writing by the Local Authority. It shall include the consideration of native planting, hedgehog habitat and connectivity and the proposed specification, number and locations of internal and / or external bird and / or bat boxes on the new buildings and any other measures to demonstrate that there will be a net biodiversity gain on the site of at least 10% (unless an alternative target is otherwise agreed by reason of viability). The biodiversity enhancement scheme as agreed shall be carried out prior to the occupation of the development and

subsequently maintained in accordance with the approved scheme for the lifetime of the development.

Reason: to provide ecological enhancements for protected species on the site (Cambridge Local Plan 2018 policies 59 and 69, NPPF 2019 para.170).

12. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure including provision for gaps in fencing for hedgehogs; car parking layouts, other vehicle and pedestrian access and circulation areas; and hard surfacing materials. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

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

13. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted



Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwelling house(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining occupiers (Cambridge Local Plan 2018 policies 52, 55, and 57) OR To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)).

14. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwelling house(s) shall not be allowed without the granting of specific planning permission.
15. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.
16. 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)

17. Prior to the first occupation of the development, the proposed access track within the red line plan shall be resurfaced and include lighting. The access track shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway and uses a bound material to prevent debris spreading onto the adopted public highway. Details shall be submitted to and approved in

writing by the Local Planning Authority and the access shall be retained in accordance with the approved details.

Reason: To ensure the development improves the public realm and provides a good quality development for future occupiers to use, as well as maintaining the safety of the highway, in accordance with Cambridge Local Plan 2018 policies 55, 56, 57, 59 and 81).

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

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

## **INFORMATIVES**

1. 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 Cambridge City Councils adopted Air Quality Action Plan (2018)

2. There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of

development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.

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

This page is intentionally left blank

<b>Application Number</b>	19/1141/NMA1	<b>Agenda Item</b>	
<b>Date Received</b>	1st June 2021	<b>Officer</b>	Amy McDonagh
<b>Target Date</b>	29th June 2021		
<b>Ward</b>	Petersfield		
<b>Site</b>	1 Fitzwilliam Road Cambridge CB2 8BN		
<b>Proposal</b>	Non material amendment of planning permission 19/1141/FUL (Demolition of existing building and construction of three dwellings) for the relocation of the ground floor protruding element to plot 3, internal reorganisation of rooms and minor amendments to windows including four additional rooflights.		
<b>Applicant</b>	Mr Khalid Shaban Compass House Vision Park Histon Cambridge CB24 9AD		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>☐ The Non-material amendment (NMA) proposes changes that are non-material to the continuation of the development and therefore does not breach any policies within the development plan.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The site is located on the northern side of the junction of Clarendon Road and Fitzwilliam Road. The site comprises of a 2.5 storey brick building surrounded by mature landscaping and a low-rise brick wall. To the west of the site are 4 buildings of local interest, to the north of the site is the garden of 21 Clarendon Road, located to the east and south of the site is a contemporary design project known as the Kaleidoscope development which has been the subject of major

redevelopment in recent years and is not located in a Conservation area.

- 1.2 The site lies within the Brooklands Avenue Conservation Area. There are two mature sycamore trees on site that benefit from TPO status, these trees are located to the front of the site facing the junction of Fitzwilliam Road and Clarendon Road. The site is also located within a controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 The applicant has permission for the demolition of an existing building and subsequent construction of three dwellings (Ref-19/1141/FUL). This non-material amendment has been submitted in relation to this application. This non-material amendment application proposes:

- Relocation of the ground floor protruding element (to serve dining room at Plot 3). The protruding element will still be located on the eastern elevation of Plot 3 but will be relocated slightly further to the north.
- Internal reorganisation of rooms. The number of double bedrooms at each plot will remain the same (no single bedrooms are proposed as was the case with the approved scheme).
- Amendments to windows including one additional rooflight.

- 2.2 The applicant has submitted a number of drawings depicting these details which are to supersede the previously approved drawings.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
15/1855/FUL	Demolition of existing building and construction of six new dwellings and associated access and landscaping (refused, appeal dismissed)	Approved
19/1141/CONDA	Submission of details required by condition 12 (Tree Protection Plan) of planning	Discharged in Full

	permission 19/1141/FUL	
19/1141/CONDB	Submission of details required by conditions 5 (Noise and Vibration) and 6 (Dust) of planning permission 19/1141/FUL	Discharged in Full
19/1141/CONDC	Submission of details required by condition 7 (Electric Vehicle (EV) Charge Points) of planning permission 19/1141/FUL	Discharged in Full
19/1141/CONDD	Submission of details required by conditions 24 (Carbon Reduction) and 25 (Water Efficiency) of planning permission 19/1141/FUL	Awaiting Decision
21/03630/S73	S73 Variation of condition 2 (Approved plans) of planning permission 19/1141/FUL (Demolition of existing building and construction of three dwellings) improvements to the design quality of the proposed development.	Awaiting Decision

#### **4.0 PUBLICITY**

4.1	Advertisement:	No
	Adjoining Owners:	No
	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 35 50 55 57 59 61 62 70 71

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

Central Government Guidance	<p>National Planning Policy Framework 2021</p> <p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</p> <p>Circular 11/95 (Annex A)</p>
Supplementary Planning Documents	Cambridgeshire and Peterborough Flood and Water
Previous Supplementary Planning Documents	<p>Sustainable Design and Construction (2020)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p>



	<p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge Landscape and Character Assessment (2003)</p>
	<p><u>Area Guidelines</u></p> <p>Brooklands Avenue Conservation Area Appraisal (2013)</p>

## 6.0 CONSULTATIONS

### Conservation

6.1 Response received. It is considered that there are no material conservation issues with this proposal.

### Local Highways Authority

6.2 Response received. No comments on the behalf of the Highway Authority.

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

## 7.0 REPRESENTATIONS

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

- 17 Clarendon Road, CB2 8BH

7.2 The representations can be summarised as follows.

- Plan discrepancies which call for updated plans.
- Concerns regarding the change of brick colour which was not depicted on the plans referenced in the decision notice.

- Residents at the Royal Albert Homes were never consulted about this application although it is thought they would be impacted as the resident bays they use will be removed as part of this development.
- 7 onsite car parking spaces for 3 dwellings is in breach of the Local Plan Policy 82 Appendix L as each dwelling should have one space as a maximum.
- Concerns that Councillors voted on incorrect documents (referring to red and brown brick drawings) and therefore various documents need to be updated.
- Application summary and application form needs to be corrected and updated.
- Brick colour of 3 houses and the various boundary walls has not been updated, the colour remains incorrect.
- Changes to plans have been made which were not listed on the application form (individual details of these plans can be viewed on the application file).
- Labels on plans need to be checked and updated.
- Details of external fences and garden walls are incorrect/missing and need correcting, these details need to be updated to depict buff gold brick instead of the red brick.
- Changes in the Materials Key
- Details of external doors and how they open needs to be clarified.
- Sundries changes need to be addressed/clarified as the plans do not make it clear where changes have occurred.
- The retention of the external Victorian buff brick wall (which is located to the front of the property) needs to be confirmed. Clarification from the applicant that this wall will remain as a Victorian buff brick wall is sort after.
- Three planters have been removed from the site plan and are not labelled on the elevations drawing.

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

## **8.0 ASSESSMENT**

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

1. Principle of development

2. Context of site, design and external spaces (and impact on heritage assets)
3. Response to local ecology
4. Residential amenity
5. Third party representations

### **Principle of Development**

- 8.1 Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. The principle of development has already been established through the permitted scheme reference 19/1141/FUL for the demolition of an existing building and construction of three dwellings. As this application does not propose to change the description of the development, the principle of development is still deemed as acceptable.
- 8.2 The principle of the development is acceptable and in accordance with policy 3 of the Cambridge Local Plan (2018).

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

- 8.3 The site lies within the Brooklands Avenue Conservation Area and neighbours 4 buildings of local interest to the west. The proposed NMA does not seek to vastly change the physical appearance of the development in regard to visual aesthetics, therefore it is thought that the building would remain in character with the surrounding properties and would be in keeping. Conservation have been consulted on the application and they found that the proposal would be non-material to the conservation area.
- 8.4 This application proposes to move the protruding ground floor element of plot 3 circa 2 m to the north of the site (moving into the garden area of plot 3 towards 21 Clarendon Road). This area is to host the dining room of this property and will still be located on the east elevation of the plot. Although a small part of the footprint of plot 3 has shifted north, the wider size of the plot remains unchanged.

- 8.5 For reference, the approved plans show the protruding element roughly 3.8m high from ground level with a 2m high window to the rear of the property (facing 21 Clarendon way). This window was to be located roughly 1m from ground level and extend to 0.2m from the top of the protruding element.
- 8.6 The revised protruding element is 3.5m high from ground level with a window located roughly 0.6m from the top of the structure. By comparison, these plans show that although the windows will be located in a similar position to those depicted on the permitted drawing, it can be concluded that the NMA application shows a shorter protruding element with lower set windows.
- 8.7 The rear garden fence will be circa 1.8m high and located roughly 12m from the window of this element. Therefore, it is not thought that the slight re-adjustment of this protruding element, and being shorter and having lower set windows, would enable any adverse views into neighbouring properties that had not been considered in the original application.
- 8.8 In addition to this, the locations of the larger windows on the protruding element (southern and northern elevation), have now been subdivided into two smaller windows with frames, thus meaning there is less glass surface area where views have the potential to be obtained.
- 8.9 As part of this NMA it is being requested that slight amendments be permitted to windows on the eastern elevation (plot 3), the northern elevation (plots 1, 2 and 3) and the southern elevation (plots 1, 2 and 3).
- 8.10 The eastern elevation proposes;
- the loss of one window on the third floor of plot 3.
  - Addition of 2 swift boxes on the third floor of plot 3.
  - Addition of 1 black redstart box on the first floor of plot 3.
- 8.11 The removed window would have served the bedroom on the third floor of plot 3. However, as the internal structure of the properties have been revised, this window would now be located inside of a cupboard. The second third floor window (to the right) on the eastern elevation will now serve the landing area of the third floor. The window in question to be removed from the proposal is no longer appropriate due to the internal

layout of the property and therefore its removal is not thought to be an issue.

8.12 The addition of the swift boxes and black redstart box has been depicted on the eastern elevation of plot 3. As per condition 20 of permission 19/1141/FUL, *'No development shall take place (apart from demolition and below ground enabling works) until details regarding the specification and locations of the bird and bat boxes has been submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.'*

8.13 Although the locations of the bird boxes have clearly been specified on the elevations plan, further details are required in order to formally discharge this condition. It is recommended that further details regarding the specification of the boxes are submitted under a separate condition pursuant application. The depiction of the boxes on the elevations plan has been deemed as non-material.

8.14 The northern elevation proposes;

- a loss of the side windows on either side of the rear doors on the ground floor on each of the plots.
- the change in size to a window on the second floor on plot 1.
- the change in the location of a window on the second floor on plot 1.
- the change in the location of a window on the third floor on plot 2
- the change in size of a window on the third floor of plot 2 and;
- the addition of a window on the third floor of plot 3.

8.15 The loss of the side windows of the rear patio doors is thought to be necessary as the rear patio doors have been changed to bi-folding doors. By comparing the submitted drawings with the approved drawings, it is clear that the bi-folding doors would require the entirety of the space in which the patio doors and side windows were permitted to occupy.

8.16 As the permitted scheme allowed for similar doors to the rear of the plots and the proposed bi-folding doors would not occupy a

larger space than what has already been permitted, it is not thought that the use of bi-folding doors in place of the patio doors will generate any adverse impacts.

- 8.17 The plans submitted with this application suggest a change in size of the rooflight window (shown to the left side of plot 1 on the second floor) and a change in the location of the other rooflight window on this storey. These changes are a result of the internal changes happening on this storey. Under the permitted scheme, one of these windows would serve a bedroom, while the other window was to serve the landing area.
- 8.18 The amended scheme proposes that the rooflight window to the left of the storey be made smaller and serve an en-suite for bedroom 3 and the rooflight window to the right of the storey serve bedroom 3. As the locations of these windows have changed minorly (by 1m), and the window serving the en-suite has decreased in size, it is not thought that additional views could be gained from these slight changes.
- 8.19 The amended scheme also indicates a change in size and location of the rooflight windows located on the third floor of plot 2. The amendment was requested due to internal changes of the floor. The proposed amendments would allow the two rooflight windows to serve bedroom 5 and the en-suite of this bedroom. For the same reasons as outlined in paragraph 8.17, it is not thought this change would generate any adverse impacts that have not already been addressed under the original scheme.
- 8.20 An additional rooflight has been added to the third floor of plot 3. The amended rooflight window is smaller than the permitted rooflight window which serves the bedroom, the amended rooflight window and has been put in place to accommodate the en-suite to bedroom 5. It is not thought this change would generate any adverse impacts that have not already been addressed under the original scheme.
- 8.21 Changes to the southern elevation are as follows;
- Addition of bat boxes to the third storey frontage of plot 2.
- 8.22 Please see paragraph 8.12 for the explanation and next steps regarding this change to the southern elevation.

- 8.23 Elements of parking and access into the permitted dwellings are not being amended through this application and therefore can be deemed as acceptable under the previous permitted application (reference 19/1141/FUL).
- 8.24 The elevations and materials used to construct the building are not being amended under this application and therefore are not thought to be an issue.
- 8.25 The proposal is compliant with Cambridge Local Plan (2018) policies 1, 50, 55, 57, 59, 61 and 62.

### **Response to Local Biodiversity**

- 8.26 The drawings which have accompanied this application depict 2 Swift Bricks, 1 Black Redstart box and 2 Bat boxes. As per condition 20 of permission 19/1141/FUL, further details regarding the specification and locations of the bird and bat boxes are to be submitted and approved by the Local Planning Authority prior to the commencement of development (exact wording can be found under paragraph 8.11). Although the locations of these boxes have been confirmed, the specification of these elements is yet to be clarified. It is recommended that further details regarding the specification of the boxes are submitted under a separate condition pursuant application. The depiction of the boxes on the elevations plan has been deemed as non-material.
- 8.27 There are two trees which benefit from tree protection orders on site. The NMA does not proposed any changes to trees. Therefore, the amendments are not thought to impact the wellbeing of the trees.
- 8.28 In light of the above comments, it is thought that the proposal will not impact the local biodiversity of the area and is compliant with the Cambridge Local Plan (2018) policies 70 and 71.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.29 It is thought the changes to the permitted windows, addition of one roof light window and the relocation of the protruding

element of plot 3 will not have an adverse impact on neighbouring properties.

- 8.30 As the footprint of the development is not being amended, it can be concluded that the relationship with adjacent dwellings regarding overshadowing and enclosure is appropriate, as it was found to be in the original permission.
- 8.31 As the re-location of windows and the addition of one rooflight is being requested, the issue of overlooking will be discussed. As highlighted by the previous committee report for the initial permission, 3 Fitzwilliam Road and 21 Clarendon Road would be the properties which could be impacted by the development, as such the proposed changes shall be reviewed considering these properties.

### *3 Fitzwilliam Road*

- 8.32 Fitzwilliam Road is a three storey plus basement end of terrace dwelling located to the west of the site. Condition 26 of permission 19/1141/FUL was specifically imposed to protect this property from overlooking from this development.
- 8.33 Condition 26 is states, *'For the hereby approved dwellings units 1, 2 and 3 and notwithstanding the provisions of Schedule 2, Part 1, Class A and B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwelling houses in regards to the insertion of new windows , loft conversion including rear dormers shall not be allowed without the granting of specific planning permission.'*
- 8.34 This application does not propose any new windows on unit 1 or 2 (the closest units to No.3 Fitzwilliam Road). However, the proposal does request to move the permitted rooflights on the third floor circa 1m to the right (towards No.3).
- 8.35 Although the rooflights would be closer to the neighbouring property, it is not thought that additional views will be obtained from this slight relocation due to the angle of the rooflight and the matter of the window being deemed acceptable in the first instance under permission 19/1141/FUL.



8.36 It is not thought that the change from French doors to bi-folding doors on the first storey of the units would enable overlooking into the garden of 3 Fitzwilliam Road.

### *21 Clarendon Road*

8.37 21 Clarendon Road is a two-storey detached dwelling to the north of the site. Unit 3 is set behind the rear elevation of 21 Clarendon Road so only unit 1 (1 first floor window and 1 second floor window) and unit 2 (1 first floor window) would be sited opposite No.21 Clarendon Road. As specified in the previous committee report, only 3 of the 5 windows across storey 2 and 3 would be opposite.

8.38 This application does not propose to change the location of any of these windows and therefore the level of overlooking can be deemed as acceptable as found by the decision of the original application 19/1141/FUL.

3.39 All units propose the readjustment of the rooflights on the top levels of the plots (with the addition of a new rooflight on plot 3). Due to angle of the rooflights and the revised size of the ensuite rooflights being smaller than those originally permitted it is not thought that a significant level of overlooking of 21 Clarendon Road would be obtained.

8.40 In the opinion of officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered that it is compliant with Cambridge Local Plan (2018) policy 35.

### **Third Party Representations**

8.41 The third-party representations have been mainly dealt with in the preceding paragraphs, however each point will be taken in turn below. The representations can be summarised as follows.

8.42 *Plan discrepancies which call for updated plans;* It is thought that all changes made to the plans are non-material to the development. These changes are discussed in the above paragraphs.

8.43 *Concerns regarding the change of brick colour which was not depicted on the plans referenced in the decision notice;* The

colour of the bricks are specified on the submitted NMA drawings. The elevations plan clarifies that buff brick (Cambridge Gold) will be used for the construction of these homes.

- 8.44 *Residents at the Royal Albert Homes were never consulted about this application although it is thought they would be impacted as the resident bays they use will be removed as part of this development;* This application does not address parking, nor does it propose to change the current permitted parking. The Royal Albert Homes is located circa 480m from the site, it is not thought that the proposed NMA will impact this property.
- 8.45 *7 onsite car parking spaces for 3 dwellings is in breach of the Local Plan Policy 82 Appendix L as each dwelling should have one space as a maximum;* This application does not seek to amend the current parking arrangement as agreed by permission 19/1141/FUL, therefore this matter will remain unchanged.
- 8.46 *Concerns that Councillors voted on incorrect documents (referring to red and brown brick drawings) and therefore various documents need to be updated;* The documents submitted under this application will be used as the updated documents and voted on accordingly. The submitted drawings reference the new brick colour and therefore will need to be adhered to.
- 8.47 *Application summary and application form needs to be corrected and updated;* It is thought that the application form for this application is corrected and therefore does not need to be updated or changed. It is acknowledged that there have been changes to the gable end on the eastern elevation, however the changes are for the removal of one window and the removal of a detailing located between the removed window and the adjacent window. As the window to the right of this elevation has been removed, the area of detailing is no longer required and would look out of place if included. Therefore, the removal of his detail is not thought to be material to the development.
- 8.48 *Brick colour of 3 houses and the various boundary walls has not been updated, the colour remains incorrect;* The colour of the bricks is specified on the submitted NMA drawings. The

elevations plan clarifies that buff brick (Cambridge Gold) will be used for the construction of these homes and boundary walls.

- 8.49 *Changes to plans have been made which were not listed on the application form (individual details of these plans can be viewed on the application file);* It is acknowledged that there have been changes included in the plans which have not been highlighted by the application form specifically, however it is thought that these changes have been made to accommodate the internal changes of the plots and the changes in windows. All changes on these plans are thought to be non-material to the deliverance of this development.
- 8.50 Glazed flooring to the rear of the plots have been removed. It is believed that this aspect of the development has been removed in order to allow the bi-folding doors to open effortlessly. Therefore, this change is thought to be non-material to the development.
- 8.51 In regard to the removal of tree T005, a detailed Arboricultural Method Statement and Tree Protection Plan was submitted in response to condition 12 and subsequently approved by the council. The documents refer to the removal of this tree which the council found to be acceptable.
- 8.52 There were concerns regarding changes being made to the appearance of fences, walls, boundary treatments and planting. As mentioned by the third-party representative, the low Victorian boundary wall in front of the protruding element has been removed from the southern elevation drawing. Although this is true, it is thought that sections of the surrounding fences and walls have been left off of the elevation drawings to allow for better views of the permitted development and to allow for the drawing to be scaled with ease.
- 8.53 The proposed site plan depicts the walls and fence's locations. To the front of plot 3, the existing wall Victorian wall is labelled as being retained.
- 8.54 *Location and length of new native hedges have been changed;* It is acknowledged that the length of the new native hedges has changed in the garden of the plots. However, the change in length appears to have taken place due to the permitted location of the summer houses and bike stores. If the original

length was pursued, then a portion of this hedge would be blocked/damaged by the summer houses and bike stores. It has also been highlighted that the location of the bin stores has changed. Upon review, it can be acknowledged that the bin store for plot 2 has been moved slightly closer to the unit. This is to ensure the access gate to the rear of the garden is not blocked by the bin store. As the bin store is still in the garden of this plot, it is not thought that any adverse impacts will result from its relocation.

- 8.55 *Labels on plans need to be checked and updated;* After reviewing the approved plans, it is not thought that the labels on the plans are incorrect. Some labels have been changed or moved but on the wider scale these labels have been included within the drawings. Labels regarding hedges and new planting have been altered however the specification of these elements are yet to be confirm by details to be submitted under condition 16 of permission 19/1141/FUL.
- 8.56 *Details of external fences and garden walls are incorrect/missing and need correcting, these details need to be updated to depict buff gold brick instead of the red brick;* Details regarding the external fences have been addressed in the original planning application and will still need to be adhered to as these matters are not being amended through this application. These details have also been included on the proposed elevations plan.
- 8.57 *Changes in the Materials Key;* After reviewing the approved plans in light of the NMA plans, it is not thought that the material key has changed.
- 8.58 *Details of external doors and how they open needs to be clarified;* Officers are satisfied that these details would not have an impact on the surrounding area.
- 8.59 *Sundries changes need to be addressed/clarified as the plans do not make it clear where changes have occurred;* Elements of sundries have been added to the ground storey of all the plots on the northern elevation. These additions are in keeping with the wider fabric of the development and is not thought to cause a material change to the development.

8.60 *The retention of the external Victorian buff brick wall (which is located to the front of the property) needs to be confirmed. Clarification from the applicant that this wall will remain as a Victorian buff brick wall is sort after;* The applicant has confirmed in the original application documents that this wall will be retained. The proposed site plan drawing also shows a label confirming this walls retention.

8.61 *Three planters have been removed from the site plan and are not labelled on the elevations drawing.;* The planters have not been labelled on the proposed site plan, however as the planters themselves are temporary structures and not deemed as integral to the delivery of the development, it is not thought their absence is material.

## **9.0 CONCLUSION**

9.1 The proposal is non-material to the deliverance of the development permitted under permission 19/1141/FUL. It is not thought that its approval would adversely impact the surrounding area or would generate any impacts that have not already been addressed in the original permission.

## **10.0 RECOMMENDATION**

**APPROVE** subject to conditions

10.1 A list of the approved plans can be found below. These plans will supersede the list of plans approved under condition 2 of permission 19/1141/FUL:

- Basement Plan – NMA03 Rev A  
01.06.2021
- Ground Floor Plan – NMA04 Rev A  
01.06.2021
- First Floor Plan – NMA05 Rev A  
01.06.2021
- Second Floor Plan – NMA06 Rev A  
01.06.2021
- Third Floor Plan – NMA07 Rev B  
14.09.2021
- Roof Plan- NMA08 Rev B  
14.09.2021

- Elevations – NMA09 Rev F 14.09.2021
- Site Plan Proposed – NMA02 Rev E  
14.09.2021
- Site Location Plan- 17-295\_0110revC03  
14.08.2019