



Cambridge City Council Planning

Date: Wednesday, 2 February 2022

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 three part agenda and will be considered in the following order:

- **Part One**
Major Planning Applications
- **Part Two**
Minor/Other Planning Applications
- **Part 3**
General and Enforcement Items

There will be a thirty minute lunch break some time between 12noon and 2pm. With possible short breaks between agenda items subject to the Chair's discretion.

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

2 Apologies

3 Declarations of Interest

4 Minutes

(Pages 7 - 44)

Part 1: Major Planning Applications

- 5 21/02052/FUL - Land South of Wilberforce Road - 10am (Pages 45 - 90)

Part 2: Minor/Other Planning Applications

- 6 21/04795/FUL - Retail Units at Hobsons Square Local Centre - 10:45am (Pages 91 - 114)
- 7 21/04439/FUL - Land North of Colville Road - 11.15am (Pages 115 - 124)
- 8 21/02120/FUL - Telephone boxes adj Church of St Mary - 11.45am (Pages 125 - 136)
- 9 21/02121/LBC - Telephone boxes adj Church of St Mary - 12.15pm (Pages 137 - 144)
- 10 21/01588/FUL - Telephone boxes, Bridge Street - 12.45pm (Pages 145 - 156)
- 11 21/01589/LBC - Telephone boxes, Bridge Street- 1.15pm (Pages 157 - 164)
- 12 21/02862/FUL - 15 Tillyard Way - 1.45pm (Pages 165 - 188)
- 13 20/03579/FUL - Museum of Technology, 44 Cheddars Lane - 2.15pm (Pages 189 - 212)
- 14 21/02861/FUL - 393-395 Newmarket Road - 2.45pm (Pages 213 - 222)
- 15 21/01791/FUL - Land rear of 190 Green End Road - 3.15pm (Pages 223 - 248)

Part 3: General and Enforcement Items

- 16 Future Planning Committee Date - 3.45pm
Officers suggest moving Planning Committee from 23 March 2022 to 20 April 2022. Councillors may choose to use either or both dates.

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
- 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.

This Meeting will be live streamed to the Council's YouTube page. Those wishing to address the meeting will also be able to do so virtually via Microsoft Teams. Given the ambition to limit numbers of people attending the meeting in person to reduce the risk of infections, we would encourage members of the public who wish to address the Committee to do so virtually.

Should you have to attend in person, we always ask you to maintain social distancing 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 either virtually or in person, you must contact Democratic Services 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

PLANNING

3 November 2021

10.00 am - 4.20 pm

Present:

Planning Committee Members: Councillors Smart (Chair), D. Baigent (Vice-Chair), Dryden, Gawthrop Wood, Page-Croft, Porrer and Thornburrow

Councillor Dryden left after the vote on Item 6 - 11 Queen Ediths Way.

Councillor Page-Croft was not present for the discussion/vote on Item 7 - Land at Borrowdale.

Officers:

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Area Development Manager: Toby Williams

Principal Planner: Ganesh Gnanamoorthy

Principal Urban Designer: Joanna Preston

Senior Planner: Aaron Coe

Senior Planner: Tom Gray

Senior Planner: Charlotte Spencer

Planner: Mary Collins

Planner: Lawrence Moore

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Committee Manager: Sarah Steed

FOR THE INFORMATION OF THE COUNCIL**21/115/PlanApologies**

Apologies were received from Councillor Flaubert. Councillor Page-Croft attended as her Alternate.

21/116/PlanDeclarations of Interest

Name	Item	Interest
Councillor Baigent	All	Member of Cambridge Cycling

		Campaign
Councillor Porrer	21/118/Plan	Personal: Worked at ARU, who was a tenant of the building and was also a ward councillor.
Councillor Porrer	21/119/Plan	Personal: Family member owns property right behind the site. Did not vote or participate in the debate.
Councillor Page-Croft	21/119/Plan	Personal: Was a ward councillor but had had no involvement in the application.
Councillor Smart	21/119/Plan	Personal: Worked at Addenbrookes.
Councillor Gawthrope-Wood	21/121/Plan	Personal: Lives in same city ward as application.
Councillor Smart	21/124/Plan	Personal: Lives in same city ward as application.
Councillor Porrer	21/124/Plan	Personal: Spoke as a Ward Councillor. Did not vote or participate in the debate.
Councillor Page-Croft	21/124/Plan	Personal: Was a Ward Councillor but had had no involvement in the application.

21/117/PlanMinutes

The minutes of the meeting held on 1 September and 6 October were approved as a correct record and signed by the Chair.

21/118/Plan21/01136/FUL - 164-167 Abbeygate House, East Road

The Committee received an application for full planning permission.

The application sought approval for demolition of existing building and redevelopment of the site to provide a new building containing retail and office floorspace (Use Class E).

The Principal Planner updated his report stating that conditions 26 and 27 needed a correction regarding the Drainage Strategy and reference to the up-to-date Local Plan. He requested delegated authority for officers to correct the wording of these conditions if the application was approved.

Paul Newton (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

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

- i. the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 with delegated authority granted to Officers to negotiate, secure and complete such an Agreement on terms considered appropriate and necessary
- ii. the planning conditions set out in the Officer's report;
- iii. delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft the following amendments to conditions:
 - a. 26 and 27 to correct references to the Drainage Strategy and the current Local Plan; and
 - b. 16 regarding pedestrian and cycle routes during construction works;
- iv. delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft and amendment to informatives to be included on the planning permission in respect of:
 - a. off gauge cycle provision;
 - b. gas assisted cycle racks;
 - c. planting under solar panels where possible; and
 - d. inclusive access arrangements.

21/119/Plan20/02172/FUL - Land at 11 Queen Ediths Way

The Committee received an application for full planning permission.

The application sought approval for the erection of new buildings to provide 40 serviced apartments (sui generis) together with hard and soft landscaping, basement car parking spaces and associated infrastructure and works.

The Planner referred to an extra representation detailed on the Amendment Sheet.

The Committee received two representations in objection to the application.

The first representation covered the following issues (owner of 62 Holbrook Road):

- i. Expressed concerns about Blocks C1 and C2 and security risks to their property.
- ii. Expressed concerns regarding damage to the mature hedges which provided screening.
- iii. Block B would block the sun they naturally received at the moment, which would impact on their mental health and wellbeing.
- iv. Asked for hedges to be protected.

The second representation covered the following issues:

- i. Requested an assessment of scale against neighbouring properties which had not been done.
- ii. Suggested the privacy analysis and shadow analysis were flawed as it did not take into consideration the difference in the level of the ground.
- iii. Noted it was a residential area and that development for the Cambridge Biomedical Campus should be on the Cambridge Biomedical Campus.

Matt Hare (Applicant's Agent) addressed the Committee in support of the application.

The Committee Manager read out the following points on behalf of Councillor S.Davies (Queen Edith's Ward Councillor):

- i. The officer's report referred to Policy 77, Development and Expansion of Visitor Accommodation. Policy 77 stated that high quality accommodation would be supported "at Cambridge Biomedical Campus (including Addenbrooke's hospital)". In paragraph 8.5 of the Officer's report, the officer suggested that 11 Queen Edith's Way was close enough to the Campus to qualify for approval under Policy 77.
- ii. Policy 77 should not be considered in isolation from Policy 17, Cambridge Biomedical Campus Area of Major Change. Policy 17 both explained the intention to include visitor accommodation on the Campus (para 3.45); and described the Campus boundaries (para 3.46). It was clearly the intention of Policy 77 that the Campus' visitor accommodation needs should be met on the Campus site, that site being defined in paragraph 3.46. This being the case, the officer argued that Policy 17 effectively trumped Policy 77 in this instance, as the *raison d'être* of this Queen Edith's Way development was to provide

visitor accommodation for the Campus, and Policy 17 detailed that the Campus should be meeting these needs on its own site.

- iii. The interpretation was further supported by Policy S/CBC in the new Local Plan First Proposals. These rightly required the Biomedical Campus to utilise its own land efficiently to meet its needs and specifies:
- iv. Given the existing piecemeal development on the Biomedical Campus, any proposed release must contribute towards improving the wellbeing of campus users and surrounding communities, as well as addressing the spill over impacts on individuals and communities of this intensive employment location.
- v. The clear intention of this provision, to ensure that the Campus no longer pushed out its negative externalities into the surrounding residential neighbourhood, reinforces the primacy of Policy 17 over Policy 77 in relation to this application.
- vi. It was this point which Officer Collins and Councillor S.Davies further discussed. Understood that Policy 77 allowed for the development of visitor accommodation in sustainable locations outside the city centre. However, the sustainability of this location (11 Queen Edith's Way) related solely to its proximity to the Biomedical Campus, as could be seen by:
 - the developer's proposal which stated that there was a current demand for 18,600 short stay nights a year for the visitors to Cambridge Biomedical Campus. The proposed development would provide 15,476 nights a year assuming an 80% occupancy level.
 - the Officer's report to Committee on 6th October which made a direct linkage between the failure to build the hotel on the Campus envisaged in Policy 17 and the viability of this project (see paragraph 8.12).

Given that:

- a. the viability of this project was based exclusively on demand for visitor accommodation generated by the Campus;
 - b. Policy 17 of the 2018 Local Plan clearly intends that visitor accommodation for the Campus was built on its own site; and
 - c. Policy S/CBC of the emerging Joint Local Plan specifically requires the curtailment of the spillover effects of the Campus on adjoining communities
- vii. Asked colleagues on the Committee to give due weight to the intentions of Policy 17 and reject the application.

The Committee:

A vote was taken on the Officer recommendation, to grant planning permission for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer including:

- i. a revised landscape condition regarding the retention of the hedge where possible with delegated authority for officers to draft the condition and
- ii. the correction of road names in the Officer report.

Resolved (unanimously) to reject the Officer recommendation to approve the application.

Officers drafted the following reasons for refusal reflecting the policy concerns expressed by Members for rejecting the Officer's recommendation. Members were advised by Officers they ought not to include reason 3 because in the opinion of Officers' reason 3 could not be sustained at appeal.

Resolved unanimously to agree the first reason for refusal:

1. By virtue of the scale, massing, siting and design of the buildings, the proposal would result in a form of development that would be out of keeping with the character and appearance of the area, and fail to satisfactorily respond to its context. Consequently, the development would be contrary to Policies 55, 56, 57 and 59 of the Cambridge Local Plan 2018.

Resolved unanimously to agree the second reason for refusal:

2. The proposal, which seeks to construct 40 serviced apartments on the site with a low level of communal facilities, would result in an overly intense level of activity on the site and comings and goings, both from occupiers and associated service/delivery vehicles, that would harm the amenities of surrounding residents. Consequently, the development would be contrary to Policies 35 and 56 of the Cambridge Local Plan 2018.

Contrary to Officer advice, resolved by 5 votes to 1 to agree and apply the third reason for refusal:

3. By virtue of the number of proposed units, the small size of each of the units, and the limited internal and external communal facilities, the development would provide a poor level of accommodation and standard of amenity for future occupants. Consequently, the development would be contrary to Policy 56 of the Cambridge Local Plan 2018.

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

1. By virtue of the scale, massing, siting and design of the buildings, the proposal would result in a form of development that would be out of keeping with the character and appearance of the area, and fail to satisfactorily respond to its context. Consequently, the development would be contrary to Policies 55, 56, 57 and 59 of the Cambridge Local Plan 2018.
2. The proposal, which seeks to construct 40 serviced apartments on the site with a low level of communal facilities, would result in an overly intense level of activity on the site and comings and goings, both from occupiers and associated service/delivery vehicles, that would harm the amenities of surrounding residents. Consequently, the development would be contrary to Policies 35 and 56 of the Cambridge Local Plan 2018.
3. By virtue of the number of proposed units, the small size of each of the units, and the limited internal and external communal facilities, the development would provide a poor level of accommodation and standard of amenity for future occupants. Consequently, the development would be contrary to Policy 56 of the Cambridge Local Plan 2018.

21/120/PlanRe-Ordering Agenda

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

21/121/Plan21/03498/FUL - Land at Borrowdale

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garages and area of hardstanding and erection of 3 No. dwellings together with car parking, landscaping, bin and bike stores and associated infrastructure.

Councillor Porrer proposed an amendment to the Officer's recommendation to include an informative requesting the Applicant considered provision for 3 car club parking spaces with electric vehicle charging points.

This amendment was **carried unanimously**.

The Committee:

Resolved (by 5 votes to 0) to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 [with delegated authority granted to Officers to negotiate, secure and complete such an Agreement on terms considered appropriate and necessary];
- ii. the planning conditions set out in the Officer's report;
- iii. an informative requesting the Applicant consider provision for electric vehicle charging points in 3 car club parking spaces.

21/122/Plan21/01437/FUL - 18 Adams Road

Councillor Smart proposed and Councillor Gawthrope Wood seconded a motion deferring the application until further information could be obtained from an officer led site visit.

This motion was **carried (by 3 votes to 2)**.

21/123/Plan21/00351/HFUL - 100 Queen Ediths Way

The Committee received an application for full planning permission.

The application sought approval for ground floor rear extension, first floor rear extension, loft conversion with raised ridge height, rear dormer windows and internal alterations.

Dr Thippweswamy (Applicant) addressed the Committee in support of the application.

Councillor Smart drew the Committee's attention to representations from former Councillor Colin McGerty and the resident of 98 Queen Ediths Way set out on Page 224 of the Officer's report.

The Committee:

Resolved (by 6 votes to 0) to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer.

21/124/Plan20/03552/FUL Ice Rink

The Committee received an application for full planning permission.

The application sought approval to renew the installation of a temporary real-ice ice rink with viewing platform and back-of-house/plant area; a family entertainment area with children's rides & food concessions (including the Big Wheel); and a Christmas market with stalls & concessions, to one quadrangle of Parkers Piece. Event to run from 1 November 2020 to 31 January 2025.

The Planner updated his report by referring to updated condition wording and the addition of conditions details on the amendment sheet and officer presentation:

- i. replacement Condition 9 (grass re-establishment);
- ii. new Condition 12 (big wheel power);
- iii. new Condition 13 (electricity supply);
- iv. new Condition 14 (biofuel generators).

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

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

- i. Faced a fait accompli (a thing that has already happened or been decided before those affected hear about it, leaving them with no option but to accept it).
- ii. The ice rink was due to be set up 2 days before committee heard this application. Work was starting today (the day of committee).
- iii. There had been a lack of consultation before work started.
- iv. Expressed concern that the big wheel was being set up on Parker's Piece open space. Residents were concerned about this.
- v. The big wheel would be in place for 9 months, this was not "temporary" as set out in the application.
- vi. Noted changes to the application through revised conditions. There was still 1 'thrill ride' so residents would be disturbed by noise.
- vii. Concerns were addressed by revised conditions set out in committee today so please accept them.

Councillor Porrer then withdrew from the meeting taking no part in either the debate or the vote on its determination.

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

- i. He and Councillor Porrer were not opposed to a seasonal ice rink, they wanted to shape it going in appropriately.
- ii. No stakeholder consultation had been undertaken by the City Council (as site owner) or the Applicant before the rink was set up.
- iii. Lessons from previous years had not been taken onboard. For example a palisade had been erected around the site, which looked out of place on an open space.
- iv. Requested that permission be given for 1 year not 4, so stock could be taken of the impact of the rink on Parkers Piece. For example, the impact of heavy machinery on an open space, and how this could be put right after the rink closed/ended.
- v. A large area of open space had been out of action for longer than expected to allow the grassed area to recover after previous rinks closed and left the site. Referred to paragraph 8.1 in the Officer's report, previous repair/reseeding methods were not effective. What would be different this time?
- vi. The City Council had just approved perimeter planting on Parkers Piece. Hoped this long term project would not be negatively impacted by the rink.

Councillor Smart noted the City Council had an interest in the application as it derived income from the event.

Councillor Baigent proposed an amendment to the Officer's recommendation that permission might be granted for 1 year not 4 years.

This amendment was **carried by 4 votes to 1**.

The Committee:

(Councillor Porrer spoke as a Ward Councillor so had already withdrawn from debate and did not vote.)

Resolved (by 5 votes to 0) to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional/amended conditions:
 - a. revised Condition 1 granting permission for 1 year only;

- b. replacement Condition 9 (Grass re-establishment): The scheme detailing the method of ground protection and re-establishment 2021/22 onwards as submitted in the document dated 24th August 2020 and as updated and amended in the email dated 2nd November 21, shall be fully implemented, maintained and not altered. For the avoidance of doubt, the ground protection and restoring the land to its previous condition shall not include the use of herbicides or pesticides. The development shall be carried out in accordance with the approved details and timescales, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To mitigate against excessive permanent damage to the grassed areas of Parkers Piece and to ensure that all repairs are to an acceptable standard. (Cambridge Local Plan policies 55, 56, 60 and 61);

- c. new Condition 12 (Big Wheel): The Big Wheel shall be run off a power pack and recharged by solar PV and only recharged by a biofuel generator on site in the event that the solar PV is incapable of recharging the power pack to an appropriate level. In the event that a viable electricity connection is subsequently made available, the use of the generator to recharge the power pack shall cease.

Reason: To protect the residential amenity of neighbouring properties (Cambridge Local Plan 2018 Policy 35);

- d. new Condition 13 (Bio-fuel Generators): The generators used on the site shall be bio-fuel.

Reason: To reduce the carbon footprint of the operation (Cambridge Local Plan 2018 policy 28).

The meeting ended at 4.20 pm

CHAIR

This page is intentionally left blank

PLANNING

1 December 2021

10.00 am - 7.40 pm

Present:

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

Officers:

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Toby Williams

Principal Planner: Steve Fraser-Lim

Principal Planner: Ganesh Gnanamoorthy

Principal Planner: Lewis Tomlinson

Senior Planner: Jane Rodens

Senior Planner: Tom Gray

Legal Adviser: Richard Pitt

Committee Manager: James Goddard and Claire Tunncliffe

Other Officers Present:

Principle Urban Designer: Sarah Chubb

Senior Conservation & Design Officer: Susan Smith

FOR THE INFORMATION OF THE COUNCIL

21/125/PlanApologies

Apologies were received from Councillors Flaubert and Page-Croft.

21/126/PlanDeclarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Thornburrow	21/128/Plan	Personal: Application in Petersfield where she is a Ward Councillor. Discretion unfettered.
Councillor Dryden	21/130/Plan	Personal: Application in Cherry

		Hinton where he is a Ward Councillor. Discretion unfettered. Applicant is the City Council (Cambridge Investment Partnership).
Councillor Dryden	21/131/Plan	Personal: Applicant is the City Council.
Councillor Gawthrope Wood	21/136/Plan	Personal: Application in King's Hedges where she is a Ward Councillor. Discretion unfettered.

21/127/PlanMinutes

No minutes of previous meetings have been submitted to this meeting for approval.

21/128/Plan21/03620/FUL - Devonshire Gardens, Devonshire Road

The Committee received an application for full planning permission.

The application sought approval for 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.

The Principal Planner updated his report by referring to updated wording and the recommendation details on the amendment sheet. Specifically:

- i. Paragraph 8.55: To be reworded as follows: "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 **moderate** 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)”.

- ii. Pre-Committee Amendments to Recommendation: Reason for refusal 1 to be reworded as follows: “The proposed development by reason of its scale, massing **and articulation of building facades** would result in an unduly imposing form of development, in a location which would not justify buildings of such scale. As such the proposals Page 2 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,~~ **which would not be outweighed by the benefits of the proposals.** 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”.

Mr Higgins (Applicant) and the Founder of Indie Cambridge addressed the Committee in support of the application.

The Committee received a representation in objection to the application from the Chair of South Petersfield Residents Association:

- i. Usable public open space
 - a. Was 0.24 hectares sufficient for use by 250 on-site residents, up to 1,000 on-site workers, and visitors to residents, businesses, crèche and other community amenities?
 - i. Only the central green wedge counted as “usable green space”.
 - ii. Local Plan required 0.625 hectares for informal open space and children’s play area before considering the needs of on-site workers and visitors.
- ii. Cycle parking
 - a. Was 157 cycle spaces sufficient for circa 250 residents?
 - i. The Local Plan policy on cycle parking did not cover car-free developments. Residents suggested one cycle parking space per resident, not per bedroom, as the appropriate standard here.
 - b. Is there sufficient provision for cargo, trailer and other cycles?
 - i. Residents without a car were much more likely to own these.
 - c. Are the residents’ cycle parks sufficiently secure and surveilled?

- i. Cycle theft was a major problem in Cambridge.
 - ii. The loss of their cycle would be a major inconvenience for people who do not have a car as a backup.
 - iii. Was the provision for deliveries adequate?
 - a. Living car-free meant relying more on delivery services – groceries, fast food, Amazon, etc.
 - b. Offices would also receive regular deliveries.
 - c. Delivery drivers parked as close to the destination as they can.
 - d. The two shared-space ‘squares’ in the development would be busy, and potentially conflicted; with delivery vehicles, as well as people walking and cycling on and off the site.
 - iv. Parking provision
 - a. Was one Blue Badge and three visitor parking spaces sufficient?
 - i. Competition for those visitor spaces would be intense.
 - ii. Off-site parking options were not suitable for longer-stay visitors (e.g. overnight or a weekend): maximum stay at Gwydir St car park is two hours; on-street Pay & Display, four hours.
 - b. Was one club car sufficient for 100 dwellings?
 - i. Marmalade Lane (not car-free) has two club cars for 42 dwellings.
 - ii. S106 provision of Electric Vehicle club car spaces for use by the wider community?
 - v. Local Plan context
 - a. Was this a case of overdevelopment?
 - i. 100 dwellings for circa 250 residents. 45 dwellings had previously been proposed.
 - ii. 12,313 sq.m. of commercial space for circa 1,000 workers.
 - iii. Residents, businesses, crèche and community amenities would attract a significant number of visitors and deliveries
 - b. If so, it was the employment space that should be scaled back, there was a shortage of housing, not jobs.
 - vi. Was aware the Applicant proposed off-site parking but 3 extra spaces were insufficient.

Councillor Robertson (Ward Councillor) addressed the Committee about the application to set out his view on expanded reasons for refusal:

(As per Officer's report)

- i. 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.
- ii. 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.

(Additional reasons for refusal)

- iii. 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. (Wording from Summary on page 8.)
- iv. Insufficient usable green space has been allowed for residents and none for the needs of workers and visitors to the site.
- v. Insufficient cycle parking has been provided for the 250 residence and 1000 workers which can be expected on the site.
- vi. A full explanation is missing of how cycle parking will be maintained securely and with surveillance.
- vii. Inadequate provision for deliveries has been provided both for residents and even more so for offices
- viii. No explanation has been provided for the management of the 3 parking spaces for visitors, nor how these spaces can be said to be adequate when there is only short term car parking with payment required anywhere near the site.
- ix. Inadequate provision of club car parking spaces which can be expected to be in heavier demand than usual because this would be a largely car free site.
- x. Overprovision of offices and under provision of housing on this site which is designated just for housing.

- xi. Full details are missing with regard to the likely rent and service charges to residents and the genuineness of their affordability. Given the Build to Rent nature of this housing and the proposal not to seek local government adoption of any part of the site, this information should be provided at application stage and not left for subsequent discussion.
- xii. Too many trees would be required to be felled from the belt of trees along Devonshire Road.

Councillor Robertson supplementary points:

- i. The application had points of merit and demerit.
- ii. It was an overdevelopment of the site.
- iii. The 100 flats were welcome, but the 1,000 employees on site would add to the need for housing in the city when the site should contribute to the provision of housing.
- iv. Expresses concern about:
 - a. Inadequate green space.
 - b. Excessive height of buildings.
 - c. Being car free was good, but there needed to be adequate cycle parking, delivery bays and club car spaces.
- v. The developer should offer more than the minimum level of affordable housing.
- vi. Requested the amount of office space be reduced, but not the amount of housing.
- vii. Asked the Applicant to submit a revised scheme that did not overdevelop the site.

The Committee:

Unanimously resolved to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report and amendment sheet.

21/129/Plan21/02052/FUL - Grange Lane College Accommodation, South of Wilberforce Road

Withdrawn at Officer's recommendation. Applicant had submitted an invalid application.

21/130/Plan21/02759/FUL - Colville Road Phase 3, Land at Colville Road and Fishers Lane High Street

The Committee received an application for full planning permission.

The application sought approval for 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.

The Committee received a representation in objection to the application from a resident of Cherry Hinton High Street. [The Committee Manager read a statement on behalf of the Objector]:

- i. The council was putting too many homes on a contextually important site for Cherry Hinton residents. Felt there had been little regard for the impact of this development on existing residents. The village High Street itself was an amenity whose character would be lost with this overly ambitious development. A slightly less ambitious development would strike a far better balance both for new and existing residents.
- ii. Specific concerns:
 - a. The mass of Block A, the mass of Block B and the ugly North elevation of Block B.
 - b. The overall effect of so many small council flats crammed into an area both for new residents' amenity, and for the effect on the wider community.
 - c. The plans had been presented to the public in a somewhat underhand way – with actions seemingly taken to minimize local residents' input. For example:
 1. The project was called Colville Phase 3 on neighbour letters and the site notices which were sorely lacking in detail. The development is in fact on the High Street.
 2. The developers' own leaflets during their 'consultation' mysteriously were not delivered to the majority of Cherry Hinton residents including myself.
- iii. No person who lived in Cherry Hinton was presented with a plan for the complete Colville development.
- iv. Queried if the council suspected this development was not appropriate in size and scale for a village High Street.
- v. The north-facing balconies that face over the busy High Street cannot be considered an adequate amenity space.
- vi. Felt this application for development of Cherry Hinton High Street was never truly up for debate. It was presented as a fait accompli.

- vii. Where the Urban Design officer has noted any issues with the plans, tiny changes then seem to count as complete mitigation.
- viii. There was a seemingly deliberate omission of mention of the many two-storey traditional homes right on Block B's doorstep which will be dwarfed by the new builds.
- ix. There seems to be a determination throughout the plans that it must build the number of homes in the initial designs.
- x. The benefit to local residents of the development have been highly questionable. Councillors have tried to say it will 'improve access' to green spaces at the corners. That was a totally illogical claim. The two are unrelated.

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

Councillor Thornburrow proposed an amendment to the Officer's recommendation that Condition 32 should be amended to require BREEAM 'Excellent' instead of BREEAM 'Very Good'. She proposed a deferral to effect this change.

This proposal was **lost by 3 votes to 3 – and on the Chair's casting vote.**

Councillor Thornburrow proposed an amendment to the Officer's recommendation there should be an informative requesting 20% net gain in biodiversity.

This amendment was **unanimously carried.**

The Committee:

Resolved (by 3 votes to 3 – and on the Chair's casting vote) to grant the application for planning permission in accordance with the Officer's recommendation, for the reasons set out in the Officer's report, subject to:

- i. the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 [with delegated authority granted to Officers to negotiate, secure and complete such an Agreement on terms considered appropriate and necessary];
- ii. the planning conditions set out in the Officer's report;
- iii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional conditions:

- a. to ensure commercial users were limited to relevant Class E users;
- iv. informative included on the planning permission in respect of:
 - a. 20% net gain in biodiversity.

21/131/Plan20/02289/S106A - Land at Anstey Way

The Committee received an application for modification of planning obligations.

The application sought approval for modification of planning obligations (Affordable Housing tenure) contained in a Section 106 Agreement dated 11 July 2018 pursuant to planning permission 17/2214/FUL. The change sought was as follows:

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

The Committee:

Resolved by 3 votes to 2 to grant permission subject to a varied S106 agreement.

Re-Ordering Agenda

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

21/132/Plan19/1010/FUL - 185-189 Newmarket Road and 1 Godesdone Road

The Committee received an application for full planning permission.

The application sought approval for 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.

The Committee Manager read out the following points on behalf of Councillor Davies (Abbey Ward Councillor):

- i. Residents' comments on this application raise several important points, which I would urge this committee to seriously consider today.
- ii. Several comments related to overshadowing. The residents of 3 Godesdone Road comment that the increase in height of the rear section of the brick wall would block the already limited light to their garden. These concerns would relate directly to Local Plan policy 60 b [given the conservation area] and 60 d, and 57 b. Further, another resident notes that the windows on the West elevation above Unit 7 and in Unit 11 appear to overlook part of the gardens of neighbouring houses in Godesdone Road.
- iii. Neighbours have also raised concerns that reducing the courtyard wall would allow for further views of the stairwell in the Travel Lodge. This concern is acknowledged in the officer's report. Again, this should be considered by the planning committee in relation to the conservation area and the impact on local residential amenity, including under Policy 58.
- iv. Regarding car parking, no on-site car parking provision is made as part of the proposed development. A resident notes that the number of single person dwellings increases the likelihood of a high number of cars.
- v. Noted that several Godesdone Rd residents have contacted me recently with concerns about unauthorised parking taking place within the residents' parking zone. I would highlight here that Godesdone Road is currently undergoing significant changes due to development and will surely be negatively impacted by the easyHotel, including through increased parking pressure. These traffic issues should not be further exacerbated.
- vi. A number of residents are clearly concerned that the lack of parking provision for this number of units would exacerbate the existing problems and those bound to occur in the near future.
- vii. I would also note the comments of the disability panel, which are clear that of changes could be made to make the proposed development more accessible. If permission is granted, I would urge in the strongest terms that the Disability Panel's recommendations be taken on board

The Committee:

Resolved (1 votes to 4) to reject the Officer recommendation to approve the application.

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

- i. The overall level of amenity for future occupants would be poor and would result in cramped living environment. The scheme failed to demonstrate that it is not practicable to provide an acceptable quality and quantity of internal and external amenity space for future occupiers' contrary to policy 50 & 58 CLP 2018.
- ii. The proposed retained buildings would fail to preserve the character and appearance of the conservation area by virtue of the scheme's design. Public benefit to provide an additional residential unit and the improvement to the residential amenity of No3 Godesdone Road would not outweigh the ? conservation area, policy 61 of the CLP 2018 and NPPF paragraph 2021.

21/133/Plan19/1453/FUL - Shah Jalal Mosque, 107 Darwin Drive

The Committee received an application for full planning permission.

The application sought approval 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.

Mr Abu Uddin addressed the Committee in support of the application.

The Committee received a representation in objection to the application from a resident of Darwin Drive:

- i. Did not object to the building of the extension and the existing hours of teaching and worship.
- ii. Did object to the increase in the hours of use, and the numbers attending.
- iii. In 2011 the North Area Committee denied the application because it would negatively affect residential amenity.
- iv. The Cambridge Local Plan of 2018 specifically states the planning system should protect amenity.
- v. Darwin Drive was a quiet, residential street. The proposed application would increase the size, scale, and intensity of use, and cause unacceptable noise at night.
- vi. The development would damage the character of the street.
- vii. The environmental health report of April this year confirmed the likelihood of an "adverse impact on residential amenity". The report

author stated, “given the potential for adverse impacts on amenity in the area [...] we cannot support this application”.

- viii. The assessment of the impact from the proposed changes had not changed.
- ix. What had changed was the willingness of the Shah-Jalal Islamic Centre Management Committee to engage with residents who respected the Centre’s neighbours and did not believe there would be a negative impact and wanted to get things right for everyone.
- x. However, there needed to be a cautious approach as previous committees had insisted on religious necessity without thinking of the local amenity.
- xi. Permission on such applications had led to many complaints with some residents moving away because of the disturbances.
- xii. The proposed application could upset a culturally diverse fragile equilibrium.
- xiii. If permission is granted it will be hard to reverse.
- xiv. It is not easy to record late night disturbances and to get them validated and prosecuted.
- xv. Allowing the application based on goodwill, was not a cautious approach.
- xvi. Referenced the Akeman Street Community Centre which closed at 10pm. To be fair and equitable, the same rules should apply to all other community rooms in the area.
- xvii. Believed the original reason for asking for an expansion was to allow more children to be taught Arabic.
- xviii. A compromise might be a target change in hours to make that possible. This might stop the cycle of repeated, near-identical applications.

The Committee received a representation in objection to the application from a second local resident:

- i. Neighbours had witnessed that the Centre was used not just by local residents but those outside of the area
- ii. Residents could also confirm how many individuals drove to the Centre which caused issues with parking.
- iii. Any intensification of use would bring an increase to these problems and raise noise issues.
- iv. Paragraph 7.4 of the Planning Officer’s report highlighted a response from the applicant to the objections raised by residents; part of the response stated users of the premises were residents who walked to the site.

- v. Despite this confirmation in previous applications there had been representations from users of the Centre who had given their address outside of the local area such as Hanson Court or Kings Hedges.
- vi. Reviews of the Centre could be found on the internet from users who were not only outside of the local area but visitors to Cambridge.
- vii. The applicant also stated in paragraph 7.4 they were unaware of any violations within the last five years. However there had been breach of conditions brought to the attention of Planning Enforcement:
 - Possible High Court action had been brought to the attention of Officers on two occasions without any acknowledgement.
 - The Local Government Ombudsman ruled in favour of the complaint stating the least that could be done by Planning Enforcement was to acknowledge the breach of conditions.
- viii. Evidence of planning conditions breaches could also be found online and were committed regularly as witnessed by local neighbours.
- ix. Those individuals who had objected to the application lived closer to the Centre than those who expressed their support.

The Committee:

Resolved (unanimously) to reject the Officer recommendation to refuse the application.

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

- i. The extension to the property, the change of hours and the number of users would not adversely harm the amenities of the occupiers of the neighbouring properties.

Resolved unanimously to grant the application for planning permission including delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft conditions requiring development in accordance with the approved plans for the following:

- i. Time limit
- ii. Plans
- iii. Materials
- iv. Amount of Attendees
- v. Opening Hours (week day, not early hours)
- vi. Opening Hours (early hours)
- vii. Noise Mitigation Measures
- viii. Transport Mitigation Measures

- ix. Management Plan Mitigation Measures (Combined Noise, Supporting statement and Transport)
- x. New Cycle Parking
- xi. Limitations on the flat
- xii. The use of the garden
- xiii. Hard and Soft Landscaping (Prior to use of the extension)
- xiv. Construction Traffic Management Plan

21/134/Plan21/01437/FUL - 18 Adams Road

The Committee received an application for full planning permission.

The application sought approval for erection of 2no dwellings following the demolition of No.18 Adams Road.

The Senior Planner updated their report by referring to the amendment sheet which can be viewed at the link below and advised that a response to all the objections had been received from the Planning Agent:

[\(Public Pack\) Amendment Sheet 1 Dec Agenda Supplement for Planning, 01/12/2021 10:00 \(cambridge.gov.uk\)](#)

The Committee were also informed of an update from the Biodiversity Officer who had advised of the following:

Having reviewed the latest documents which demonstrate the applicants attempts to reduce light spill from the proposed development onto the adjacent Adams Road Sanctuary Wildlife Site, including the introduction of a 6m tree and shrub planting buffer along the norther boundary. In addition, northern windows and glazing have been removed and upper storey roof lines further set back from the boundary. These measure would mitigate against the proposed development, however the large scale and proximity of the development both during and post construction still threatens rather than enhances the designated site.

If minded to approve the application, then I would request that all previously suggested conditions were imposed. The proposed onsite biodiversity net gain, green roof and bird box provision are support. I would raise that the requested Ecological Sensitive lighting conditions is securing a strict limit to external lighting, including the proposed norther paved courtyard, which may restrict night-time use of these spaces.

A representation had also been received questioning the interpretation of Policy 67 which had been dealt with as part of the officer report. The gardens around the sanctuary were not considered to forward a definition of open space.

All documents could now be viewed on the Council's website at the following link (21/01437/FUL):

[Simple Search \(greatercambridgeplanning.org\)](http://greatercambridgeplanning.org)

The Committee received a representation in objection to the application from the Chair of the Adams Road Bird Sanctuary

- i. The 'Bird Sanctuary Club' had been in existence since the 1930's.
- ii. A remnant of natural woodland & water near the centre of Cambridge. It was a unique 'natural asset' of the city.
- iii. The Club had an open membership of over 200 family households from over the City & County. [18 area postcodes].
- iv. It had always been valued as a remarkable haven for wildlife and tranquillity.
- v. In the last 18 months, due to the pandemic and Lockdown, membership had increased by over 25%. Such was the demand for genuine undisturbed and publicly accessible Open Space.
- vi. The social well-being benefits and bio-diversity values had become more important than ever.
- vii. To quote from some of the 35 passionate objectors to this unacceptable proposal:
 - *"It is a miraculous healing place. In our post-pandemic thinking it should not be sacrificed"*
 - *"A place of refuge ... we owe it to future generations to make every effort to protect such places";*
 - *"a magical oasis of really wild space where we first saw a kingfisher. Please refuse permission".*
- viii. The sanctuary had survived because the distinctive local built pattern had been maintained.
- ix. Devoted volunteers care for it under a management plan; members support provided support with gifts and legacies.
- x. If the City Council cannot save a site, protected through every possible designation, then what part of the natural resources of the City will survive into the future?

The Committee received a second representation in objection to the application from a local resident:

- i. The Case Officers' report omits any reference to the designated to the Sanctuary as either protected open space or a county wildlife site.
- ii. The applicant had not considered potential ecological impacts on a designated wildlife site.
- iii. Policy 69 required professional assessment of such impacts. No such assessment has been made.
- iv. The Officer's report overrides the objection of the Nature Conservation Officer and those of ARBS members, many of whom have relevant professional experience.
- v. There were over seventy public comments on the public portal including the Wildlife Trust and individuals with relevant professional qualifications and experience.
- vi. The Wildlife Trust's independent statement on the Sanctuary described its high ecological value and underlined the threats to this if the buffer of the surrounding gardens is eroded. By focusing only on a limited set of design features, the Officer's report almost wilfully ignored the extensive evidence presented.
- vii. Set against harm to the sanctuary, a small net gain in biodiversity on the development site is immaterial. In any case, the calculation was flawed; and any net gain would depend on a long-term management regime that, despite the Officer's Report conclusions, would be impossible to enforce.
- viii. The Conservation Area Appraisal highlighted the value of the pattern of long gardens between the houses and the sanctuary. This pattern is shown on the maps.
- ix. The Officer's Report refers to the size of those gardens but not to this pattern.
- x. Contrary to the Case Officer's conclusion, the proposal did not accord with the Appraisal.
- xi. The sanctuary was so small that any building on its borders would causes significant damage. If this proposal is accepted, it may affect the planning context for any future applications on the sanctuary boundary, increasing their likelihood of acceptance.
- xii. This was an ill-conceived proposal, that not only poses an existential threat to a local nature reserve but would come at a considerable carbon cost to the city.

The Committee received a third representation in objection to the application from a local resident:

- i. This was a plan to destroy one large house and replace it with a two-house complex containing twelve bedrooms, garaging for four cars and much else.

- ii. The development involved the excavation of two substantial basements for features such as swimming pools; it required prolonged use of towers of scaffolding, heavy earth-moving equipment and extensive pile-driving, much of it right up against the Sanctuary and its drift way.
- iii. The level of disturbance proposed would be prolonged and extreme.
- iv. The proposed application would certainly drive off the birds which nest nearby, and the flocks of redwings and fieldfares that arrive each winter.
- v. The pervasive degradation of the whole reserve by a permanent and substantial increase in human activity immediately beyond its borders would ensure that the birds do not return, and that the losses will extend ever further across this fragile and irreplaceable habitat. The impacts could be neither avoided, mitigated, nor compensated, and the only proposals for doing so are transparently trivial.
- vi. The Case Officer had cast aside the accumulated evidence, and the representations of his specialist officers, and argues that planning permission be granted. In such cases the National Planning Policy Framework (para 180) is clear. The application must be refused.

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

Councillor Smith (Castle Ward) addressed the Committee about the application:

- i. Local Plan Policy 69 sets out a presumption against approval "where development is proposed within, adjoining or which will otherwise affect a locally designated nature conservation site" (para 7.66). In this policy context we examine the application against the two Local Plan policy tests for the applicant to demonstrate (7.65) the proposal will not have an adverse effect on biodiversity. These are to evidence:
 - Test 1 (7.66), "comprehensive surveys of the historic and existing biodiversity importance".
 - Test 2 (7.66)"a professional ecological assessment of the impact of the proposed development".
- ii. Where adverse effects have been identified, Local Plan policy requires applicants to address:
 - TEST 3 by providing (7.66) "details of measures to protect and enhance the habitat or species identified".
 - Test 1: Comprehensive surveys of biodiversity. The applicant's revised Preliminary Ecological Appraisal (September 2019) was based on a September 2018 field survey of the development site alone (not the adjoining locally designated nature conservation site, the ARBS), and a desk study that did not include consultation

- of the Cambridgeshire and Peterborough Environmental Records Centre (despite a statement to the contrary on p7).
- The Preliminary Ecological Appraisal (PEA) reveals a serious gap in the applicant's knowledge of local biodiversity. It refers to historical records of 15 bird species (three on red list and seven on amber list) within a 2km radius. This is less than 20% of the 86 species (15 on red list, 18 on amber list) recorded in the Sanctuary itself. No invertebrates are listed in the PEA, yet the ARBS was designated a County Wildlife Site due to its remarkable invertebrate diversity.
 - In failing to consider the biodiversity of the adjoining ARBS, the applicant has failed to carry out a comprehensive survey as required under Local Plan Policy 69.
 - Test 2: Professional ecological assessment of potential harm to a designated site. The PEA is inconsistent about the designated status of the ARBS. In Table 2 on p12 it states, "there are no known non-statutory sites *within the study area*". Later in the text under Designated Sites (Table 7 p28) the ARBS is listed as a City Wildlife Site and later again, with reference to amphibians, as a County Wildlife Site.
- iii. Given the applicant has not provided evidence of a comprehensive survey of the biodiversity of the adjoining ARBS, the applicant is unable to consider the prospective harm to the ARBS and arrives at deeply flawed conclusions:
- Foreseen Impacts (Table 7), "the proposed development is not of a sufficient scale to have a major negative impact on any nearby designated statutory or non-statutory sites."
 - Planning Statement 5.23, cites the PEA as the sole evidence on which it is concluded that "there will not be significant adverse impacts upon the biodiversity of the site or wider area."
- iv. These conclusions contrast markedly with an independent statement on the ecological value of the ARBS submitted by the Bedfordshire, Cambridgeshire and Northamptonshire (BCN) Wildlife Trust. Emphasizing its designation as a County Wildlife Site, the statement predicts harm to the Sanctuary from garden development: "Adam's Road Bird Sanctuary remains a haven for wildlife precisely because it is buffered by the large gardens which surround it. The erosion of this buffer in general can only act to weaken the value of the site for wildlife, reducing the chance of successful nesting by birds and threatening the amphibian, mammal and invertebrate populations". We request the Planning Committee to read this assessment (attached) in conjunction with this letter

- v. To consider the adverse impacts of development in proximity to the ARBS, we turn to the approval and later construction of a house (4 Clarkson Road) in 2007. The applicant makes much of this development as justification for the 18 Adams Road proposal (see OR 8.39). However, 4 Clarkson Road was of prefabricated design and no new vehicle access has been created adjacent to the Sanctuary and its driftway. Dust, noise, lights, and earth movements either during or after construction, or both, were minimal compared with what can be expected if the 18 Adams Road application is approved. Even so, given the sensitivity of nature to change, bird counts have shown a reduction in the use of the part of the reserve immediately adjacent to the house. Snipe (amber listed) used to use this patch and have not been seen there for many years; finches on passage and nesting dunnocks (amber listed) are found in this corner no longer; and reed warblers, for which the ARBS is particularly noted, occur there in much lower numbers.
- vi. Construction of the proposed rear house itself, including a substantial basement, will require the operation of heavy lifting and earth-moving equipment right up against the Sanctuary and its driftway (where the hedgerow also meets County Wildlife Site criteria because of its length, breadth, and diversity of species). Associated noise, air and light pollution are clear threats to the ARBS, and concerns have also been raised about the effects on local drainage of the excavation of the basement.
- vii. No matter the scope and extent of conditions imposed, these construction operations would certainly drive off birds in the short term and combined with the human activity of occupation, including, noise, lights, and vehicle movements just over the border, would almost certainly lead to the permanent loss of some species. Tree creepers (amber listed) and two species of woodpecker use this corner of the Sanctuary, and another obvious probable casualty would be the flocks of fieldfares and redwings (both red-listed), siskins and redpolls (amber listed) that gather to roost at the northern end of the driftway in winter.
- viii. The applicant has failed to present evidence to demonstrate that harm to the Sanctuary's bird population will not occur as required under Local Plan Policy 69 (7.65).
- ix. The evidence for deleterious impacts of Artificial Light at Night (ALAN) on biodiversity conservation - including birds, insects, and other taxa - is clear, and the problem is gaining more and more attention among scientists and in the public domain. Impacts of noise pollution, for example on bird breeding seasons, are also becoming apparent.
- x. Reporting on a recent study in the United States, Masuyuki Senzaki and his co-authors (*Senzaki, M., Barber, J.R., Phillips, J.N. et al. (2020)*

Sensory pollutants alter bird phenology and fitness across a continent. Nature 587, 605–609) demonstrated that anthropogenic noise and light can substantially affect when birds first laid eggs, clutch size, partial hatching success, clutch failure and whether nestlings successfully fledged, and concluded that their findings indicate the need to consider sensory pollutants alongside the traditional dimensions of the environment that typically inform biodiversity conservation.

- xi. With respect to insects, Douglas Boyes and his co-authors found that ALAN strongly reduced moth caterpillar abundance compared with unlit sites in southern England and affected caterpillar development, and that introduction of ALAN to previously unlit sites affected the feeding behaviour of nocturnal caterpillars (*Douglas H. Boyes, Darren M. Evans et al (2021) Street lighting has detrimental impacts on local insect populations. Science Advances*). Moths, of course, provide essential food sources for birds and other animals, and are important pollinators. These two studies are a tiny sample of a growing number of publications on the threat of ALAN to natural ecological processes and biodiversity - a threat which is now getting more and more attention in the popular press.
- xii. The applicant claims that modifications to the type of glazing on the building, and the fact that most windows face east, are enough to deal with the lighting threat. This is not so.
- First, it is not at all certain that the glazing modifications would be significant in reducing impact on wild species.
 - Second, the main light spill would fall directly onto the driftway, which is an integral part of the ARBS, just where it joins the main Sanctuary.
 - Third, damaging impacts are wider: they do not occur only in front of the light source.
 - Fourth, although OR 10.1 (32) conditions external lighting with regard to biodiversity on-site, it is not clear that this extends to biodiversity in the Sanctuary and in any case, there must be a significant risk that over the lifetime of the rear house further lighting would be introduced which would also adversely affect the Sanctuary.
 - Fifth, headlights on the new drive parallel to the driftway are not subject to conditions.
 - Sixth, we wonder whether the welcome planning condition (OR 8.58) of less than '1 lux lighting zone' is achievable in a domestic outdoor setting? A measurement of 1 lux is equal to the illumination of a one metre square surface that is one metre away from a single candle. So, the lighting zone would need to be in virtual darkness.

- TEST 3: Details of measures to protect and enhance the habitat or species. The applicant's failure under Test 1 - to evidence comprehensive surveys of the historic and existing biodiversity – led to failure under Test 2 to provide a professional ecological assessment of the impact of the proposed development. These failures lead inevitably to failure under Test 3.
- xiii. The Ecological Mitigation Plan's only specific recommendations regarding Designated Sites refer to dust and noise control during construction and adhering to the lighting conditions recommended for bats that live on site. Without proper awareness of the harm, it is not surprising that the mitigations proposed fall disastrously short. The Council's Nature Conservation Officer states: 'Features proposed within the 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*' [OR 6.8, our emphasis]. The Case Officer contradicts this (OR 8.59), claiming that the mitigation plan "demonstrates" sufficient mitigation through these features. This latter, lay, assessment is flawed as it is not informed by 'comprehensive' data on the existing biodiversity, and contradicts the Nature Conservation Officer's professional assessment of potential harm as required by Local Plan Policy 69.
- xiv. Additionally, subsequent tree works in the Sanctuary have been insisted on by 4 Clarkson Close owners, and Conservation Area regulations do not protect the reserve against this as the applicant claims.
- xv. Much is made by the applicant of a claimed on-site Biodiversity Net Gain. Set against harm to the sanctuary, a small net gain in biodiversity on the development site is immaterial; and the Nature Conservation Officer maintains his objection to building close to the boundary. In any case, the purported net gain would depend on a long-term management regime that would be difficult to enforce in perpetuity. It is claimed (OR 8.57) that a "suitable soft landscaping scheme could be achieved within the site" and that - following concern over gain persistence expressed by the Nature Conservation Officer –this could "be conditioned in addition to securing its ongoing management". There is no reference here to what the BNG requires. It would require all future residents of the rear house to refrain from mowing their lawn in summer, for example, and to maintain a thick scrub cover intact right up to the northern end of the house. Securing this in perpetuity is surely unrealistic.

To conclude:

- xvi. The ecological and biodiversity importance of the ARBS is attested by its designation as a City and a County Wildlife Site, the BCN Wildlife Trust's

- accompanying statement, and the Sanctuary's historic and contemporary biodiversity records.
- xvii. In considering development proposals in proximity to designated sites of biodiversity value, development management must uphold the relevant Local Plan Policies with a view to both protecting and enhancing such sites.
- xviii. Local Plan Policy 69 sets out a presumption against approval "where development is proposed within, adjoining or which will otherwise affect a locally designated nature conservation site" (para 7.66). The policy requires the applicant to demonstrate (7.65) the proposal will not have an adverse effect on biodiversity. Against the policy tests, the applicant has been shown to have:
- (Test 1) failed to evidence "comprehensive surveys of the historic and existing biodiversity importance"
 - (Test 2) failed to provide "a professional ecological assessment of the impact of the proposed development"
 - (Test 3) failed to provide "details of measures to protect and enhance the habitat or species identified".
- xix. The recorded impact of 4 Clarkson Close and scientific evidence demonstrate that the proposed development would lead to irreversible adverse impacts on the Sanctuary's biodiversity and ecology. This damage would result from the cumulative impacts of construction, and noise and light pollution and vehicle movements arising from occupation of the proposed dwelling, which will damage wild populations of a wide range of species, including the invertebrates which were the basis for designation of the Sanctuary as a County Wildlife Site.
- xx. The presumption against approval can only be overcome if the benefit of the development outweighs the impacts to the nature conservation site and if the harm can be mitigated. The applicant has demonstrated neither. The OR acknowledges the requirements to demonstrate no harm (8.49, 8.50) but fails to say that these requirements have not been met. The OR sets aside the professional assessment provided by the Council's Nature Conservation Officer. It appears to accept the applicant's statements without questioning them.
- xxi. It is apparent, the only way to protect the Sanctuary from harm is to protect large gardens surrounding the Sanctuary from development in accordance with the Conservation Area Appraisal and Local Plan Policy 67.
- xxii. Neither the PEA nor the Planning Statement acknowledge the designation of the ARBS as Protected Open Space (LP67) and the fact that it scored highly in a 2011 quality assessment under the Natural and Semi-natural Green Spaces category. Local Plan Policy 67 has

provision for previously unidentified sites, "regardless of ownership" (7.43) to qualify as protected open space (7.46). Contrary to the statement in OR 8.34 the gardens surrounding the ARBS appear to comprise such space because collectively they fulfil one or more of the three criteria for environmental importance in Appendix I of the Local Plan (7.44) through their function as a vital buffer zone around an important nature reserve. LP 67 states "If an application is received which affects a site that may be worthy of protection, an assessment will be made of the site against the assessment criteria listed in Appendix I" (7.46). No such assessment has been carried out.

- xxiii. The Applicant's proposed mitigation measures at 18 Adams Road do not begin to mitigate the irreversible adverse impacts of biodiversity of the Sanctuary. In the remarkable event of full compliance and enforcement of the 33 conditions (set out in OR 10.1) proposed for the construction period and beyond, they would still not remove or materially reduce adverse impacts to prevent harm.
- xxiv. The Planning Committee would be justified in citing provisions of Local Plan Policies 67 and 69 as material planning grounds to refuse this planning application

The Committee Manager read out the following points on behalf of Councillor Payne (Castle Ward Councillor):

- i. Adam's Road Bird Sanctuary was one of very few publicly accessible open spaces near the city centre, which offered a protected haven for a wide range of wildlife, including 92 species of birds (nine on the red list), four amphibians (notably the Great Crested Newt) and 1,600 invertebrates (52 with formal conservation status, and, notably, half of British ladybird species), 334 plants and over 100 fungi.
- ii. It was also a highly valued public amenity, offering peace and tranquility to residents from across the city.
- iii. The value of the Bird Sanctuary was clearly attested by the supporting letter from the Wildlife Trust, as well as a large number of objections raised against this development, including 4 in Castle Ward, and others in West Chesterton and Abbey Wards, which clearly shows that this space had value beyond its immediate neighbours in Newnham ward.
- iv. Noted that the council's own Trees Officer and Nature Conservation Officer have also recorded their objections.
- v. These concerns have been added to by evidence from Richard Buxton Solicitors regarding the adverse impact of this development, and the misinterpretations of the Local Plan within the application.

- vi. Concerned that the proposed development at 18 Adams Road would have a negative and harmful impact on the Bird Sanctuary, which has not been fully assessed.
- vii. The Biodiversity Net Gain Assessment report claims there would be a minimal benefit to biodiversity at 18 Adams Road but did not even address the potential negative impact to the Bird Sanctuary, which would include additional noise, disturbance and light pollution during and after the development is completed.
- viii. Believed this application should be refused, and a proper assessment of the biodiversity harm to the Bird Sanctuary should be completed and weighed against the minimal benefit at 18 Adams Road.
- ix. The Ecological Appraisal is focused on the ecological impact at 18 Adams Road, with barely mention of the impact on the neighbouring Bird Sanctuary.
- x. The Ecological Appraisal does note that great crested newts are present at the Bird Sanctuary but fails to mention the development's proximity to notable habitats and plants, birds, and reptiles.
- xi. The Appraisal fails to address the valuable ecological site next to 18 Adams Road, which should surely be considered carefully in such assessments.
- xii. Giving permission to this application would set a very dangerous precedent for the Council, by allowing development next to protected wildlife sites to be subjected to no more scrutiny than developments which occur in already built-up areas.
- xiii. The Bird Sanctuary was a protected County Wildlife site, so it seemed unreasonable that the unique and valuable nature of this area has not been considered within the process, and that protection of sites such as this is not being given the attention due to it within the planning process.
- xiv. Hoped the committee would hear the clear public opinion on this issue, and refuse permission to this application, and take this as an opportunity to ensure such a valuable Open Space (NAT22 on the Policies Map) is protected.

The Delivery Manager Development Management: addressed the Committee to clarify comments regarding Local Plan Policy 67. Officers agreed that Policy 67 did not apply to the application. The Policy related to the protection of open spaces, which although covered a broad area, was not meant for private gardens. The open spaces referenced were not protected by from development as there was permitted development rights.

The Committee:

Resolved **unanimously** to refuse the application contrary to the Officer recommendation for the following reasons:

- i. The application site was located within the West Cambridge conservation adjacent to Adam's Road Bird Sanctuary which is identified as a protected open space and County wildlife site.
 - The conservation area had been characterized by generous buildings located within sustainable gardens with mature trees and planting. The proposal sought to sub divide the site to create two dwellings plots in a tandem layout would result in a form of development that would be at odds with this spacious character.
 - By virtue of the scale, massing, design, lighting impacts and siting of the northernmost dwelling would have a significant adverse impact on both the character of the conservation area and upon the special character, recreational and amenity value of the ARBS.
 - The proposal would result in moderate less than substantial harm to the conservation area, paragraphs 202 & 203 of the National Planning Policy Framework 2021 would therefore be engaged. The public benefit of the contribution of one additional dwelling to the housing stock, is considered to be modest and does not outweigh the harm resulting from the development, consequently the proposals would be contrary to policies 52,55, 56, 57, 61 and 67 of the Cambridge Local Plan and NPPF 2021.
- ii. The northern most house would be located near the southern most dwelling. As a result the later dwelling would gain little benefit from light space and views to the north.
 - The application fails to consider the impact of shade the retaining trees would have on the usability of the outside space of the southernmost property. The proposal would therefore result in an unreasonable future pressure of additional tree removals to improve light to the property.
 - The application also fails to demonstrate that adequate mitigation could be secured to compensate for the loss of the nine trees proposed to be removed to accommodate the development. Consequently, the development would be contrary to policy 71 of the Cambridge Local Plan 2018 which resists the loss of trees of amenity or other value unless there are demonstrable public benefits that would outweigh the current and future amenity value of the trees.
- iii. The site lies adjacent to the Adams Road Bird Sanctuary, which is designated as a County wildlife site, known to host protected species including nesting birds, bats, great crested newts and invertebrates. Due

to the proximity of the built form to the ARBS and the significant loss of garden to the built form and hardstanding, the proposal would have a major negative impact on the biodiversity. It has not been demonstrated that this could be adequately mitigated against to secure biodiversity net gain. Consequently, the development would be contrary to Policy 69 and 70 of the Cambridge Local Plan, paragraph 180 of the NPPF 2021 and Natural England Guidance.

21/135/Plan21/03899/FUL - 157 Shelford Road

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

21/136/Plan21/03508/FUL - Land r/o 368-370 Milton Road

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

21/137/Plan19/1141/NMA1 - 1 Fitzwilliam Road

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

The meeting ended at 7.40 pm

CHAIR

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

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

0.0 This full planning application was previously on the agenda to be presented at the 1st December 2021 planning committee. However, prior to the committee meeting it was realised that the incorrect ownership certificate had been submitted and notice had not been served on the relevant land owners within the red line site boundary. In line with the Town and Country Planning (Development Management Procedure) Order 2015, Article 13 the correct ownership has now been submitted and notice has been served on the land owners.

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 8,600m² 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	National Planning Policy Framework 2021
-----------------------	---

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

	Strategy (2006)
	<u>Area Guidelines</u> West Cambridge Conservation Area Appraisal (2011)

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 19th or early 20th 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 12th 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:

- St Johns College, CB2 1TP
- Clare Hall, Herschel Road
- 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. Initially officers considered that given part of the application site is allocated for 120 student rooms, it was considered necessary to subtract this allocation from the total number to be restricted. Therefore, the windfall site would deliver 125 units and it was 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. However, following further analysis and discussions with the City Council Planning policy team it was decided that there is no policy basis for the 25% cap on academic staff and that the windfall site could be occupied by either students or academic staff subject the inclusion of an obligation within the S106 agreement which ensures the units are occupied for a maximum period of 3 years.
- 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.

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 statutory 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 11.5m² to 13.5m² 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 council's 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 the 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. The Council’s ecology officer has reviewed the CEcMP submitted and agreed the details are acceptable subject to a compliance condition. In respect of the Biodiversity Net Gain, whilst it is acknowledged that the Environment Act 2021 has been passed which requires development to achieve a minimum 10% biodiversity net gain. The act is not yet in statutory force and given that the current adopted local and national planning policies require a net gain the proposal is considered acceptable as it does achieve this.

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 number of units proposed to be occupied by academic staff is unknown at this stage it is considered reasonable and necessary to include a clause within the S106 agreement that prior to the occupation of the 90% of the units a detailed breakdown of the occupancy details including the number of academic staff occupying the units shall be submitted to the Local Planning Authority to enable a financial contribution towards the improvement of play facilities to be calculated.

8.35 An obligation will be imposed to ensure the academic staff accommodation is restricted in terms of maximum length of occupancy. The maximum period will be three years.

Third Party Representations

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

Representation	Response
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	-Addressed at paragraphs 8.2-8.8

allocation of 120 rooms.	
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 Officer).

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 unless with prior written approval of the Local Planning Authority.

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 unless with the prior written approval of 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 except for site investigations, site clearance (including removing vegetation/trees) and demolition, 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 except for site investigations and site clearance (including removing vegetation/trees), 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 occupation of the development the proposed electric vehicle charge points as detailed in the Transport Assessment Rev D (July 2021) shall be provided in accordance with these details and retained thereafter. The EV charge points must include the following:

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 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. The scheme shall subsequently be implemented and shall be retained in accordance with those details unless the improvement works at the junction associated with the development at West Cambridge are implemented and completed beforehand.

(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 in accordance with Travel Plan revision C by Stantec dated April 2021 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 site investigations, site clearance (including removing vegetation/trees) and 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 1st December 2021) and BS 3998.

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

19. Prior to commencement of development and before equipment, machinery or materials are brought onto the site for the purpose of development (excluding enabling works, site investigations and site clearance) 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 (including removing vegetation/trees) 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 construction of 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 agreed in writing with 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 works shall commence on site until a demolition 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. No construction works shall commence on site until a construction 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)

25. 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.

26. No development above ground level, except for site investigations, site clearance (including removing vegetation/trees) and 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).

27. No development shall take place except for site investigations, site clearance (including removing vegetation/trees) and demolition, 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)

28. No archaeological investigations shall take place until a method statement has been submitted and approved by the local authority. Details should include assurance that the topsoils and subsoils shall be stored separately and formation levels will be protected against compaction where future landscape will be located.

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

29. No development shall commence above ground level except for site investigations, site clearance (including removing vegetation/trees) and demolition, 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.

30. No development shall commence except for site investigations, site clearance (including removing vegetation/trees) and demolition, 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).

31. Site clearance (including removing vegetation/trees) shall proceed in accordance with the Construction Ecological Management Plan (ref 19-2169.03) produced by Delta Simons and dated 26 November 2021 which includes the works being

overseen by an appropriately competent ecological clerk of works or ecologist. 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).

32. 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).

33. No development shall be occupied 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 from 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).

34. The four units (16 rooms) as shown on page 143 of the design and access statement which are identified as meeting the requirements of M4 (3) accessible units of the building regulations shall be installed in accordance with these details and retained as such thereafter.

Reason: To ensure provision for disabled students in accordance with policy 46 of the Cambridge Local Plan 2018.

35. The accommodation buildings 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)

36. No development except for site investigations, site clearance (including removing vegetation/trees) and demolition, 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).

37. No building hereby permitted shall be occupied until a foul water drainage scheme for the site has 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.

38. No development, except for site investigations, site clearance (including removing vegetation/trees) and demolition but 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.

39. 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 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)

40. 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).

41. 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.

This page is intentionally left blank

PLANNING COMMITTEE

2ND FEBRUARY 2022

Application Number	21/04795/FUL	Agenda Item	
Date Received	2nd November 2021	Officer	Julia Briggs
Target Date	5th January 2022		
Ward	Trumpington		
Site	Retail Units At Hobson's Square Local Centre Parcel 8B Lime Avenue Cambridge Trumpington		
Proposal	Amalgamation of two of the retail units (consented within parcel 8B under reserved matters approval 15/0844/REM), to create a single convenience store, amendments to the servicing layby and details of operating hours for the retail units, at Parcel 8B of the Clay Farm Site		
Applicant	Mr Ollie Begley c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal is within acceptable parameters for retail use in an urban environment. - The proposal provides an appropriate mix of uses. - The proposal would not have any significant adverse impact on the amenity of surrounding occupiers.
RECOMMENDATION	APPROVAL

SITE DESCRIPTION/AREA CONTEXT

1. The application site is in the centre of the Clay Farm development in Trumpington on the southern fringe of Cambridge city. The site

is part of one of several multi-storey buildings surrounding Hobson's Square and makes up part of the Clay Farm Local Centre.

2. The site is the retail portion of parcel 8B and is bordered to the north by Hering Road, to the west by apartment blocks and to the south by Lime Avenue and Hobson's Square. To the east is the Cambridgeshire Guided Busway. The site contains retail units on the ground floor of two mixed use multi-storey apartment buildings, with residential dwellings above the retail units. Between the two buildings runs a pedestrianised street connecting Lime Avenue to Hering Road.
3. The Clay Farm development is nearing completion with the final residential and commercial parcel 8A and 8B, subject to this full application, currently under construction.
4. The site is allocated as an Area of Major Change (R42a) in the Cambridge Local Plan (2018). The site does not fall within a Conservation Area or contain a listed grade/Building of Local Interest. The site is outside the controlled parking zone and the Cambridgeshire County Council is in the process of adopting the highways. The site is not in a flood zone, but is an area affected by surface water flooding.

THE PROPOSAL

5. The retail units subject to the application are currently consented as a convenience store of 381 square metres (sqm), three retail units of 120, 150 and 110 sqm, and a café/restaurant of 200 sqm, approved under the Clay Farm reserved matters application 15/0844/REM for parcel 8B. The parcel is under construction.
6. The proposal is a full planning application for the amalgamation of the convenience store and one of the retail units to create a single convenience store of 496sqm, and amendments to the servicing layby and to the operating hours for the retail units at Parcel 8B of the Clay Farm Site.
7. The application is accompanied by the following supporting information:
 - Planning Statement
 - Design and Access Statement

- Waste Storage Calculation
- Transport Statement
- Flood Risk Assessment
- Plans and drawings

SITE HISTORY

Reference	Description	Outcome
07/0620/OUT	Residential development of up to 2,300 new mixed-tenure dwellings and accompanying provision of community facilities; sports and recreation facilities and landscaped open spaces including 49ha. of public open space in the green corridor, retail (A1), food and drink uses (A3, A4, A5), financial and professional services (A2), non-residential institutions (D1), a nursery (D1), alternative health treatments (D1); provision for education facilities; and all related infrastructure including; all roads and associated infrastructure, alternative locations for Cambridgeshire Guided Bus stops, alternative location for CGB Landscape Ecological Mitigation Area, attenuation ponds including alternative location for Addenbrooke's Access Road pond, cycleways, footways and crossings of Hobson's Brook.	Permitted
07/0621/OUT	Residential development of up to 2,300 new mixed-tenure dwellings and accompanying provision of community facilities; sports and recreation facilities and landscaped open spaces including 49ha. of public open space in the green corridor, retail (A1), food and drink uses (A3, A4, A5), financial and professional services (A2), non-residential institutions (D1), a nursery (D1), alternative health treatments (D1); provision for education facilities;	Appeal dismissed

14/1201/REM	and all related infrastructure including; all roads and associated infrastructure, alternative locations for Cambridgeshire Guided Bus stops, alternative location for CGB Landscape Ecological Mitigation Area, attenuation ponds including alternative location for Addenbrooke's Access Road pond, cycleways, footways and crossings of Hobson's Brook.	Permitted
15/0844/REM	The approval of access, appearance, landscaping, layout and scale of the site (the reserved matters) pursuant to the outline planning permission 07/0620/OUT for Parcel 21 of the Clay Farm Site for the development of 208 residential dwelling (including affordable housing) and 540sqm of A1, A2 and A5 uses, plus associated open space, infrastructure and car parking.	Permitted
19/0553/FUL	Reserved matters application (access, appearance, landscaping, layout and scale) pursuant to outline planning permission 07/0620/OUT for the development of 251 mixed tenure dwellings including 40% affordable housing, 967 sqm of retail floorspace, public open space, drainage and associated infrastructure on Parcels 8A and 8B of the Clay Farm	Permitted
15/0844/NMA6	development site. Erection of two additional residential units and additional cycle store in place of consented plant room and conciierge facility, within Parcel 8B of the Clay Farm Site Non-material amendment on application 15/0844/REM for alterations to internal floorplans of retail units 1, 2 and the café, and	Permitted

changes to floorplans and elevations to introduce a separate commercial cycle store.

PUBLICITY

- 8. Advertisement: No
- Adjoining Owners: Yes
- Site Notice Displayed: Yes

POLICY

9. Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1. Presumption of sustainable development 2. Spatial strategy of employment 6. Hierarchy of centres and retail capacity 14. Areas of Major Change 18. South Fringe 27. Site specific development 32. Flood risk 34. Light pollution 35. Noise 40. Development of business space 41. Protection of business space 55. Responding to context 56. Creating successful places 58. Altering existing buildings 64. Shopfronts 65. Visual pollution 72. District, local and neighbourhood centres 80. Sustainable access 81. Mitigating transport impact 82. Parking management

10. 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)
Supplementary Planning Documents (SPD)	Greater Cambridge Sustainable Design and Construction SPD
Material Considerations	<u>City Wide Guidance</u> Balanced and Mixed Communities – A Good Practice Guide (2006) Cambridgeshire County Council Transport Assessment Guidelines (2017) Cambridgeshire Design Guide For Streets and Public Realm (2007)
	<u>Area Guidelines</u> Southern Fringe Area Development Framework (2006)

CONSULTATIONS

Cambridgeshire County Council (Highways Engineer)

11.No objection. No significant adverse effect upon the Public Highway should result from this proposal.

Environmental Health

Initial comments 25 November 2021

12.No objection.

13.The hours of operation and deliveries for 15/0844/REM were proposed by the applicant, and there is no objection to the proposed hours for this application.

14. There is no objection to the proposed condition relating to service of the commercial units by Heavy Goods Vehicles (HGV) of not more than 12.1m in length. Request delivery hours condition restricting delivery hours to those secured under previous permission 15/0844/REM (condition 9).
15. It is important for the use classes within class E to be specified. It is recommended that only use classes E(a) Display or retail sale of goods, other than hot food and E(b) Sale of food and drink for consumption (mostly) on the premises are permitted. If all class E uses are permitted there is the potential to harm local amenity due most significantly to noise. The commercial units are unlikely to have sufficient noise insulation to protect residents from other class E uses.
16. The outline 07/0620/OUT condition 62 for plant noise remains outstanding for the commercial units. A standard plant noise impact assessment condition is recommended (condition 4) as methodologies / guidance documents have changed since the outline permission. A standard informative regarding the assessment is also recommended.
17. An odour abatement / filtration condition relating to the café/restaurant is recommended (condition 11) to protect local amenity and quality of life.
18. To establish the impact of lighting on the surrounding environment, a condition requiring details of any artificial lighting of the site and an artificial lighting impact assessment is recommended (condition 10).

Additional comment 22 December 2021

19. Night hours start at 23:00hrs but it's not unusual for restaurants to operate until 00:00hrs at weekends. The increase requested is 1 hour of the night hours once a week on a Saturday. It is a mixed-use site so certain elevated noise levels are expected.

Additional comment 13 January 2022

20. Class E uses (d) and (f) are the uses that could cause amenity issues. A condition allowing these uses if an acceptable noise insulation assessment is submitted and approved would address

this issue. However, it is likely that noise and vibration effects of some uses within class (d) and (f) would be unable to be mitigated against.

Urban Design and Conservation Team

21. No objection. Recommend signage details condition and compliance condition relating to maintaining transparency of glazing to ensure the convenience store maintains an active frontage, especially on the corner.

Sustainable Drainage Officer

22. No objection. The drainage strategy to this site is unchanged from the approved reserved matters scheme 15/0844/REM and there are no proposed changes to the details that affect the approved drainage scheme.

Policy Section

23. No comment.
24. 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.

REPRESENTATIONS

25. The owners/occupiers of the following addresses have made representations in objection to the application:
- 66 Hering Road, Trumpington, Cambridge
 - 64 Hering Road, Trumpington, Cambridge
 - 54 Hering Road, Trumpington, Cambridge
 - 70 Hering Road, Trumpington, Cambridge
 - 55 Hering Road, Trumpington, Cambridge
 - 69 Hering Road, Trumpington, Cambridge
 - 52 Hering Road, Trumpington, Cambridge
 - 72 Hering Road, Trumpington, Cambridge
 - 56 Hering Road, Trumpington, Cambridge
26. The representations can be summarised as follows:
- Object to the restaurant/café due to:

- Potential for increase in antisocial behaviour and noise pollution from customers and delivery vehicles due to the opening hours proposed.
 - Potential for increase in antisocial behaviour and noise due to the use class as a cafe/bar, late-night bar.
 - There are residential apartment bedrooms above the residential street that the restaurant/café/bar is on, the proposal will affect quality of life for residents overlooking and nearby.
 - Seek restriction to ensure it cannot operate as a bar/licenced premise and to limit the opening hours to those consistent with a residential area (i.e. 0800 to 1800).
 - One objector sought closing time of 9pm at the latest.
 - The restaurant should not have been permitted in a residential side street, and should be on Hobson's Square.
- Object to the proposed opening hours of retail units 1 and 2 due to adverse impact on residential amenity.
 - Object to convenience store amalgamation and increase in opening hours:
 - the increase in size of the convenience store will make it the second largest supermarket in south Cambridge/Trumpington and it will attract weekly shoppers
 - there are no additional car parking spaces provided and the current parking is always occupied.
 - reduced retail diversity, impacting NISA and the Trumpington Local Centre
 - increased car traffic will impact on all road users
 - anti-social car parking. There is no parking enforcement on the development yet, proposal does not meet policy 82f of the Local Plan.
 - decreased amenity for residents
 - unacceptable HGV movements, the access roads are single lane in part.
 - The economic viability argument for the proposal is not accepted.
 - The non-material amendment 15/0844/NMA6 should be determined with this application.

27. 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.

ASSESSMENT

28. 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. Impact on local centre
4. Use Class
5. Residential amenity
6. Highway safety
7. Car and cycle parking
8. Carbon reduction and sustainable design
9. Integrated water management and flood risk

Principle of Development

29. The site is within Clay Farm, allocated as a development area in the Cambridge City Local Plan 2018. Clay Farm is designated for residential use and complementary uses, including local shops necessary for the creation of a sustainable and vibrant community. The outline permission for Clay Farm includes a local centre and a convenience store of up to 500sqm.

30. The proposal does not seek a significant change to the retail area already approved. A minimal increase of 6sqm of retail floor space is incidental to the amalgamation of two units and is considered acceptable. The proposed scheme is acceptable and in accordance with the Clay Farm outline permission and policy 18 of the Cambridge Local Plan (2018).

Context of site, design and external spaces

31. The proposed amalgamation of units would result in minor changes to the entrances and loading entrance; the proposed changes do not adversely impact the design of the elevations and are considered acceptable. A signage condition is recommended to ensure the appearance is appropriate (condition 12). A condition to retain the transparency of glazing on the convenience store has

also been recommended to ensure that an attractive and active frontage is maintained (condition 13). This is especially important on the prominent corner.

32. Proposed design changes to the layby are sought to provide an angular rather than curved layout. The changes are not considered to adversely impact on the landscape.
33. Along with the signage and glazing conditions the proposal is considered compliant with Cambridge Local Plan (2018) policies 55, 56, and 58.

Impact on local centre

34. The retail units make up part of the new local centre in the Clay Farm development. The proposal would result in a minor increase in retail floor space. The amalgamation would result in a larger convenience store and the loss of a smaller retail unit. The convenience store will increase from 381sqm to 496sqm and would result in the loss of one 110sqm retail unit.
35. The Applicant has advised that a larger store is sought to secure a leasee for the convenience store, and that this will act as an anchor to secure leases for the other retail units. The larger convenience store is within the maximum size set out in the Clay Farm outline permission for a convenience store in the local centre and is considered to remain at a local scale.
36. Vehicle access does not connect Trumpington to the local centre directly, therefore the proposal is not considered to adversely impact the vitality and viability of Trumpington local centre.
37. Securing a leasee for the convenience store will support the viability of the local centre. Given that some of the retail units in the adjoining scheme have been vacant for over 3 years, the loss of retail unit 3 in exchange for securing an anchor leasee is deemed acceptable. Retail units 1 and 2 remain as well as the restaurant/café, providing for a diverse local centre.
38. The proposal is considered acceptable and in accordance with policies 6, 18 and 72 of the Cambridge Local Plan (2018).

Use Class

39. The reserved matters approved the following units/use classes through condition:

- Retail Unit 1 120 Sqm – Class A1
- Retail Unit 2 150 sqm – Class A1
- Retail Unit 3 110 Sqm – Class A1
- Convenience Store 381 Sqm – Class A1
- Café / Restaurant 200 Sqm – Class A3

40. The Town and Country Planning (Use Classes) Order 1987 (as amended) has been amended since the outline and reserved matters permission was granted. The table below compares the previously consented uses with the corresponding new use classes:

Previous use classes	Current use classes
A1 Retail	E(a) Display or retail sale of goods, other than hot food
A3 Restaurant/cafe	E(b) Sale of food and drink for consumption (mostly) on the premises

41. Changes of use within a use class are allowed through permitted development rights and do not require planning permission. However, paragraph 93 of the NPPF guards against the loss of facilities, services and shops where that would reduce the community's ability to meet its day-to-day needs. The Clay Farm Local Centre is provided for in the Cambridge Local plan. As a local centre it is important that the Clay Farm retail uses provide a balanced range of shops and other services within Class E to meet the day-to-day needs of local residents and that local centres remain vibrant and attractive. A condition is recommended to remove permitted development rights to enable assessment of proposed changes of use through a planning application to ensure an appropriate variety of uses can be retained in the local centre (condition 15).

42. The convenience store will be separately conditioned (condition 14) to ensure it is retained specifically as a convenience store to service the community, as was a condition in the reserved matters.

43. The Environmental Health Officer has recommended conditioning Class E(d) and (f) uses to protect residential amenity. Condition 15

overrides the need for a separate condition, as noise impacts can be assessed and conditioned through the required planning application.

Residential Amenity

44. The principle of the retail uses, including a café/restaurant and the proximity of these uses to the above residential uses, was established in the reserved matters permission.
45. The impact of changing use classes has been discussed above and is recommended to be controlled by conditions (conditions 14 and 15).
46. The hours of operation specified by the reserved matters provide a baseline to assess an additional hours. A comparison table of the hours approved and sought is shown below:

Retail unit	Approved opening hours	Proposed maximum opening hours
Convenience store	Monday to Saturday 0700 to 2300 Sunday and public holidays 0800 to 2200	Monday to Sunday 0700 to 2300
Retail units 1 and 2	Monday to Saturday 0800 to 1800 Sunday and public holidays 0900 to 1700	Monday to Sunday 0700 to 2300
Restaurant/cafe	Monday to Friday 0700 to 2300 Saturday 0700 to 0000 Sunday and public holidays 0800 to 2200	Monday to Friday 0700 to 2300 Saturday 0700 to 0000 Sunday and Public Holidays 0700 to 2300

47. The Applicant has sought opening hours that match the units on the other side of Hobson's Square, to increase the appeal of the retail units to potential occupiers. Those units across the square were approved under 14/1201/REM, and have opening hours of 0700 to 2300 Monday to Sunday for the A1 and A2 uses, (retail, financial and professional services). The adjacent site is also mixed-use development with residential use above retail use.
48. The hours sought would result in an additional two hours on Sundays for the restaurant and convenience store and provide the

same hours of operation to retail units 1 and 2. It is usual for retail units to operate some late nights, and noted that this will impact commercial viability of the units. It is also noted that in a mixed-use development in the local centre, certain noise levels are expected. Third party representations objected to the hours of operation due to impact on quality of life. The Environmental Health Officer does not object to the increase in hours for the application site, if the uses are restricted as recommended. The proposed opening hours are considered acceptable, to be secured by conditions (conditions 5, 6 and 7).

49. The operational plant noise, artificial lighting and odour will be managed through requiring a noise assessment (condition 4), a lighting impact assessment (condition 10) and an Odour Filtration and Extraction assessment (condition 11). Operational deliveries will be secured through a compliance condition (condition 8). Construction hours and activities are controlled through the outline Construction Environment Management Plan and will be secured through a compliance condition (condition 3).
50. The residential dwellings in parcel 8B have private carparking on the ground floor of the multi-storey building. The retail floor space is increasing by 6sqm, and due to the low car design of Clay Farm roads it is not likely that the increased size of the convenience store will put additional pressure on on-street parking. Parking control will be implemented by the Highway Authority once the roads are adopted; this process is currently under way.
51. In the opinion of officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered to be compliant with Cambridge Local Plan (2018) policies 35, 55, 56 and 82.

Highway Safety

52. The details of routes to be used by refuse and servicing were approved through condition 4 on the reserved matters. This application seeks a change to this route, due to the larger vehicles it seeks to service the convenience store. The current approved service route states that vehicles up to 7.5 tonnes are to enter from the Spine Road by turning right at the northern end of the access and leaving to the South via the Spine Road (a busgate prevents traffic to the north). It is also stated larger HGVs could undertake a three point turn using the northern leg of

Hobson's Square access road. The proposal seeks to use the southern leg of the Hobson's Square access road to enable vehicles entering from the south to turn left into Hobson's Square and back into the convenience store access way, then leave to the south. The Highway Authority has no objections to the proposed routes. A condition is recommended to secure the limited length HGV delivery and servicing vehicles (condition 9).

53. The proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

54. No change to the number of car or cycle parking spaces is proposed with this application. The current proposal results in a minimal 6sqm increase to the retail floor space from what was approved under reserved matters for parcel 8B. The local centre contains parking to serve the whole centre and an increase in parking is not considered necessary. In addition, requiring further carparking may encourage shoppers from outside the community.

55. The proposal is compliant with Cambridge Local Plan (2018) policy 82.

Carbon reduction and sustainable design

56. The energy and sustainability strategy has not changed from the consented scheme 15/0844/REM. An updated Energy Statement was provided for a previous full application to provide an additional 2 units in parcel 8B. This statement considered the energy of the whole parcel and concluded that the carbon reduction target for the parcel was met. The current proposal does not change the details of the approved scheme.

57. The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2018) policy 27 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

Integrated water management and flood risk

58. The proposal does not seek an increase in impermeable areas or change to the drainage infrastructure that was approved through

the reserved matters for parcel 8B. The Sustainable Drainage Officer notes this and poses no objection.

59. The proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

Third Party Representations

60. The third party representations have been assessed as follows:

Objection	Assessment
Objection to restaurant/café use, due to potential for increase in antisocial behaviour	The change of use class is assessed above at paragraph 42. It is recommended for the restaurant/café to be restricted to E(b) use. Public houses, wine bars and drinking establishments are classed separately as sui generis.
Objection to restaurant/café hours of operation due to impact on resident's quality of life	Hours of operation are assessed above at paragraph 49.
Objection to the proposed opening hours of retail units 1 and 2 due to adverse impact on residential amenity.	Hours of operation are assessed above at paragraph 49.
Objection to convenience store and retail unit amalgamation due to: <ul style="list-style-type: none"> - additional shoppers the store will attract - additional pressure on carparking and road users - reduced retail diversity, impacting NISA and the Trumpington Local Centre - anti-social car parking. There is no parking enforcement on the development yet, proposal does not meet policy 82f of the Local Plan. - decreased amenity for residents 	The impacts of the amalgamation are considered above at paragraphs 37 to 52.

- unacceptable HGV movements, the access roads are single lane in part.	
The economic viability argument for the proposal is not accepted.	The assessment of the impact on the local centre is assessed above at paragraph 37.
The non-material amendment 15/0844/NMA6 should be determined with this application.	This application was amended to remove the elements of the current application and approved relocation of commercial cycle parking only. This was determined on 9.11.2021.

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. Development shall only be carried out in accordance with the Clay Farm Site-wide Construction Environmental Management Plan dated September 2011 UK12-15675, except for the construction and demolition hours that are conditioned separately.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers (Cambridge Local Plan 2018 policies 32, 35, 36).

4. 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).

5. Opening hours for the convenience store (identified on drawing 13600-A-8B_A_PL_HWA_500_PL07 Block HWA Ground Floor Plan (Part) Convenience Store) hereby approved shall not be outside the hours of:

07:00 - 23:00hrs Monday to Saturday

08:00 - 22:00hrs Sunday and public holidays

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

6. Opening hours for retail units 1 & 2 (identified as 'Retail units 1 and 2' on drawing 13600- A-8B_A_PL_BEB_370_PL01 Block East B Ground Floor Plan (Part) Retail Units 1 and 2) hereby approved shall not be outside the hours of:

07:00 - 23:00hrs Monday to Sunday

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

7. Opening hours for the Class E(b) restaurant / café use (identified on drawing 13600-A-8B_A_S_210_PL00 P8b Retail NMA Site Plan Ground Floor) hereby approved shall not be outside the hours of:

07:00 - 23:00hrs Monday to Friday

07:00 - 00:00hrs Saturday

07:00 - 23:00hrs Sunday and public holidays

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

8. All service collections / dispatches from and deliveries to the commercial units including refuse / recycling collections shall only be permitted between the hours of 07:00 to 21:00 Monday to Saturday and 09:00 to 13:00 Sundays and Public holidays.

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

9. The retail units hereby approved shall not be serviced by Heavy Goods Vehicles (HGVs) of over 12.1 metres in length.

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

10. 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 nearby properties Cambridge Local Plan 2018 policy 36.

11. Prior to the use of the restaurant / café (use class E(b)), a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours and to discharge at an appropriate outlet height / level shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

Reason: To protect the amenity of nearby properties Cambridge

Local Plan 2018 policy 36.

12. Prior to the installation of any external building signage on the approved uses, detailed drawings shall be submitted to and approved by the local planning authority. The scheme shall be in accordance with the Clay Farm design Code 2011 and appendix H of the Cambridge Local Plan 2018 shop front design guide, and shall include:
 - a. Signage design
 - b. Proposed materials
 - c. Lighting details

Development shall be carried out in accordance with the approved drawings.

Reason: To ensure that the appearance of the signage is appropriate (Cambridge Local Plan policies 55, 57, 64 and 65).

13. The convenience store and retail units hereby approved must be internally fitted out to retain the transparency of the glazed panels. Internal signage and shelving must not substantially block glazing.

Reason: To ensure active frontages are maintained on the retail units (Cambridge Local Plan policies 56 and 64).

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

Reason: To ensure that there are essential amenities available to the residential population to aid sustainable development and to protect the amenity and quality of life of the adjoining properties (Cambridge Local Plan policies 1 and 36).

15. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the restaurant / café hereby approved (formerly approved as use Class A3) and the retail units 1 and 2 (formerly approved as use Class A1) shall not be

used for any other purpose than Class E(a) or Class E(b) within Class E of the Schedule to the Town and Country planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. Use of these units under any other subcategory of Class E shall not be allowed without the granting of a specific planning permission.

Reason: To ensure that the proposal provides for the day-to-day needs of the local community Cambridge Local Plan policy 72 and section 93 of the NPPF.

INFORMATIVES

1. Plant noise insulation

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.

2. Odour

It is recommended that details are provided in accordance with Appendix 2 and 3 of EMAQ's "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (update to the 2004 report prepared by NETCEN for DEFRA)" dated September 2018.

It is recommended to aid odour dispersion that the extraction termination is not less than 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen. If this cannot be complied with then the termination point shall discharge no less than 1m above the roof eaves or

dormer window of the building housing the commercial kitchen. Lower discharges will require an exceptionally high level of odour control and ultimately may not be acceptable, depending on receptor locations.

3. Artificial lighting

It is required in order to establish the impact of lighting on the surrounding environment that details are provided of any artificial lighting of the site and that an artificial lighting impact assessment is undertaken with predicted lighting levels at proposed and existing residential properties. 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 artificial lighting impact assessment will be required to establish lighting during pre and post curfew, in accordance with the ILP guidance notes.

The assessment of light intrusion into receptor windows as vertical lux levels is also required.

A common software assessment technique of this is "The outdoor site lighting performance method (OSP)". This software provides a transparent "shoebox" surrounding the development. It has vertical sides at the boundary and a flat 'ceiling' 10 m above the highest mounted luminaire in the installation or the highest point of the property illuminated. By identifying the location and magnitude of the maximum illuminances on the vertical surfaces of the shoebox, the potential for light trespass can be established.

This page is intentionally left blank

Application Number	21/04439/FUL	Agenda Item	
Date Received	6th October 2021	Officer	Ganesh Gnanamoorthy
Target Date	1st December 2021		
Ward	Cherry Hinton		
Site	Land North of Colville Road Cherry Hinton Cambridge		
Proposal	Installation of three modular retail units to provide temporary trading space for the duration of development works associated with planning application reference 21/02759/FUL		
Applicant	Cambridge Investment Partnership c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The development would ensure the vitality and viability of the existing Cherry Hinton Neighbourhood Centre is maintained; - The proposed development would provide a high quality development that would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; - The design and scale of the proposed development responds positively to the surrounding built form;
RECOMMENDATION	APPROVAL

0.0 BACKGROUND

0.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) following the resolution of Cambridge City Council's Planning Committee to grant planning

permission on 01 December 2021 for 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 (application reference 21/02759/FUL).

- 0.2 Cambridge Investment Partnership (CIP) 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. The 500 home target has been met but CIP are continuing to increase the number of Council homes within its jurisdiction.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a broadly square shaped plot of land on the northern aspect of Colville Road. The site forms part of the application site for an approved scheme for 69 dwellings and associated works on a site known as '66-80b Colville Road (application reference 19/1034/FUL). Works on this permission have commenced. The application site occupies an area of land which was designated as a public car park within the approved development.
- 1.2 The property is not located within a designated conservation area and there are no listed buildings on the site or in the immediate vicinity.
- 1.3 The Local Plan proposals map identifies no planning constraints on this site.

2.0 THE PROPOSAL

- 2.1 This application proposes the installation of three modular retail units to provide temporary trading space for the duration of development works associated with planning application reference 21/02759/FUL.
- 2.2 The modular buildings would be single storey in nature with flat roofs, and laid out in a rectangular arrangement fronting Colville Road.

- 2.3 Ramped and stepped accesses would be provided to the units, with rear accesses providing easy access to refuse storage to the rear, as well as being suitable for fire escape purposes.
- 2.4 Six Sheffield stands are proposed to the front of the site to allow for visitors to secure up to twelve cycles.
- 2.5 The rationale for providing these units is to allow for some of the occupiers of existing commercial units to the west of the site to continue trading whilst works under planning permission reference 21/02759/FUL are undertaken.
- 2.6 The application is accompanied by the following supporting information:
- Proposed plans and elevations
 - Planning Statement
 - Submission Statement

3.0 SITE HISTORY

- 3.1 The application site, and its immediate surroundings, have an extensive planning history. The most relevant applications are detailed below

Reference	Description	Outcome
19/1034/FUL	Demolition of existing flats 66-80b Colville Road and erection of 69 affordable dwellings, including 6 houses and 63 apartments, including resident and public car parking, landscaping and associated works	Permission Granted
21/02759/FUL	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	Resolution to Grant Permission

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 6, 31, 32, 35, 36, 40, 55, 56, 57, 59, 64, 72, 82

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

Central Government Guidance	National Planning Policy Framework February National Planning Policy Framework – Planning Practice Guidance Circular 11/95 (Annex A)
-----------------------------	--

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 The Highways Officer has been consulted on the proposal and has raised no objection.

Drainage Officer

6.2 The Council's Drainage Officer has raised no objection to the proposal subject to the imposition of a condition securing details of foul and surface water.

Environmental Health Officer

6.3 The Council's Environmental Health Officer has raised no objection to the proposal.

7.0 REPRESENTATIONS

7.1 No representations have been received.

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. Highway safety
5. Car and cycle parking
6. Drainage

Principle of Development

8.2 Policy 6 of the Local Plan requires the application of a sequential approach when considering the location of retail developments – with the hierarchy of City Centre locations down to Neighbourhood Centres being respected.

8.3 It is noted that a sequential approach has not been adopted in this case, although the reasons for this are unique. Planning permission 21/02759/FUL granted consent for redevelopment of the Cherry Hinton High Street District Centre to the west of the application site, and this involves the demolition of the existing commercial units that make up the District Centre, and their rebuilding. This application proposes to provide three temporary units for current occupiers of the District Centre who have expressed a desire to keep trading locally in the short term.

8.4 Although not explicitly compliant with the wording of the policy, allowing these operators to continue trading in their existing community until the new commercial units are built is considered to protect the vitality and vibrancy of the Cherry

Hinton High Street District Centre, which is wholly aligned with the thrust and spirit of Policy 6 of the Local Plan.

- 8.5 With the above in mind, and given the temporary nature of the proposal, the principle of development is considered acceptable subject to the material considerations discussed below being satisfactorily met.

Context of site, design and external spaces

- 8.6 The proposal is for temporary structures, and these would be single storey in nature. Materials for construction are shown on the drawings to be plasticol coated steel walls in grey, UPVC windows in white, powder coated doors in grey, and grey powder coated steel railing around the entrance ramp and platform. These are considered appropriate and a condition is recommended to ensure that these are used.
- 8.7 The layout and siting of the units are considered to be logical with the units having an active frontage along Colville Road, with the cycle parking directly outside the front.
- 8.8 It is noted that the use is for temporary purposes only and as such, in the event of permission being granted, a condition is recommended to ensure that details of the strategy for 'making good' of the land is provided to, and approved in writing by, the Local Planning Authority.
- 8.9 Although only a temporary structure, it is important that the scale of the proposal is appropriate to the wider setting. In this instance, the single storey nature of the building proposed would ensure that it respects, and is subservient to, the buildings in the immediate surrounding area.
- 8.9 Officers consider that the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, and 59.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The application is sandwiched between a development site to the east, and what will soon be a development site to the west. Directly opposite the application site is a leisure centre and a primary school. The distance of the proposal from the nearest residential properties, along with the limited height and mass of the structures proposed, means that the proposal would not have a significant adverse impact on residential amenity.
- 8.11 It is considered that the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

Highway Safety

- 8.12 The application would not introduce alterations to road layouts, and would not result in an increase in road trips as the units will be occupied by existing tenants. The proposal does not introduce new areas of car parking, but does introduce six cycle parking spaces. The operation and use are not considered to give rise to highways safety concerns.
- 8.13 The County Council's Highways Officer has been consulted on the proposal and has confirmed that they have no objection to the proposal on highways safety grounds.
- 8.14 Officers consider that the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

- 8.15 The proposal is for a temporary development which is expected to have a similar level of use as the existing units. The existing units are serviced by car parking on street and this proposal sees no additional parking provided. A layby to the front of the site will double up as a disabled parking bay and would be conveniently located for users.
- 8.16 Twelve cycle parking spaces (in the form of 6x Sheffield stands) are proposed to the front of the site.

- 8.17 The Local Plan requires two spaces for every 5 members of staff and one short stay space per 25sqm of floorspace. For this development this equates to a requirement for 2 space for staff (likely generation of 6 staff in total) and 6 spaces for the 139sqm of floorspace – a total of eight spaces. The proposal exceeds this requirement.
- 8.18 It is noted that the proposed temporary commercial units will be placed on the siting of a proposed public car park. The application has been accompanied by a Transport Statement, and this assesses the impact of the loss of these spaces on the wider area. The statement concludes that there is sufficient capacity in nearby roads to mitigate for the short term non-provision of the car park, whilst a condition can ensure the provision of this after the temporary use ceases.
- 8.19 The proposal provides an acceptable arrangement for car and cycle parking. Officers consider the proposal to be compliant with Cambridge Local Plan (2018) policy 82.

Drainage

- 8.20 The proposed site is an area of existing hardstanding and so the proposed flat roofed buildings would not create any additional hard surfacing. The proposal is for surface water to be collected from the roofs by way of gutters and downpipes which would then discharge into soakaway features at ground level at the corners of the buildings.
- 8.21 Foul water would discharge into a new foul water drainage connection beneath the site.
- 8.22 The Drainage Team have advised that the strategy provided is acceptable.
- 8.23 Given the temporary nature of the structure it would not be appropriate to insist upon the flat roofed areas being biodiverse roofs, as per policy 31, as these would require time to establish before becoming effective. The temporary nature of the proposed building would mean that this would offer very little, if any, benefit.
- 8.24 The proposal, due to its temporary nature, is considered acceptable without a biodiverse roof.

8.25 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).

9.0 CONCLUSION

9.1 The proposed is for temporary commercial units whilst the existing Neighbourhood Centre to the west is redeveloped.

9.2 The application has been considered against the relevant policies, and upon assessment it is considered that the application complies with national and local policies, and should, therefore, be granted planning permission subject to appropriate planning conditions as detailed in section 10.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The temporary structures hereby approved shall be removed from the land no later than thirty-six (36) months from the commencement of development of planning permission 21/02759/FUL (or subsequent variations to that permission) in respect of 'Colville Road Phase 3 - land at Colville Road and Fisher's Lane'. Within fourteen (14) days of commencement, the date of actual commencement on the site having the benefit of planning permission 21/02759/FUL shall be confirmed in writing to the local planning authority.

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. Within six months of commencement of development under planning permission reference 21/02759/FUL, details for a programme of work to be undertaken after the temporary

permission expires, shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. Details shall include a method statement describing the full extent of removal of any building foundations where applicable and the strategy and timescales for providing the public car park as approved under planning permission reference 19/1034/FUL.

Reason: To ensure the land is always left in an appropriate condition and that the approved public car park is provided. (Cambridge Local Plan 2018; Policies 55 and 82).

4. The flat roof of the buildings hereby approved shall not be used as a sitting out/recreational area.

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

5. The materials to be used in the construction of the development shall be in accordance with those shown on drawing number CTW-BPTW-04-ZZ-DR-A-2001 Rev C01.

Reason: In the interests of good design and to protect the visual amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

6. Prior to first occupation of the commercial units hereby approved, the cycle parking to the front of the site shall be provided and operational.

Reason: To ensure adequate cycle parking is provided. (Cambridge Local Plan 2018; Policies 55 and 82).

7. The temporary units hereby permitted shall not be used for purposes other than those served within Use Class E, except where prior written permission has been sought and consented by the Local Planning Authority.

Reason: In the interests of neighbouring amenity, and to comply with policy 35 of the Cambridge City (2018) Local Plan.

PLANNING COMMITTEE

2nd February 2022

Application Number	21/02120/FUL	Agenda Item	
Date Received	7th May 2021	Officer	Charlotte Peet
Target Date	23rd July 2021		
Ward	Market		
Site	Telephone Boxes Adjacent Church Of St Mary The Great St Marys Street Cambridge		
Proposal	Change of use of 2 no. BT telephone box to E Class usage (for tour brochures)		
Applicant	Mr Edward Ottewell Aussex Innovation Centre Falmer Brighton BN1 9SB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would preserve the character and appearance of the surrounding area. - The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers. - The proposal would not result in significant adverse impacts to highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The proposal site comprises 2no telephone kiosks adjacent to St Mary’s Street. The kiosks are located adjacent to the railings surrounding the Church of St Mary which is grade I listed. The surrounding context forms part of the City Centre with the market square to the east. The proposal site is located within the Historic Core Conservation Area and comprises a grade II listed building.

2.0 THE PROPOSAL

- 2.1 The application seeks permission for change of use of 2 no. BT telephone box to E Class usage (for tour brochures).
- 2.2 The application is accompanied by the following supporting information:
1. Drawings
 2. Design and Access Statement
 3. Heritage Statement
 4. Operational Procedure
 5. Lock Specification
 6. Amended Operation Guide
- 2.3 During the course of the application, the applicant submitted additional information regarding the operation of the telephone box.

3.0 SITE HISTORY

Reference	Description	Outcome
16/2096/FUL	Change of use of 2no. BT telephone boxes to 2no. office pods (sui generis).	Permitted
16/2097/LBC	Internal and external alterations to two telephone boxes to form 2no. office pods.	Permitted
15/0806/LBC	Change of use of 2no. BT telephone boxes to 2no. office pods (sui generis).	Withdrawn
15/0805/ADV	Three electronic screens mounted on stands screwed into base of kiosk	Withdrawn
14/0320/FUL	Change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.	Refused
14/0806/LBC	Works to facilitate a change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.	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 6 7 8 10 11 28 29 30 31 32 33 34 35 36 55 56 58 59 61 62 65 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)
Supplementary Planning Documents	Cambridgeshire and Peterborough Flood and Water Greater Cambridge Sustainable Design and Construction SPD January 2020

	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Buildings of Local Interest (2005)</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 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 Quality Charter for Growth (2008)</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 style="text-align: center;"><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2015)</p>
--	---

6.0 CONSULTATIONS

Urban Design and Conservation Team

- 6.1 This proposal is to re-use the existing Grade II listed K6 telephone kiosks outside St Mary the Great for sales of maps, tours and tickets. The description mentions the sale of tea and coffee but there is no indication of this in the plans so this part of the description needs to be removed.
- 6.2 The existing fittings would be removed and replaced with a modular unit which is self-supporting and so will not require any fixings to the structure and can be removed. The drawings do not show details of the module in terms of the framing and this is required by condition.
- 6.3 The existing glass would be replaced with 4mm toughened glass and a mortice lock inserted behind the existing Pull plate.
- 6.4 The box would be maintained and repainted every 2 years in the standard BT red.
- 6.5 According to the operating details the door would remain closed except when a customer is being served and no seating or paraphernalia would be outside the box at any time.
- 6.6 Taking the above into account, I consider that the proposal with an amended description will not harm the significance of the listed building.
- 6.7 The proposals will comply with Local Plan policy 61.
- 6.8 With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 192 would apply.
- 6.9 Conditions:
- Full details of the inserted modular unit to be submitted and approved by the LPA.

Cambridgeshire County Council (Highways Development Management)

- 6.10 Telephone kiosks are permitted to be installed within the adopted public highway by telecommunication companies under their rights as statutory undertakers to provide a public service.
- 6.11 Once this service ceases such structures should be removed from the adopted public highway as they no longer provide a public service and become private structures which the Highway Authority will not licence.
- 6.12 The Highway Authority requests that the application be refused on the grounds of highway safety as the doors of the structure open outwards across the adopted public highway in an area where there is very high pedestrian flows under normal conditions. Doors opening across the adopted public highway is a breach of the Highways Act 1980 and a detriment to pedestrian safety.

Environmental Health

- 6.13 Thank you for consulting the Environmental Quality & Growth Team on this application.
- 6.14 I have no comments or recommended conditions to make regarding this application.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations (submitted under the associated LBC application but raising planning issues).:

- 15 Oxford Road, Cambridge

7.2 The representations can be summarised as follows:

- Additional congestion for highway users
- Additional litter
- Additional deliveries (limited deliveries, wouldn't be required)

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. Impact to the Listed Building and Heritage Assets
3. Context of site, design and external spaces
4. Residential amenity
5. Highway safety

Principle of Development

8.2 Cambridge Local Plan (2018) policy 10 states that any new development or redevelopment should: (a) add to the vitality and viability of the city centre; (b) achieve a suitable mix of uses; (c) preserve or enhance heritage assets and their setting, open spaces and the River Cam; (d) be of the highest quality design and deliver a high quality public realm; and (e) promote sustainable modes of transport.

8.3 The proposal seeks to change the use of 2no. telephone kiosks to Class E, for the sale of tour brochures. The telephone kiosks are no longer used for telecommunication purposes and are therefore somewhat redundant at current. The proposed change of use would seek to bring the kiosk into use for the sale of tour brochures and tickets, it is considered that this use would be compatible with the surrounding uses and would add to the vitality and viability of the City Centre.

8.4 Policy 11 aims to ensure a suitable mix of uses in the City Centre primary shopping area, as the proposal would add two small retail units within this area, this is considered to positively contribute to the vitality and viability of the area and maintain the concentration of retail uses within the primary frontage areas.

8.5 This application follows an earlier refusal on the two most easterly telephone kiosks in this location for the change of use to retail units to be used for the sale of tea, coffee, ice cream,

shoe shining services and souvenirs (ref. 14/0320/FUL & 14/0806/LBC). The applications were refused for two reasons, firstly that the change of use would detract from the setting of the listed heritage assets. The installation of a large semi-permanent internal modular unit, the opening of the doors for long periods of time and the associated paraphernalia that would be required for the use were highlighted. The second reason related to the doors being open for the long periods of time and the impact to highway safety.

- 8.6 Later, this was then followed by an application which was permitted to use the kiosks as office pods (ref. 16/2096/FUL & 16/2097/LBC). This application overcame the previous objections, in that it was considered to preserve the significance of the heritage assets and not adversely impact highway safety despite the objection from the Highway Officer. The proposal removed the modular unit and associated paraphernalia, and it was considered the doors would not remain open for such long periods of time.
- 8.7 This application is supported by the Conservation Officer, they highlight that the door would remain closed except when a customer is being served and there would be no seating or paraphernalia outside of the kiosk at any times. Officers agree, that given these points, and the minimal changes proposed, the proposal would successfully preserve the significance of the heritage assets.
- 8.8 In terms of highway safety, the Highways Engineer has objected to the application stating that the telecommunication equipment should be removed from the public highway and that the opening of the doors would cause highway safety concerns. The telephone boxes were erected to provide telecommunication services, however they are now listed structures that remain in situ due to their architectural and historic merit. The applicant has submitted an updated procedure guide, which describes that the doors of the telephone kiosks would only be open during each ticket/ tour brochure sale which would last for a maximum of 60-90 seconds and then the door would be closed again.
- 8.9 As existing the doors can be opened for users to enter and exit the telephone box, similarly the approved development would allow the doors to be opened when users of the office pods

would enter and exit the pod. This application would result in a minor intensification of this opening period, as whilst no one would enter and exit the telephone, the door would remain open whilst each customer is served. Officers consider that this impact over and above the existing use would be very minor and would not cause significant adverse impacts to highway safety.

- 8.10 Overall, the proposal would be considered to comply with Cambridge Local Plan (2018) Policy 10 and Policy 11.

Impact to the Listed Building and Heritage Assets

- 8.11 In consultation with the Conservation Officer, the internal fitting would not require any fixings to the telephone box structure and could be removed if no longer in use. The proposed toughened glass and mortice lock are considered to be acceptable as the glass would replace and maintain the profile of the existing glass and the lock would be located behind the existing pull handle. The proposal would not require any external paraphernalia. The proposal would preserve the significance of the listed building, and the surrounding heritage assets including the in accordance with Policy 61 and NPPF paragraph 192.

Context of site, design and external spaces

- 8.12 The proposal seeks to change the use of 2no telephone kiosks for the sale of tickets and tour brochures. The external appearance of the telephone kiosks would be predominantly unaltered although the kiosks would be repainted, the glass would be replaced and a five-lever mortice lock would be installed behind the existing pull handle. The internal area of the telephone would see a modular unit installed to hold the tickets and tour brochures, however this would be set back from the front of the box as to not dominate views into the structure.
- 8.13 The telephone kiosks are located in a key historic area, adjacent to the Market Square and the setting of the Church of St Mary's. As the proposal would retain the external appearance of the telephone box and involve minimal internal alterations, the proposal would preserve the character and appearance of the locality and the Conservation Area.

- 8.14 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 61.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.15 Given that the kiosks are located in a central location, where the surrounding uses are predominantly retail at ground floor level. The kiosks will be manned by a single employee for selling tickets and tour brochures, the door would be closed when a customer is not being served. It is not considered that the proposal would result in a significant level of increased activity that would result in detrimental impacts to the surrounding area. The change of use of the telephone kiosks would not be considered to result in adverse impacts to neighbouring occupiers.
- 8.16 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 58 and 35.

Highway Safety

- 8.17 The Highways Authority raise an objection to the application and recommend that the application be refused. They suggest that the telephone kiosk should be removed as it no longer serves a purpose for telecommunications and they raise concerns that the doors opening across the public highway would result in a detriment to highway safety.
- 8.18 There were two applications previously permitted on the site (ref. 16/2096/FUL and 16/2097/LBC) for the change of use of the telephone kiosks to office pods. The Highways Authority raised a similar objection to this proposal on the grounds that the proposal would be to the detriment of the safe and efficient use of the public highway. Notwithstanding this, the Officer took the view that as the doors would remain closed other than when in use, there would not be a significant impact upon highway safety and following this the application was permitted.
- 8.19 The submitted proposal would result in the door being open only when serving a customer, it would remain closed otherwise. This may result in a minor increase to the open

period of the door, however Officers consider that this would be very minimal and would not result in adverse impacts to pedestrian safety. This area of pavement here has a width of 3 metres at its narrowest point in front of the telephone kiosks, and the door of the telephone box has a minimal span at 0.7 metres. Given this, it is not considered that the proposal would result in significant obstruction to the pavement in this area.

- 8.20 Given this it is considered that the proposal would not result in detrimental impacts to highway safety, in accordance with Cambridge Local Plan policy 81.

Other Matters

- 8.21 The representation received has also raised concerns about conflict if deliveries were required and the additional litter that could result from the proposal. In the statement submitted with the application it states that stock deliveries and waste collection would be of a very minor scale. The waste from the waste baskets kept in the unit would be emptied daily. Deliveries would be less frequent and undertaken with a small car/ van or by on foot/ bicycle. Given the minor scale of the required movements, it is not considered that deliveries would cause significant additional congestion and that waste would be dealt with in an appropriate manner.

9.0 CONCLUSION

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

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Notwithstanding the provisions of Article 3 Schedule 2 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 premises shall be used for Class E(a), formerly A1, and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact. (Cambridge Local Plan 2018 policies 35, 55, 57, and 81)

PLANNING COMMITTEE

2nd February 2022

Application Number	21/02121/LBC	Agenda Item	
Date Received	7th May 2021	Officer	Charlotte Peet
Target Date	23rd July 2021		
Ward	Market		
Site	Telephone Boxes Adjacent Church Of St Mary The Great St Marys Street Cambridge		
Proposal	Change of use and alterations to 2 no. BT telephone box to E Class usage (for tour brochures)		
Applicant	Mr Edward Ottewell Aussex Innovation Centre Falmer Brighton BN1 9SB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would preserve the historic interest and significance of the listed telephone kiosks</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The proposal site comprises 2no telephone kiosks adjacent to the Church of St Mary the Great. The telephone kiosks are situated within a group of four and comprise the two middle units. The kiosks are located on the pavement adjacent to the Church railings and open up towards St Marys Street.

- 1.2 The application site is located close to the marketplace, the local area is characterised by a prevalence of retail, business and other commercial uses. This area is sited within the City Centre and within the Primary Shopping Area. The north side of St Marys Street is designated as primary shopping frontage.

- 1.3 The telephone kiosks are Grade II listed, and the Church of St Mary the Great is Grade I listed. The railings around the Church

are grade II listed. The site is located within the setting of several listed buildings, including the Market Place which is Grade II listed and designated as Protected Open Space. In addition, this includes 17 - 21 Market Hill and 27 & 28 Market Hill which are grade II listed.

- 1.4 The proposal site is located within the Central (Historic Core) Conservation Area, and within a Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application seeks listed building for alterations associated with the change of use of 2 no. bt telephone box to E class usage (for sale of tour brochures).

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

1. Drawings
2. Design and Access Statement
3. Heritage Statement
4. Lock Specification
5. Operational Procedure

3.0 SITE HISTORY

Reference	Description	Outcome
14/0320/FUL	Change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.	Refused 01.10.2014
14/0806/LBC	Works to facilitate a change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.	Refused 01.10.2014
15/0805/ADV	Three electronic screens mounted on stands screwed into base of kiosk	Withdrawn 21.07.2015

15/0806/LBC	Insertion of 3no. electronic screens mounted on stands screwed into base of kiosk - Grade II Listed Building.	Withdrawn 21.07.2015
16/2096/FUL	Change of use of 2no. BT telephone boxes to 2no. office pods (sui generis).	Permitted 24.01.2017
16/2097/LBC	Internal and external alterations to two telephone boxes to form 2no. office pods.	Permitted 24.01.2017
21/02120/FUL	Change of use of 2 no. BT telephone box to E Class usage (for tour brochures)	Pending Consideration

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 61 62

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)
-----------------------------	--

	<p style="text-align: center;"><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2015)</p>
--	---

6.0 CONSULTATIONS

Urban Design and Conservation Team

- 6.1 This proposal is to re-use the existing Grade II listed K6 telephone kiosks outside St Mary the Great for sales of maps, tours and tickets. The description mentions the sale of tea and coffee but there is no indication of this in the plans so this part of the description needs to be removed.
- 6.2 The existing fittings would be removed and replaced with a modular unit which is self-supporting and so will not require any fixings to the structure and can be removed. The drawings do not show details of the module in terms of the framing and this is required by condition.
- 6.3 The existing glass would be replaced with 4mm toughened glass and a mortice lock inserted behind the existing Pull plate.
- 6.4 The box would be maintained and repainted every 2 years in the standard BT red.
- 6.5 According to the operating details the door would remain closed except when a customer is being served and no seating or paraphernalia would be outside the box at any time.
- 6.6 Taking the above into account, I consider that the proposal with an amended description will not harm the significance of the listed building.
- 6.7 The proposals will comply with Local Plan policy 61.
- 6.8 With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 192 would apply.
- 6.9 Conditions:
- Full details of the inserted modular unit to be submitted and approved by the LPA.

Cambridgeshire County Council (Highways Development Management)

- 6.10 Telephone kiosks are permitted to be installed within the adopted public highway by telecommunication companies under their rights as statutory undertakers to provide a public service.
- 6.11 Once this service ceases such structures should be removed from the adopted public highway as they no longer provide a public service and become private structures which the Highway Authority will not licence.
- 6.12 The Highway Authority requests that the application be refused on the grounds of highway safety as the doors of the structure open outwards across the adopted public highway in an area where there is very high pedestrian flows under normal conditions. Doors opening across the adopted public highway is a breach of the Highways Act 1980 and a detriment to pedestrian safety.

Environmental Health

- 6.13 The development proposed is acceptable. Thank you for consulting the Environmental Quality & Growth Team on this application.
- 6.14 I have no comments or recommended conditions to make regarding this application
- 6.15 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:
- 15 Oxford Road, Cambridge
- 7.2 The representations can be summarised as follows:
- Additional congestion for highway users
 - Additional litter

- Additional deliveries (limited deliveries, wouldn't be required)

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. Impact to the Listed Building
2. Other Matters

Impact to the Listed Building

8.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.3 Cambridge Local Plan (2018) Policy 61 states that to ensure the conservation and enhancement of Cambridge's historic environment, 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.
- 8.4 The telephone kiosks form a piece of traditional street furniture, which are underutilised in their current form. The proposal seeks to convert the telephone boxes to Class E use for the sale of tour brochures and tickets. Externally, this would involve the refurbishment of the kiosks through repainting the frame and replacing the existing glass with toughened glazing. Internally, the existing fittings would be removed and replaced with a modular unit which would be free standing. The application would not seek to install any external paraphernalia.
- 8.5 The Conservation Officer supports the proposal, suggesting that it would not harm the significance of the listed building. I agree with this assessment and support the restoration and conversion of the 2no. telephone kiosks. The external appearance of the telephone box would be retained, and the detailing appropriate as to preserve the character and appearance of the units.
- 8.6 It is considered that the proposal would preserve the historic interest and significance of the listed telephone kiosks, in compliance with Cambridge Local Plan (2018) Policy 61 and National Planning Policy Framework (2021).

Other Matters

- 8.7 The Cambridgeshire County Council (Highways Development Management) Officer has objected to the proposal, raising concerns regarding the opening of the doors of the structure across the adopted public highway and the potential conflict with pedestrian flow. The representation received has also reiterated this concern. This application is submitted under the Planning (Listed Buildings and Conservation Areas) Act 1990, and therefore highway safety cannot be considered under this application. Instead, it would need to be considered in full in the full planning application which has been submitted for this proposal (ref. 21/02120/FUL).

9.0 CONCLUSION

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

10.0 RECOMMENDATION

APPROVE subject to conditions:

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) 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 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Prior to installation, the full details of the internal modular unit shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

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

Application Number	21/01588/FUL	Agenda Item	
Date Received	8th April 2021	Officer	Charlotte Peet
Target Date	12th July 2021		
Ward	Market		
Site	Telephone Box Quayside Front of 32 Bridge Street Cambridge		
Proposal	Change of use of 1 no. BT telephone box to 1 no. coffee and snacks pod (Class E(a) (former A1 usage)		
Applicant	Mr Edward Ottewell Aussex Innovation Centre Falmer Brighton BN1 9SB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would preserve the character and appearance of the surrounding area. - The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers. - The proposal would not result in significant adverse impacts to highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The proposal site comprises 1no telephone kiosk in front of 32 Bridge Street. The kiosk is located in the area of pavement in front of the building and sits adjacent to an area of cycle parking and other street furniture such as a bench and vehicle bollards.

- 1.2 The surrounding area comprises mainly retail and restaurants at ground floor and accommodation or offices above. The

proposal site and surroundings form part of the City Centre, Primary Shopping Area and the buildings to the east are designated as a Secondary Shopping Frontage.

1.3 The telephone kiosk is grade II listed and located in the Historic Core Conservation Area. The proposal site is located within the setting of several grade II listed buildings (Magdalene Bridge and 29 & 30 Bridge Street) and buildings of local interest (33 & 33A, 34-35, 36 and 37). The proposal site is located within the controlled parking area.

2.0 THE PROPOSAL

2.1 The application seeks permission for change of use of 1 no. BT telephone box to 1 no. coffee and snacks pod (A1 usage).

2.2 The application is accompanied by the following supporting information:

1. Drawings
2. Design and Access Statement
3. Heritage Statement
4. Lock Specification
5. Operational Procedure
6. Updated Operational Guide

2.3 During the course of the application, the applicant submitted additional information regarding the operation of the telephone box, this includes that the telephone box would operate through ordering coffee online.

3.0 SITE HISTORY

Reference	Description	Outcome
21/01589/LBC	Change of use of 1 no. BT telephone box to 1 no. coffee and snacks pod (A1 usage)	Pending consideration

4.0 PUBLICITY

4.1 Advertisement: Yes
 Adjoining Owners: Yes

Site Notice Displayed:

Yes

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 6 7 8 10 11 28 29 30 31 32 33 34 35 36 55 56 58 59 61 62 65 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)
Supplementary Planning Documents	Cambridgeshire and Peterborough Flood and Water Greater Cambridge Sustainable Design and Construction SPD January 2020 Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material	<u>City Wide Guidance</u>

<p>Considerations</p>	<p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Buildings of Local Interest (2005)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council</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 Quality Charter for Growth (2008)</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>Cambridge Historic Core Conservation Area Appraisal (2015)</p>

6.0 CONSULTATIONS

Urban Design and Conservation Team

- 6.1 The application site is a grade II listed K6 telephone kiosk which makes a positive contribution to the Cambridge Historic Core Conservation Area. It is noted in the Conservation Area Appraisal as an element of historic street furniture in the Quayside sub-area (p.3).
- 6.2 The kiosk would be altered to facilitate use as a coffee outlet. Internally it would be fitted with shelves and cupboards while externally a lock and safety glass would be installed, with existing glazing beading reinstated. It would be redecorated in traditional BT phone box 'currant red'.
- 6.3 The works would maintain the significant features of the kiosk and provide it with a beneficial new use. The alterations would be relatively minor, and its contribution to the character of the area would be unaffected. In conservation terms the applications can be supported.
- 6.4 Taking the above into account, I consider that the proposals would not adversely affect the character of the Listed Building. Taking the above into account, I consider that the proposals would preserve or enhance the character or appearance of the conservation area.
- 6.5 The proposals would comply with Local Plan policy 58. With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 190 and 194 would apply.

Cambridgeshire County Council (Highways Development Management)

- 6.6 Telephone kiosks are permitted to be installed within the adopted public highway by telecommunication companies under their rights as statutory undertakers to provide a public service.
- 6.7 Once this service ceases such structures should be removed from the adopted public highway as they no longer provide a public service and become private structures which the Highway Authority will not licence.

6.8 The Highway Authority requests that the application be refused on the grounds of highway safety as the doors of the structure open outwards across the adopted public highway in an area where there is very high pedestrian flows under normal conditions. Doors opening across the adopted public highway are a breach of the Highways Act 1980 and a detriment to pedestrian safety.

Environmental Health

6.9 The development proposed is acceptable.

6.10 Thank you for consulting the Environmental Quality and Growth Team on this application. I have reviewed the details submitted and consider that the proposals will not have any adverse impacts on local amenity with respect to Environmental Health issues. As such, I have no further comments to make.

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

7.0 REPRESENTATIONS

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

- Scudamore's Punting Company, 32a Bridge Street, Cambridge

7.2 The representations can be summarised as follows:

- Pedestrian congestion
- Overconcentration of coffee/ snack provision

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. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Third party representations

Principle of Development

- 8.2 Policy 10 of the Cambridge Local Plan (2018) states that development will be permitted where it would (a) add to the vitality and viability of the City Centre; (b) achieve a suitable mix of uses; (c) preserve or enhance heritage assets and their setting, open spaces and the River Cam; (d) be of the highest quality design and deliver a high quality public realm; and (e) promote sustainable modes of transport.
- 8.3 Policy 11 states that in the Primary Shopping Area (PSA) in the city centre, for new retail use (A1) will be supported. Proposals for other centre uses, as defined in Table 3.1 in this policy, will be supported, provided:
- a. the proposal complements the retail function and makes a positive contribution to the vitality, viability and diversity of the city centre;
 - b. provision is made for an active frontage, such as a window display, in keeping with the character of the shopping area; and
 - c. it would not give rise, either alone or cumulatively, to a detrimental effect on the character or amenity of the area through smell, litter, noise or traffic problems
- 8.4 The proposal seeks to change the use of 1 no. telephone box to a retail unit used for the sale of coffee and snacks. The description states that the proposed use would fall under Class A1 in terms of its use, Class A1 use has now been revoked, and therefore the updated use class would be Class E(a).
- 8.5 As existing, the telephone box is not actively used for telecommunication purposes and therefore is somewhat redundant. The proposal would restore and re-use the kiosk for retail purposes, specifically the sale of coffee and snacks. As such, given that the proposal would bring the telephone box back into active use it would be considered to add to the vitality

and viability of this area. In addition, it is considered that the addition of the small-scale retail unit would complement the surrounding uses. Policy 11 states that in the Primary Shopping Area, A1 uses should be supported and should not fall below 70% of the frontage. The change of use of the telephone box would add to this mix and be considered a suitable addition to this location.

- 8.6 One representation has been received, raising concern regarding the over concentration of coffee and snack provision in the area. Officers acknowledge that there is a good provision of coffee and snack locations in and around the Quayside area, however if the proposal was permitted a suitable mix of uses would remain as to ensure the viability of the area. The proposal would be of a modest scale and would be considered to be complementary to the existing uses in the area as to not disrupt this mix. It is considered that the proposal would support the existing retail functions.
- 8.7 To ensure that the telephone kiosk would remain in a use that would complement and support the surrounding area, a condition will be added to any consent granted to restrict the use to E(a).
- 8.8 Overall, Officers consider that the principle of the development is acceptable and in accordance with policies 10 and 11 of the Cambridge Local Plan (2018).

Impact to the Listed Building and Heritage Assets

- 8.9 Policy 61 of Cambridge Local Plan (2018) states that to ensure the conservation and enhancement of Cambridge's historic environment, proposals should 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.
- 8.10 The telephone kiosk is grade II listed, the Historic England list entry describes that the K6 telephone kiosk is a milestone of C20 industrial design. The telephone kiosk holds both architectural importance given that it was designed by Sir Giles Gilbert Scott and group value given its relationship with a number of the surrounding listed buildings.

- 8.11 In consultation with the Conservation Officer, the internal fitting would not require any fixings to the telephone box structure and could be removed if no longer in use. The proposed toughened glass and mortice lock are considered to be acceptable as the toughened glass would replace the existing and the lock would be located behind the existing pull handle. The alterations proposed would preserve the character and appearance of the listed telephone kiosk and would not harm the historic fabric.
- 8.12 As part of the Historic Core Conservation Area Appraisal, the telephone kiosk is understood to form part of a key positive view into the Conservation Area and is listed as a positive part of street furniture. As the proposal would retain the external appearance of the structure, it is considered that it would preserve the character and appearance of the Conservation Area.
- 8.13 The proposal would preserve the significance of the listed building and Conservation Area in accordance with Policy 61 and the NPPF (2021).

Context of site, design and external spaces

- 8.14 The application seeks to change the use of the telephone box for the sale of coffee and snacks (Class E(a), previously A1). The applicant has clarified through the course of the application that the telephone box would be operated by one staff member, and customers would order their coffee through a website to avoid queuing and congestion at the site itself. The proposal would not seek to add any external paraphernalia and the door would remain closed when customers are not being served.
- 8.15 The existing context in this area is informed both by the concentration of retail uses in this area and the special historic environment informed by the variety of listed buildings. As existing the telephone kiosk is not in active use, however the proposal would bring the telephone kiosk back into active use and therefore complement the viability and vitality of this area.
- 8.16 In regard to the visual context and the historic environment, the telephone box forms an important historic building in its own right and forms part of positive street furniture that hosts a strong visual link with the surrounding historical buildings. The proposal would preserve the external appearance of the

telephone kiosk, and would therefore maintain the significance of these visual connections. Only minor alterations in order to restore and secure the unit would be required. These include the installation of a locking mechanism behind the existing 'PULL' plate, repainting in the iconic red colour and the installation of toughened safetyglass. Given that the external appearance of the telephone box would be maintained, the proposal would be considered to successfully respond to the local context.

- 8.17 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58, and 59.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.18 The proposal would be situated within the area of pavement in front of 32 Bridge Street. This area forms a key part of the City Centre, and already comprises a variety of commercial units such as restaurants at ground floor level and offices above. The proposal would add one modest retail unit to the area, so that there may be a minor increase in pedestrian activity. Given the modest scale of the proposal, Officers agree with the Environmental Health Officer that the proposal would not result in adverse impacts to residential occupiers in terms of noise.
- 8.19 The proposal would respect the amenity of neighbouring occupiers, in accordance with Cambridge Local Plan (2018) policies 35 and 58.

Highway Safety

- 8.20 The Local Highways Authority has objected to the application on the basis that telephone boxes were installed by telecommunication companies as part of their statutory services and are no longer required. In addition, they raise concern that the opening of the telephone box door across the public highway would breach the Highways Act 1980 and be of detriment to pedestrian safety. In addition, the representation received raises concerns regarding the impact to pedestrian congestion in this area.

8.21 The telephone box is an existing structure, whilst it is no longer used for telecommunication purposes, it remains in situ due to its architectural and historical importance. The information submitted with the application explains that the telephone box would be used as a coffee and snacks pod, with the associated paraphernalia located entirely in the kiosk. It would be staffed by one staff member, with customers able to order on a website to help avoid any significant queuing. When customers are being served the door of the kiosk would be open, however it would be closed at all times when not serving customers.

8.22 Officers acknowledge that this section of the Quayside sees much pedestrian throughfare, and that the existing street furniture constrains this somewhat. The telephone box is an existing structure, which is set between a bench and several Sheffield cycle stands. The door is located on the north west side of the kiosk, and is left hinged. The door is very modest in its span, with a length of under 0.7 metres.

8.23 Officers acknowledge, that the change of use of the telephone kiosk may bring some additional pedestrian activity to the area, however given the minor scale of the unit, the minimal span of the door and the width of the pavement in this area, it is not considered to result in adverse impacts in terms of highway safety.

8.24 The proposal is compliant with Cambridge Local Plan (2018) policy 81.

9.0 CONCLUSION

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

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of Section 91 of

the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

3. Notwithstanding the provisions of Article 3 Schedule 2 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 premises shall be used for Class E(a), formerly A1, and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact. (Cambridge Local Plan 2018 policies 35, 55, 57, and 81) .

Application Number	21/01589/LBC	Agenda Item	
Date Received	8th April 2021	Officer	Charlotte Peet
Target Date	12th July 2021		
Ward	Market		
Site	Telephone Box Quayside Front Of 32 Bridge Street Cambridge		
Proposal	Change of use and alterations of 1 no. BT telephone box to 1 no. coffee and snacks pod (Class E(a) (former A1 usage)		
Applicant	Mr Edward Ottewell Aussex Innovation Centre Falmer Brighton BN1 9SB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The proposal would preserve the historic interest and significance of the listed telephone kiosks</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The proposal site comprises 1no telephone kiosk in front of 32 Bridge Street. The kiosk is located in the area of pavement in front of the building and sits adjacent to an area of cycle parking and other street furniture such as a bench and vehicle bollards.

- 1.2 The surrounding area comprises mainly retail and restaurants at ground floor and accommodation or offices above. The proposal site and surroundings form part of the City Centre, Primary Shopping Area and the buildings to the east are designated as a Secondary Shopping Frontage.

- 1.3 The telephone kiosk is grade II listed and located in the Historic Core Conservation Area. The proposal site is located within the

setting of several grade II listed buildings (Magdalene Bridge and 29 & 30 Bridge Street) and buildings of local interest (33 & 33A, 34-35, 36 and 37). The proposal site is located within the controlled parking area.

2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for change of use and associated alterations of 1 no. BT telephone box to 1 no. coffee and snacks pod.
- 2.2 The application is accompanied by the following supporting information:
1. Drawings
 2. Design and Access Statement
 3. Heritage Statement
 4. Lock Specification
 5. Updated Operational Procedure

3.0 SITE HISTORY

Reference	Description	Outcome
21/01589/LBC	Change of use of 1 no. BT telephone box to 1 no. coffee and snacks pod (A1 usage)	Pending consideration

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 61 62
---------------------	-------	------------

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)
Material Considerations	Cambridge Historic Core Conservation Area Appraisal (2015)

6.0 CONSULTATIONS

Urban Design and Conservation Team

- 6.1 The application site is a grade II listed K6 telephone kiosk which makes a positive contribution to the Cambridge Historic Core Conservation Area. It is noted in the Conservation Area Appraisal as an element of historic street furniture in the Quayside sub-area (p.3).
- 6.2 The kiosk would be altered to facilitate use as a coffee outlet. Internally it would be fitted with shelves and cupboards while externally a lock and safety glass would be installed, with existing glazing beading reinstated. It would be redecorated in traditional BT phone box ‘currant red’.
- 6.3 The works would maintain the significant features of the kiosk and provide it with a beneficial new use. The alterations would be relatively minor, and its contribution to the character of the area would be unaffected. In conservation terms the applications can be supported.

- 6.4 Taking the above into account, I consider that the proposals would not adversely affect the character of the Listed Building. Taking the above into account, I consider that the proposals would preserve or enhance the character or appearance of the conservation area.
- 6.5 The proposals would comply with Local Plan policy 58. With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 190 and 194 would apply.

Cambridgeshire County Council (Highways Development Management)

- 6.6 Telephone kiosks are permitted to be installed within the adopted public highway by telecommunication companies under their rights as statutory undertakers to provide a public service.
- 6.7 Once this service ceases such structures should be removed from the adopted public highway as they no longer provide a public service and become private structures which the Highway Authority will not licence.
- 6.8 The Highway Authority requests that the application be refused on the grounds of highway safety as the doors of the structure open outwards across the adopted public highway in an area where there is very high pedestrian flows under normal conditions. Doors opening across the adopted public highway are a breach of the Highways Act 1980 and a detriment to pedestrian safety.

Environmental Health

- 6.9 The development proposed is acceptable.
- 6.10 Thank you for consulting the Environmental Quality and Growth Team on this application. I have reviewed the details submitted and consider that the proposals will not have any adverse impacts on local amenity with respect to Environmental Health issues. As such, I have no further comments to make.
- 6.11 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- Scudamore's Punting Company, 32a Bridge Street, Cambridge

7.2 The representations can be summarised as follows:

- Pedestrian congestion
- Concentration of coffee/ food sales

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. Impact to the Listed Building
2. Other Matters

Impact to the Listed Building

8.2 Policy 61 of Cambridge Local Plan (2018) states that to ensure the conservation and enhancement of Cambridge's historic environment, proposals should 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.

8.3 The telephone kiosk is grade II listed, the Historic England list entry describes that the K6 telephone kiosk is a milestone of C20 industrial design. The telephone kiosk holds both architectural importance given that it was designed by Sir Giles Gilbert Scott and group value given its relationship with a number of the surrounding listed buildings.

8.4 In consultation with the Conservation Officer, the internal fitting would not require any fixings to the telephone box structure and could be removed if no longer in use. The proposed toughened

glass and mortice lock are considered to be acceptable as the toughened glass would replace the existing and the lock would be located behind the existing pull handle. The alterations proposed would preserve the character and appearance of the listed telephone kiosk and would not harm the historic fabric.

8.5 As part of the Historic Core Conservation Area Appraisal, the telephone kiosk is understood to form part of a key positive view into the Conservation Area and is listed as a positive part of street furniture. As the proposal would retain the external appearance of the structure, it is considered that it would preserve the character and appearance of the Conservation Area.

8.6 The proposal would preserve the significance of the listed building and Conservation Area in accordance with Policy 61 and the NPPF (2021).

Other Matters

8.7 The Highways Engineer has objected to the proposal, raising concerns regarding the opening of the doors of the structure across the adopted public highway and the potential conflict with pedestrian flow. The representation received has also reiterated this concern. This application is submitted under the Planning (Listed Buildings and Conservation Areas) Act 1990, and therefore highway safety cannot be considered under this application. Instead, it would need to be considered in full in the full planning application which has been submitted for this proposal (ref. 21/01588/FUL).

9.0 CONCLUSION

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

10.0 RECOMMENDATION

APPROVE subject to conditions:

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) 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 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

This page is intentionally left blank

Application Number	21/02862/FUL	Agenda Item	
Date Received	18th June 2021	Officer	Sumaya Nakamya
Target Date	13th August 2021		
Ward	Queen Ediths		
Site	15 Tillyard Way Cambridge		
Proposal	Two storey rear extension and loft conversion of existing dwelling to create additional accommodation and development to side of existing dwelling to create two self-contained 1-bed flats		
Applicant	Mr Klodian Allajbeu 55 Barrow Road Cambridge CB1 8QT		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The design and scale of the proposed development would not have an adverse impact on the character of the surrounding area; - The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; - The proposed development would provide a high-quality living environment for the future occupiers. <p>The proposed development is unlikely to give rise to any significant adverse impact upon the highway and on street car parking capacity on the surrounding streets.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site lies on the corner of Tillyard Way and Ventress Close. The existing building is a two-storey semi-detached red brick dwelling with a pitched roof. There is a large side and rear garden with a vehicular access point onto the site from Ventress Close to accommodate one car parking space. The surrounding area is residential in character and is formed of similar sized semi-detached, terraces and flats.
- 1.2 There are no site constraints.

2.0 THE PROPOSAL

- 2.1 This application proposes to erect a part two storey and single storey rear extension to the original dwelling house and a rear dormer. A two-storey extension to the side of the existing dwelling is proposed to create two self-contained 1-bed flats. The widening of the existing dropped kerb is proposed and there will be two onsite car parking spaces to serve the two flats. The proposal would include covered cycle parking and waste provision for the existing dwelling and for each unit.
- 2.2 The proposed two-storey rear addition to the main house would project rearward approximately 5m in depth, have a width of approximately 3.6m and a height of approximately 5m. The proposed single storey portion will be built on the shared boundary with the adjoining property and, would measure approximately 6.6m deep, 5.9m wide with an eaves height of approximately 2.1m and an overall height of 3.2m.
- 2.3 The proposed two storey side extension for the self-contained 1-bed flats will be on the northern elevation of the main house. It will be set back marginally from the original building line to front and set slightly lower than the ridge line of the main house. At the rear, the two-storey gable extension will extend beyond the rear wall of the first-floor projection but, not beyond the proposed single storey portion on the main house. The depth of the rearward projection will be approximately 6.2m deep, 5.7m wide with an eaves height of 4.5 and a maximum height of 6.9m.
- 2.4 The proposal has been amended since submission to revise the rear wing of the side extension to a pitched roof and reduce the

size of the rear dormer, and to include a boundary hedge to the north of the site. The single storey rear extension has been revised to include a lean-to roof design which allowed a lower eaves height of 2.1m. Additionally, the widening of the existing dropped kerb is proposed with two onsite car parking spaces for the proposed flats. Internally, a lift for the upper flat has been included.

2.5 The application is accompanied by the following supporting information:

- Design and Access Statement
- Existing and Revised Proposed Plans

3.0 SITE HISTORY

Reference	Description	Outcome
21/01026/FUL	Two storey rear extension and loft conversion of existing dwelling to create additional accommodation and development to side of existing dwelling to create two self-contained 1 bed flats	Returned
16/0232/FUL	To erect a new 2 storey dwelling to house 2 no. 1 bed flats	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	1 3

Plan 2018	28 31 32 33 34 35 36 50 51 52 55 56 57 58 59 70 81 82
-----------	---

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>National Design Guide 2019</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
Supplementary Planning Documents	<p>Greater Cambridge Sustainable Design and Construction (Jan 2020)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>

Material Considerations	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
-------------------------	---

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection to the application subject to a condition requiring a contractors parking plan. The proposal increases the number of residential properties in the area but provides no off-street car parking. As streets in the vicinity provide uncontrolled parking, and as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets, any demand for car parking is likely to appear on-street in competition with existing residential uses.

The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

These comments were received to the original submission which included no on-site parking. The LHA's response to the

amended drawings which provide two parking spaces on site are awaited and will be reported on the amendment sheet.

Environmental Health

- 6.2 No objection subject to conditions limiting construction hours, collections/delivery hours during construction and piling.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.3 No objection, the proposals have not indicated a surface water drainage strategy however, as this is a minor development and there are no surface water flood risk issues, it would be acceptable to obtain this information by way of a condition. Foul water drainage condition also recommended.

Head of Streets and Open Spaces (Landscape Team)

- 6.4 No objection, the proposal is to provide a green edge to the new development to off-set the bulk of the new extension and flats. Suggest a mixed native hedge that can be clipped neatly to about 1.5m tall on the boundary.

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:

- 13 Tillyard Way
- 18 Tillyard Way
- 20 Tillyard Way
- 24 Tillyard Way
- 28A Tillyard Way
- 1 Ventress Close
- 2 Ventress Close
- 19 Tillyard Way

- 7.2 The representations can be summarised as follows:

- Overlooking
- Overbearing
- Daylight and Sunlight
- Design (Mass, scale and green landscaping)
- Overdevelopment
- Loss of original character from semi-detached to terraces
- Foul water drainage
- Access and Car parking Pressures – cumulative impact as a result of the granting of planning permission at 17 Tillyard Way (see 18/0476/FUL).
- Highway Safety - restricting views, access and visibility of roads
- Noise and disturbance enjoyed by residents
- Impact on biodiversity
- Use – a guest house, and it will create noise that may impact surrounding homes or businesses working from home.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 3 of the Cambridge Local Plan (2018) seeks to ensure that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. Given the location of the site is within a sustainable location and is in walking and cycling distance to Cambridge City centre and

shops and services in Queen Edith's, the application site is considered suitable to accommodate residential development.

- 8.3 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 52 is relevant in assessing the acceptability of the proposal. Policy 52 allows for the subdivision of existing plots, subject to compliance with specified criteria a – e of the policy.
- 8.4 Officers consider that the principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. While the proposal is broadly supported, considerations such as impact on the character and appearance of the area, impact on the amenity of neighbouring properties and other material consideration must be met. These, and other relevant issues, are assessed below.

Context of site, design and external spaces

- 8.5 Tillyard Way mainly comprises semi-detached dwellings built in brick with pitched roofs. There are few terraces to the far north of Tillyard Way, and on Ventress Close, a development for 20 flats is underway. It is also important to note that although this permission has expired, permission was granted in 2018 at No.17 Tillyard Way for two self-contained flats as well as a two storey and single storey rear extensions to the main house. Therefore, the introduction of flats is not uncommon in the immediate area.
- 8.6 It is noted that in the wider context, there is a variation of plot sizes mostly in a linear pattern. Some properties are within short and linear plots with large front gardens and, others are within large and deep irregular plots with large front gardens.
- 8.7 The proposed two-storey side extension to form the two self-contained 1-bed flats would measure 5.7m in width which is similar to the width of the original property. It would be set back marginally from the front building line and set below the ridge line of the main roof. It would have simple front fenestrations that would be domestic in its appearance. The proposed rear gable projection has taken cues from neighbouring properties opposite the site. Officers consider that this side portion would

read as a subservient two-storey extension to the original dwelling and would be in keeping with the character and appearance of the area. The proposal would also be consistent in appearance to its host and the surrounding properties due to the use of matching materials and the style of the proposed fenestrations.

- 8.8 Concerns have been raised on the grounds of overdevelopment of the site and the loss of landscaping to the north of the site. Officers consider that the proposed location, overall layout, form, and design of the proposed side extension for the self-contained flats have appropriately responded to the wider context. The proposed side development will be significantly set away from the road by approximately 5m, thus retaining the open feel of the northern corner with spaciousness and easily accessible gardens.
- 8.9 The application is proposing a part two storey and single storey addition with a rear dormer to the main house. The proposed part two and single storey extensions would have varying depths of approximately 6.3m and 4.5m which is considered subservient to the main house. The single storey element has been amended from a flat roof to wraparound lean-to roof design and would only be visible from Ventress Close. On the immediate corner of Tillyard Way and Ventress Close, these extensions would be largely hidden from view by the proposed two storey side extension. Officers consider that the new additions to the main house will not be significantly harmful to the character of the dwellinghouse as they would be constructed from matching external materials of the original dwelling. The overall height and scale of the extensions would resemble a subservient and proportionate addition to the dwelling and is therefore acceptable.
- 8.10 Officers acknowledge that the proposed rear dormer is not of a high-quality design but, it is set away from the eaves, set down from the ridge and set in from the side elevations. Officers also note that there is a fallback permitted development position to build a rear dormer without the need for planning permission. Taking these issues into account, Officers do not consider the proposed dormer would have an unacceptable impact on the appearance of the streetscene or the character of the development.

8.11 Overall, the form, height, scale and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area. The proposal is therefore compliant with Cambridge Local Plan (2018) policies 52, 55, 56,57 and 58.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.12 Concerns have been raised by neighbours that overlooking, loss of light and a sense of enclosure would arise from the proposed development.

8.13 The proposed two-storey side extension would be at a considerable distance from any neighbouring properties by virtue of its position on the corner of the plot. As such, it is considered that no harmful loss of light or visual enclosure would be experienced by any neighbouring properties from this element.

8.14 The proposed two storey rear gable extension would not extend any further than No.15's proposed single storey rear extension but, would extend approximately 1.56 metres beyond the first-floor extension of No.15. As per BRE guidance a 45 degree horizontally angled plane was taken from the middle of the first-floor rear window of bedroom 3 of No. 15. The proposed rear projection would not encroach into either the horizontal or vertical 45-degree lines and it is therefore considered that the amount of light this bedroom would receive is compliant with BRE guidance.

8.15 The proposed two storey extension to the rear of No.15 Tillyard Way would have a recession of approximately 2.5 metres off the side boundary with No. 13 Tillyard Way. This distance is considered sufficient to dispel any sense of enclosure from the rear garden of No. 13 Tillyard Way. As per BRE guidance 45 degree horizontally and vertically angled planes were taken from the middle of the bedroom window of No. 13 Tillyard Way, closest to the shared boundary. The first-floor element would not encroach into either 45-degree splay line. It is therefore, considered that the amount of light this bedroom would receive is compliant with BRE guidance.

- 8.16 The proposed single-storey rear extension has been amended to minimise dominance and loss of light to No.13 Tillyard Way. The extension will run up against the boundary with No.13 Tillyard Way for a depth of approximately 6.3m. However, given its eaves height will be approximately 2.1m and a maximum height of approximately 3.3m. The use of a lean-to roof design that will have the roof form sloping away from No.13 will significantly minimise the sense of overbearing and potential loss of light to the adjoining neighbour.
- 8.17 Concern that the proposal would result in the loss of privacy to neighbouring properties has been raised. The views out from the rear first-floor windows of the side extension would be similar to that of the existing property. There are already views across neighbouring gardens in this area and, Officers do not consider that views from the proposal would cause additional overlooking. Officers note that on the first-floor flank wall there is a window serving an ensuite for bedroom 3. Whilst the window would serve an ensuite as opposed to any habitable room, Officers consider that it is reasonable to impose an obscure glazing condition to further protect the amenity of No.13 Tillyard Way.

Wider Area

- 8.18 The Environmental Health Officer has been consulted on the application and has recommended approval, subject to conditions regarding construction hours and piling and demolition, construction collections and deliveries. In order to protect the amenities of neighbouring properties, these conditions are considered necessary and reasonable and are recommended to be imposed upon any consent granted. Therefore, concerns raised with respect to noise and disturbance during construction will be controlled under the imposed condition.
- 8.19 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.

Amenity for future occupiers of the site

8.20 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. The proposed dwellings would be in accordance with the minimum standards and would provide a high-quality internal living environment for the future occupants. The gross internal floor space measurements for the dwellings are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	2	1	50	75	+25
2	1	2	1	50	72	+22

Policy 50 of Cambridge Local Plan (2018) also states that all new residential units will be expected to have direct access to an area of private amenity space. The proposed development will benefit from an adequately sized amenity space to the rear for future occupants to enjoy and is acceptable.

Accessible design

8.21 The proposed self-contained flats would be required to comply with policy 51 and to meet the requirements of Part M4 (2) of the Building Regulations. The proposal as submitted did not meet these requirements but has been amended to include lift access to the first-floor flat. The proposal as amended is considered to comply with policy 51 and a condition to this effect is proposed to be added to any permission.

8.22 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 and 57.

Refuse Arrangements

8.23 Bins will be stored in the private garden of each unit. The proposal is therefore compliant with the RECAP guidance and is in accordance with Cambridge Local Plan (2018) policy 57.

8.24 In the opinion of officers, the proposal provides a high-quality living environment and an appropriate standard of residential

amenity for future occupiers, and in this respect, it is compliant with Cambridge Local Plan (2018) policies 50, 51 and 52.

Highway Safety

- 8.25 The Local Highway Authority has been consulted on the application and has raised no objections on the grounds of highway safety to vehicular users or pedestrians. Conditions have been requested regarding contractors parking plan to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub-contractors undertaking the works for the interest of highway safety. This condition is deemed necessary and reasonable and is recommended to be imposed upon any consent granted.
- 8.26 The proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

- 8.27 The Council has maximum parking standards outlined in Policy 82 and Appendix L of the Cambridge Local Plan (2018). Cambridge City Council promotes lower levels of private parking where good transport accessibility exists. The site is located in a very sustainable location close to the City Centre and in close proximity to public transport routes, including the railway station.
- 8.28 The original comments from the Highway Authority raised concerns with the loss of this parking and advised that more occupants parking on the street may impact the amenity of neighbours. Neighbours have also raised concerns regarding the potential exacerbation of existing on-street parking problems. The definition of parking stress is contained within the supporting text of Policy 53 of the Cambridge Local Plan (2018) which relates to flat conversions, parking stress is a factor in the determination of this application as new residential units are being created. Parking stress is defined as occurring in those streets where surveys show that there is less than 10 per cent free notional parking capacity.
- 8.29 The On-Street Residential Parking Study (Area 5) suggests that there is overnight capacity on Tillyard Way. The survey area has approximately 54% per cent notional free parking on

Tillyard Way. Notwithstanding this, the amended plans have provided two onsite parking spaces for the units. The scheme would result in no off-street provision for the existing dwelling. However, given the findings of the aforementioned parking study and that the site is in a very sustainable location, the absence of on-street parking for one dwelling is not considered to give rise to unacceptable levels of on-street parking stress.

- 8.30 The design of the onsite parking show that the size of the proposed parking space is acceptable and visibility splays of 2m x 2m will be provided each side of the vehicular access measured from and along the highway boundary. A condition will be attached to ensure that the visibility splays are provided and retained.
- 8.31 A lockable shed would be provided within each garden area for secure cycle storage and will be accessible from the footpath via a gate.
- 8.32 The proposal is compliant with Cambridge Local Plan (2018) policy 82.

Integrated Water Management and Flood Risk

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

Other Matters

- 8.34 To ensure compliance with policy 28 (sustainability) conditions 6 and 7 are proposed in relation to carbon reduction measures and to enforce water efficiency standards; this condition would only apply to the new self-contained flats.
- 8.35 The Landscape Officer has been consulted on the application and has raised no objections, subject to a green edge to be provided for the new development to off-set the bulk of the new

extension and flats. A condition shall be imposed to ensure the appropriate landscaping details are obtained and approved prior to occupation of the flats.

Third Party Representations

- 8.36 It is noted that there is a concern raised regarding the potential loss of local wildlife. To ensure compliance with biodiversity requirements arising from policies 59 and 69 of the Cambridge Local Plan 2018, conditions will be imposed to seek details of bird box provision, in order to promote and retain biodiversity. The condition will relate solely to the new self-contained flats.
- 8.37 Concerns have been raised that the proposal would be used as a guest house, and, that it will create noise that may impact surrounding homes or businesses working from home. In the submitted information, it is not suggested that this is the intention of the applicant to use the flats for short-term letting/tourism accommodation. Therefore, the application has been assessed on its own merit.
- 8.38 Concern has been raised in respect of access problems for emergency services, waste service deliveries into Ventress Close. Matters relating to highway safety have been addressed in the body of the report explaining that the Local Highway Authority raised no objection on this matter.
- 8.39 Lastly, a concern has been raised in respect of the change of status to existing house type from semi-detached to terraces. As mentioned in the body of the report, it is noted the property at No.13 Tillyard Way would become an end of terrace, but it has been considered above that the proposed side extension would not harm the character and appearance of the streetscene. The proposed extension would use appropriate local characteristics such as pitched roof design, domestic appearance on the front elevation to help inform the use, siting, massing, scale, form, materials all respond to the existing character in the wider context. Officers acknowledge that the proposed development is likely to give rise to concerns relating to property value of the adjoining property, this is not a material planning consideration in determining the application.

9.0 CONCLUSION

- 9.1 In conclusion, the proposed development would be in keeping with the scale and form of development within the local area and adequately respects the amenities of neighbouring properties.

10.0 RECOMMENDATION

APPROVE subject to the following conditions and informatives:

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

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

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

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

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

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

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

Reason: To protect the amenity of the adjoining properties.

(Cambridge Local Plan 2018 policy 35).

5. 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 undertaking the works.

Reason: in the interests of highway safety.

6. Prior to the occupation of the dwellings, hereby permitted, car parking spaces shall be provided as shown on the approved drawings and the visibility splays of 2m x 2m provided each side of the vehicular access measured from and along the highway boundary. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

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

7. The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway and shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (policy 81 of the Cambridge Local Plan 2018).

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

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

9. No development above slab level shall commence until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. This shall

demonstrate that all self-contained residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:

- a. Levels of carbon reduction achieved at each of the energy hierarchy; and
- b. A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit
- c. Where on-site renewable or low carbon technologies are proposed, the Statement shall also include:
- d. A schedule of proposed on-site renewable energy technologies, their location, design, and maintenance schedule; and
- e. Details of any mitigation measures required to maintain amenity and prevent nuisance.

There shall be no occupation of the self-contained residential units until the carbon reduction measures have been implemented in accordance with the approved details. Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Carbon Reduction Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved details.

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

10. The self-contained residential units hereby approved shall not 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 take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved prior to occupation of the self-contained residential units hereby permitted and retained thereafter. These details shall include proposed means of enclosure; cycle and pedestrian access and circulation areas; 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.

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

12. No development above slab level shall commence for the self-contained residential units until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird boxes on the new buildings and any other measures to demonstrate that there will be a net biodiversity gain on the site of at least 10%. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: To provide ecological enhancements for protected species on the site (Cambridge Local Plan 2018 policies 59 and 69, NPPF 2019 para.170).

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

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

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

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National

Planning Policy Framework and policy 31 and 32 of the Cambridge Local Plan 2018.

15. No new residential units 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. (Cambridge Local Plan 2018 policies 31 and 32).

16. The development hereby approved, shall be carried out in accordance with the materials as detailed on the approved plans/documents unless otherwise agreed in writing.

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

17. Apart from any top hung vent, the proposed first floor window in the side (south) elevation of the two-storey rear extension hereby approved, shall be fitted with obscured glass (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.

Reason: To adequately respect the amenity of neighbouring properties (Cambridge Local Plan 2018 policy 55).

INFORMATIVES

1. The granting of planning permission does not constitute a permission or licence to a developer to carry out works within, or disturbance of, or interference with, the public highway and that a separate permission must be sought from the Highway Authority for such works.
2. 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.

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

Determined under delegated powers by:

Designation - Development Control Manager

Date:

Declaration of Interest for case officer

Does the case officer have any interest (whether financial or not) in the application or application site or any personal or business connection with the applicant(s)?

9 Yes

10 No

If yes, please confirm that full details of any interest or connection have been provided to the [Head of Planning] [Director of Environment]

Signed

Declaration of Interest for officer with delegated powers

Does the officer with delegated powers have any interest (whether financial or not) in the application or application site or any personal or business connection with the applicant(s)?

11 Yes

12 No

If yes, please confirm that full details of any interest or connection have been provided to the [Head of Planning] [Director of Environment]

Signed

This page is intentionally left blank

Application Number	20/03579/FUL	Agenda Item	
Date Received	24th August 2020	Officer	Steven Fraser-Lim
Target Date	19th October 2020		
Ward	Abbey		
Site	Museum Of Technology 44 Cheddars Lane Cambridge		
Proposal	Retrospective planning permission for an outdoor bar and servery, and an additional toilet block; and to add to Use Classes A3 and D2 to existing D1 use.		
Applicant	Mr John Little Cambridge Museum of Technology, The Old Pumping Station Cheddars Lane Cambridge CB5 8LD		

SUMMARY	<p>The proposed mixed restaurant / bar / entertainment / museum use of the site is acceptable in principle and will support the ongoing operation of the museum. Noise impacts and amenity impacts can be adequately addressed through appropriate conditions. The proposed outdoor structures have contributed to the activity and vibrancy of the site and are relatively unobtrusively located. However, they are temporary in appearance and have the potential to detract from the appearance of the site in the longer term. In addition disabled access to the facilities are very poor. As such a condition is proposed requiring that the use</p>
----------------	--

	and structures such as the bar and food servery are granted for a temporary 2 year period only.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site comprises the Engineers house and surrounding garden, which forms part of the grounds of the Museum of Technology, a former pumping station. The Engineers House dates from the 19th Century and is located to the south of the main museum building, situated on the west side of Cheddars Lane and the east side of Riverside. The former pumping station was built in 1894 and is now a scheduled Ancient Monument. The Engineers House is identified as a building of local interest.
- 1.2 The site is adjoined by a development of flats dating from Circa 1990s to the south. The main Museum building and beyond this a block of flats with houses at the rear dating from circa 2000 adjoins to the north. Industrial, car repair, and the rear of a Tesco food retail store are situated on the opposite side of Cheddars Lane to east and south east. The River Cam is situated to the west on the opposite side of Riverside, with Logan's Meadow situated on the opposite bank of the river.
- 1.3 The site is within the Riverside and Stourbridge Conservation Area. The River Cam (situated on the opposite side of Riverside to the site) is designated as a Local Nature Reserve. Logan's Field is also identified as protected open space.

2.0 THE PROPOSAL AND BACKGROUND

- 2.1 The Engineers House and gardens were originally built as accommodation for staff maintaining the pumping station. More recently during the later part of the 20th Century the building was used as supported housing independently from the Museum. In 2016 the Museum of Technology was able to lease the house and grounds from Cambridge City Council, for use as part of the larger museum complex. The Engineers House and gardens have been used since 2019 to provide café / restaurant / bar,

and entertainment facilities, operated by a separate company 'Othersyde'. These facilities are intended to complement and support the wider museum operation, and as such there it is possible that museum related activities could also take place.

2.2 Facilities within the Engineers House and garden comprise a café, bar and kitchen on the ground floor of the House. 'Escape Rooms' for themed, group puzzle solving games are located on the first floor. Outdoor seating, an outdoor bar, food servery and toilet block are located within the garden. The Engineers House and gardens currently operate longer opening hours than the Museum and have applied to operate from 11:00 to 22:00 Sunday-Friday (including Bank Holidays) and 11:00 to 23:00 on Saturdays.

2.2 A planning application was not submitted initially for the café / restaurant / bar, entertainment and museum uses, in addition to the external structures such as the bar, food servery and toilet block, as it was thought that these would be ancillary to the wider Museum use of the site. However once operation of these uses commenced it was apparent that the uses were of significant scale, and more than just an ancillary part of the Museum. For instance, the Engineers House has a separate access and hours of operation from the Museum. In addition, the range of activities taking place including bar / restaurant, escape rooms, room / event hire was significant. As such the nature and scale of the proposed use of the Engineers House was considered to amount to a material change of use, and officers advised that the submission of an application for planning permission was required. This current application was submitted in response to the above officer advice.

3.0 SITE HISTORY

Reference	Description	Outcome
18/0721/S73	S73 to vary condition 2 of planning permission	Granted August 2018
15/0193/FUL	(new entrance ramp from Riverside and new single storey cafe building and new single storey store and refurbishment of the Spackman building - retrospective) to show window and door openings,	

overall layout/size.

15/0193/FUL	New entrance ramp from Riverside and new single storey cafe building and new single storey store and refurbishment of the Spackman building.	Granted March 2015
	A number of applications have been made to discharge the conditions associated with the above application.	Some conditions discharged in 2018.
C/01/0477	Retention of two temporary portacabin buildings.	Granted June 2001 Granted
C/99/0199	Retention of two temporary portacabin buildings.	April 1999
C/97/0005	Retention of two temporary portacabin buildings.	Granted April 1997
C/93/0846	Temporary siting of two portacabins	Granted February 1994
C/85/0839	Erection of a single storey storage building (94sqm)	Granted October 1985
C/83/0245	Erection of workshop and formation of associated car parking and turning area	Granted May 1983
C/83/0016	The erection of 4 No. craft workshops and information kiosk	Granted March 1983
C/78/0118	Change of use from store to transmitter equipment rooms	Granted January 1978

C/71/0301	Establishing Museum of Technology run in conjunction with Cambridge Society of Industrial Archaeology	Granted October 1971
-----------	---	----------------------------

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 7 28 30 34 35 36 55 56 57 58 59 61 62 71 73 79 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)
Supplementary Planning Documents	Sustainable Design and Construction (2020)

<p>(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>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>Material Considerations</p>	<p><u>City Wide Guidance</u> Buildings of Local Interest (2005)</p>
	<p><u>Area Guidelines</u> Riverside and Stourbridge Conservation Area Appraisal (2012)</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 Wish to make no comment on the application.

Environmental Health (Noise)

6.2 **No Objection:** The proposed development is acceptable. However, it is our view that any external amplified / unamplified music at any volume and especially at conversational levels as proposed, in any external area including within any open bar area (sheltered or not), tent / tepee or similar structure is unacceptable / inappropriate in this location. Any external performances of live music (either amplified or unamplified) or similar, even if infrequent are likely to have even a greater impact and has the potential to give rise to significant adverse local noise impacts having regard to the proximity to residential premises. Even background type amplified music in this location and in such a large external area has the potential to have adverse noise impacts.

6.3 As such conditions are recommended requiring: submission of a noise management plan, which shall specify no outdoor amplified / unamplified music; a noise impact assessment and a noise insulation / mitigation scheme for plant / machinery; opening hours restricted to between the hours of 1100 to 2200 Sunday to Friday and Bank Holidays and 1100 to 2300 on Saturdays; restrictions on hours of deliveries; restriction to prevent change to other uses within class D2; details of odour abatement from cooking; details of lighting; and no external amplified / unamplified music. The general area is relatively quiet away from Newmarket Road and adjacent to the river Cam. The proposed uses have the potential to have an unacceptable and significant adverse impact on the quality of life / amenity of neighbouring residential premises nearby at Riverside Place.

Access Officer

6.4 External structures should have level thresholds. The wheelchair accessible toilet is set out badly. The toilet needs handrails on each side (one pull down). The small sink should go on wall to right of toilet. A second sink could be on the wall opposite the toilet.

7.0 REPRESENTATIONS

7.1 12 objection letters / emails have been received from owner/occupiers of the following addresses:

45 Riverside Close, Riverside
55 Riverside Place, Riverside
35 Riverside Place, Riverside
51 Riverside Place, Riverside
41 Riverside Place, Riverside
42 Riverside Place, Riverside
26 Riverside Place, Riverside
75 Riverside Place, Riverside
78 Riverside Place, Riverside
64 Riverside Place, Riverside
61 Riverside Place, Riverside
34 Riverside Place, Riverside

7.2 58 emails / letters from the following addresses have been made representations which support the application:

60 Abbey Road
297 Chesterton Road
16 Izaak Walton Way
11 Fitzgerald Place
79 Fitzgerald Place
57 Scholars Walk
165 High Street Chesterton
138 Fulbourn Old Drift Teversham
18 Poynters Lodge, Chesterton High Street
29 Durnford Way
6 Wettenhall Road
9 Chesterton Hall Crescent
188 Gilbert Road
34 Pepys Court
6 Wynborne Close
17 Izaak Walton Way
34 Greens Road
29 Primary Court
8 Supanee Court Frenchs Road
15 Corrie Road
107 Suez Road
103 Beche Road
4 Stanley Road

6 Searle Street
64A Cambridge Road, Waterbeach
44 Hobart Road
515 Mayflower House, Manhattan Drive
134 Cromwell Road
5 Riverside Court, Chesterton Road
123 Catharine Street
8 Black Horse Drove, Littleport, Ely
6 Waterview, Riverside
47 Eachard Road
14 Rennard Way
71 Argyle Street
32 Abbey Road
194 Vinery Road
46 Abbey Road
9 Pepys Terrace, Impington
34 Abbey Road
19 Ainsworth Place
79 De Freville Avenue
54 Abbey Road
9 Mailes Close, Barton
26 Riverside
19 Water Street
9 Ainsworth Street
603 Newmarket Road
Flat 2 29 Occupation Road
14 Derby Street
14 Musgrave Way, Fen Ditton
15 Riverside Place, Riverside
Lovell Lodge 365 Milton Road
16 Westfield, Willingham
24 Parsonage Close
45 Riverside Place, Riverside

7.3 The representations can be summarised as follows:

Objections

- The current operators have failed to control the negative impacts on the area such as, excessive noise, anti-social behaviour, litter and the use of neighbouring private gardens as a public toilet.
- If the application is not refused then there should be clear restrictions to help manage environmental impacts

- Noise disturbance when using balconies in adjacent flats is detrimental to quality of life
- There is significant noise and disturbance when customers are leaving the premises, and this can be heard in neighbouring houses, even when doors / windows are closed
- There should be greater integration of the uses at the Engineers House with the Museum of Technology.
- The proposed use and related noise and disturbance is not appropriate within a residential area
- Groups of customers leave the premises and congregate in Logans Meadow on the opposite side of the river with additional drinks and loud music.
- The number of noise and drunk people generated by the use makes the area feel less safe, and has harmed the quiet residential character of the area
- Customers have been seen leaving the premises late in the evening and urinating into the river
- Recommend closing time is restricted to 22:00 and opening limited to fewer days
- On several occasions loud music has been emanating from the site.
- The application is incomplete as no mention has been made of the coffee and food bar adjacent to the museum, which has resulted in selling at the roadside.
- Monitoring of onsite noise should be active and consideration given to providing noise reduction structures.
- Hot food takeaway results in littering
- The proposed use generates a lot of cars and taxis dropping of and picking people up.
- Cycles of customers are chained to all the railings in the surrounding area.
- Windows and doors of adjoining properties need to be kept shut during warm weather because of the noise pollution
- Some residents of Riverside Place adjacent to the site are elderly and greatly impacted by the proposals.

Support

- The proposed use of the Engineers House is an asset to the neighbourhood and enhances the riverside

- The use of the site by Othersyde has revitalised a run down and neglected area of the city
- Othersyde is a leisurely, creative, low key style of venue and not devoted to excessive alcohol consumption
- The use generates activity, with the sound of voices, but is not unduly loud
- The facilities are a good resource from which to enjoy the river
- The proposed use is fun and family friendly
- The venue should be permitted to continue subject to appropriate restrictions to minimise noise pollution and anti social behaviour
- The venue serves as a community space. Othersyde has provided free space for several community groups including knitting, sewing and art groups, Transition's repair cafe, and discussion groups as well as mental health charities. It is also a starting and stop off place for community walking groups.
- The proposals generate local employment particularly for younger people
- The outdoor seating areas are an attractive amenity and covid secure
- The Othersyde has provided space for artists to display their work, which is rare in Cambridge
- Othersyde is an independent business which is beneficial to the local community, rather than a chain operator.
- The increased activity and natural surveillance created by the use will help to discourage anti social behaviour in the area.
- It is unfair to blame Othersyde for causing large groups to gather in Logans Meadow after closing time, as this used to happen before the use commenced.
- The proposed use is beneficial and encourages visits to the Museum of Technology

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:

Principle of Proposed bar / restaurant / entertainment use

- 8.2 Policy 79 of the Cambridge Local Plan 2018 states that *“Proposals for new visitor attractions within the city centre will be supported where they:*
- a. complement the existing cultural heritage of the city;*
 - b. are limited in scale;*
- and c. assist the diversification of the attractions on offer, especially to better support the needs of families”.*
- 8.3 The supporting text for the policy at Paragraph 8.57-8.59 states that *“Some of the pressures on existing attractions can be eased by the diversification of the attractions on offer where this continues to be related to the cultural heritage and/or interpretation of the city...The emphasis in tourism is on continued visitor management, and to extend length of visits, rather than major promotion. While the city would benefit from enhanced provision for families, major theme parks and other national profile leisure developments will not be appropriate in Cambridge...Attractions that draw visitors beyond the city centre attractions and encourage the development of alternative attractions throughout the sub- region are also encouraged”.*
- 8.4 Policy 73 is also of some relevance to the proposals and 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”.*
- 8.5 Engineers House and its associated grounds was leased from Cambridge City Council by the Museum of Technology in 2016. The intention of the Museum is for the House and grounds to accommodate activities such as a bar / restaurant / and leisure ‘escape rooms’ which are themed in connection with the museum. Escape rooms are puzzle rooms where a team of players discover clues, solve puzzles, and accomplish tasks in one or more rooms to escape from the room in a limited amount of time. These facilities are intended to support the museum operation by diversifying the range of activities available at the site and make the Museum a more attractive destination, to increase visitors from a wide range of demographic groups. The facilities are also intended to support the museum financially, as they have stated that it is challenging to fund the operation and

ongoing improvement of the museum based on museum entry receipts alone.

- 8.6 As such given the above the proposals are considered to be in accordance with part a) of policy 79 as they support the ongoing function of Cambridge Museum of Technology. The Museum is located outside of the city centre, and is not in proximity to other visitor attractions. As such the proposals assist in the diversification of the museum site to attract as wide a range of visitors for longer visits. This is highlighted in the supporting text of policy 79 as being of benefit.
- 8.7 In terms of part b) of policy 79 the scale of the proposed use is not considered to be unduly large in relation to the site and surrounding context. This is because the Engineers House and grounds are a smaller part of the much larger Museum complex. In addition the house itself is relatively small, with only three rooms on ground and three rooms on first floor. This limits the number of potential customers to the escape rooms / bar / restaurant uses. Whilst it is noted that there is a larger amount of outdoor seating, the overall size of the application proposals would not be greater than a modest sized neighbourhood bar / restaurant which are often found in residential areas.
- 8.8 In terms of part c) of policy 79 it is noted that the later opening of the premises and lively bar type uses based around alcohol sales will generate more on young customers. However the range of facilities proposed are also of benefit to families and children. For instance 'escape rooms' can be enjoyed as a family leisure activity, and toilets and refreshments available on site will support the enjoyment of the museum and riverside by families and children. As such the proposals are also considered to be in accordance with this part of policy 79.
- 8.9 It is also apparent from the public consultation that the facilities are also used by local community groups as well as groups and visitors wishing to experience the Riverside area of the city. As such the proposals would also be in accordance with the criteria within policy 73 as they would result in an increase and improvement in facilities which are available for community use, by local community groups, well as groups wishing visit the Riverside area.

- 8.10 A number of concerns are also noted that the bar / restaurant / entertainment use of the Engineers House and garden would be out of keeping with the residential character of the surrounding area. Planning officers consider that whilst Riverside does have a predominantly residential character, the wider area surrounding the site does feature a range of uses. For instance the area historically contained a number of industrial uses, prior to the conversion of the pumping station to a museum. In addition a Tesco supermarket with associated delivery and servicing areas has been developed to the east. As such the proposed uses would be not be unduly inappropriate within this context.
- 8.11 Given the above factors the proposals are considered to be in accordance with Local Plan policies 73 and 79. As such the principle of proposals is supported, subject to acceptability against other relevant local plan policies, as set out further below.

Noise pollution

- 8.12 Local Plan policy 35 states that *“development 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).*
- People’s health and quality of life needs be protected from unacceptable noise impacts by effectively and appropriately managing the relationship between noise sensitive development and noise sources through land use planning. Noise must be carefully considered when new development might create additional noise and when development would be sensitive to existing or future noise”.*
- 8.13 It is noted that the Engineers House and grounds are located in close proximity to residential development to the south, and a number of objections have been received raising concerns with

regard to noise pollution. Environmental Health comments have also highlighted the potential for noise impacts from the proposals, particularly from outdoor amplified / unamplified music.

- 8.14 However it is suggested that a range of conditions would successfully mitigate noise impacts, including: submission of a noise management plan which amongst other measures shall specify no external amplified / unamplified music; a noise impact assessment and a noise insulation / mitigation scheme for any plant / machinery; opening hours restricted to between the hours of 1100 to 2200 Sunday to Friday and Bank Holidays and 1100 to 2300 on Saturdays; restrictions on hours of deliveries; restriction to prevent change to other uses within class D2.
- 8.15 Planning officers consider that the conditions proposed would be sufficient to mitigate noise impacts. The noise management plan would be particularly important in this regard, as it can prevent external amplified / unamplified music and include management measures to encourage customers to keep noise to a minimum when exiting the premises. It is noted that the applicants have submitted a draft noise management plan which still includes the potential for some external music, but this is still considered to be a concern for noise pollution officers due to proximity of residential units and difficulty of monitoring and enforcement. As such the proposed noise management condition is clear that no external amplified / unamplified music will be acceptable.
- 8.16 However it should be noted that some more detailed conditions which have been requested in the environmental health comments have not been included as part of the officer recommendation, including conditions on hours of use of the food kiosk which are less than other bar / servery points within the site, and restrictions on movement of waste and recycling within the site at certain times. This is because they would result in unreasonable or unenforceable restrictions upon the applicant, which would not meet relevant condition tests.
- 8.17 Given the above, the proposals are not considered to result in undue noise disturbance, and that any noise impacts can be adequately mitigated in accordance with the requirements of

policy 35, with the conditions as recommended, including a prohibition against external amplified / unamplified music. In addition it is noted that a condition is proposed to make the development and use temporary for a 2 year period due to the design of the outdoor structures and inadequacies with regard to disabled access. This will also allow further review of noise management arrangements at the site, and reconsideration of these issues at a later date.

Anti social behaviour

- 8.18 Concerns are noted with regard to the potential for the proposals to result in an increase in anti-social behavior. Some of these potential impacts are outside of the applicant's control and have potential to occur regardless of application proposals, for instance groups of people gathering in Logan's Meadow.
- 8.19 In addition the general increase in footfall, and natural surveillance of the street as a result of the proposals is likely to prevent some anti-social behavior. A condition is proposed requiring submission of a noise management plan (as noted above), which will include a number of measures to manage anti-social behavior including: liaison arrangements with the local community; arrangements to manage customers entering and leaving the premises; management of noise from deliveries / servicing and taxi drop off / pick up; complaints procedure. These measures are considered to be sufficient to prevent undue levels of antisocial behavior.

Light and odour pollution

- 8.20 The proposed external food cooking and preparation structures have potential to result in odour impacts from cooking. In addition the external seating and terrace areas also have potential to result in light pollution if significant amounts of external lighting are proposed. As such conditions are proposed to require details of flue extract equipment and external lighting to be submitted to ensure that these elements are acceptable.
- 8.21 Subject to the above the proposals are in accordance with Cambridge Local Plan (2018) policies 34 and 36.

Impact upon the character and appearance of the surrounding area

- 8.22 The application seeks retrospective consent for external bar and food servery structures and toilet block within the garden of the Engineers House. External structures at the rear of the main museum building and Engineers House have become an established feature of the Museum site over time. The structures are located to the rear and side of the main House and would not be unduly prominent in views from Riverside. In addition, these outdoor structures have helped to bring activity and vibrancy to the garden areas of the site, particularly during the covid pandemic when there has been increased demand for outdoor catering. As such in principle the siting of outbuildings within the grounds of the Engineers House in unobtrusive locations would not detract unduly from the character and appearance of the conservation area.
- 8.23 However the bar and food servery structures have a temporary appearance, featuring reclaimed and recycled materials which will not weather well over time, and could become untidy in appearance and detract from the appearance of the conservation area in the longer term. As such it is recommended that planning permission is granted on a temporary basis only, with a planning condition requiring the removal of the structures within 2 years of the date of the planning permission. If the applicants require bar / servery outbuildings in the longer term, then they could submit further planning applications for more robustly designed outbuildings at a future point.
- 8.24 Subject to the above the proposal is compliant with Cambridge Local Plan (2018) policies 57, 58 and 61. In making this assessment officers have also 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).

Transport

- 8.25 The use of the Engineers House has generated some additional trips to and from the site. However most trips will be by sustainable transport modes such as walking and cycling. As such the proposals have not resulted in undue impacts upon the local highway network, and no concerns are raised by the Highway officer.
- 8.26 Some comments have been raised that the proposed use results in cycle parking on nearby railings. No dedicated on-site cycle parking has been provided. However customers are able to bring cycles into the site, so that they can be kept under surveillance. Given the likely demand for cycle parking arising from the development, a condition is proposed requiring that details of cycle parking are submitted within 3 months of the date of the permission and provided 1 month after this. It is anticipated that there could be up to 10 staff present at the site, and whilst a significant amount of dining space is located outside, the building itself includes around 110sqm of floorspace. As such applying the Local Plan cycle parking standards for food and drink uses (2 spaces for 5 employees and 1 space per 15sqm of dining area) a requirement of 12 cycle parking spaces would be appropriate.
- 8.27 Subject to the above the proposal is compliant with Cambridge Local Plan (2018) policies 80, 81 and 82.

Carbon reduction and sustainable design

- 8.28 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”*.
- 8.29 The Engineers House has not been extended, with basic works of repair and refurbishment to bring the building back into use. As such it would not be reasonable to require significant enhancements to its environmental performance. The external bar, food survey and toilet block are outdoor structures with no enclosed areas and no requirement for space heating. As such these structures are also not required to achieve any specific environmental performance.

8.30 As such, the proposals accord with Cambridge Local Plan (2018) policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

Inclusive access

8.31 Comments from the Access officer are noted, and it is also noted that the toilet facilities have already been installed. However it is considered that disabled access to the site is currently very challenging due to level changes. It would not be appropriate to grant planning permission for the proposed use and structures on a permanent basis, given this situation. As such it is proposed that the use and development is granted planning permission on a temporary basis only. In the longer term the applicants would be required to make further investments in the site, with more permanent buildings and improved step free access arrangements, possibly directly from the adjacent Museum forecourt, to secure permanent consent. A condition is also proposed requiring improvements to the disabled toilets, as noted in the access officer comments, within the next 3 months.

8.32 Subject to these conditions the proposals would comply with Cambridge Local Plan (2018) policy 56.

9.0 CONCLUSION

9.1 The proposed mixed restaurant / bar / entertainment / museum use of the site is acceptable in principle and will support the ongoing operation of the museum. Noise impacts and amenity impacts can be adequately addressed through appropriate conditions. The proposed outdoor structures have contributed to the activity and vibrancy of the site and are relatively unobtrusively located. However, they are temporary in appearance and have the potential to detract from the appearance of the site in the longer term. Disabled access to the site is also currently very challenging and would require improvement in the longer term. As such a condition is proposed requiring that the use and outdoor structures such as the bar and food servery are granted on a temporary basis only and shall be removed within two years. Further applications would need to be submitted for more robust, permanent

buildings, and step free access, in order to continue the proposed use in the longer term.

- 9.2 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).
- 9.3 As such the grant of planning permission is recommended, subject to conditions.

10.0 RECOMMENDATION

GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent details: 1809 001; 1809 002; 1809 003; 1809 004; 1809 006; 1809 007; 1809 102; 1809 103; 1809 105.

Reason: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

2. Within 2 years of the date of this permission the hereby approved use shall cease, and the bar / food servery structures shall be dismantled and removed from the site, and land returned to its former condition.

Reason: The design and appearance of these structures would have the potential to harm the character and appearance of the surrounding area, and the disabled access arrangements inadequate, if the use / development is retained and operated in the long term.

3. Within 1 month from the date of this decision / grant of planning permission, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority and then on an annual basis thereafter shall be reviewed for the first three years of operation. The NMP shall be proactive, considerate and provide neighbour-based control with the purpose of identifying noise sources / activities, preventing, mitigating and reducing to a minimum potential

adverse noise impacts and disturbance to local residents resulting from the hereby permitted uses. The NMP shall include details, undertakings and procedures for (but not be limited to) the following:

- o The name(s) of on-site supervisor/s responsible for the behaviour of visitors, patrons and for liaison with local residents
- o Management and control of patrons / customers arriving and leaving, access to external areas, including any external area where people may congregate for any reason
- o Procedure for the identification, management and control of external / internal noise generating sources / activities and the control of noise breakout from within the building and vehicle movements including deliveries / collections and taxi use related noise
- o Consideration of acceptable noise levels / duration
- o Noise monitoring
- o Confirmation that no music (either amplified, voice or acoustic) will be played within the external area
- o Confirmation that the NMP will be reviewed annually and implemented as per updated details
- o Community Engagement / Liaison and Communication
- o Procedure / responsibilities for dealing with complaints - recording / logging of monitoring, complaints and response within time limits and shall include details of how the complaint was resolved
- o Complaints procedure / protocol: if a noise complaint is received, the premises management will investigate the complaint and take action to establish the cause, avoid re-occurrence and inform the local authority
- o Where activities are seen to generate complaints - procedure for how the NMP will be reviewed and adapted to mitigate against these issues
- o Training of staff and/or customer to ensure awareness of noise control measures in place and monitoring
- o Any other matters that are reasonably required by the local planning authority

The approved NMP shall be implemented as approved within one month of the date of approval and retained thereafter

Reason: In order to safeguard the amenity of the surrounding area and prevent noise disturbance.

4. The development / uses hereby approved and permitted shall only be open for business or to the public / customers between the hours of 1100 to 2200 Sunday to Friday and Bank Holidays and 1100 to 2300 on Saturdays.

Reason: In order to safeguard the amenity of the surrounding area and prevent noise disturbance.

5. 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 0700 to 1900 daily.

Reason: In order to safeguard the amenity of the surrounding area and prevent noise disturbance.

6. Within 3 months from the date of this decision / grant of planning permission, details of external artificial lighting submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site (luminaire type / model, mounting location, height, orientation etc). Artificial lighting on and off site shall meet the Obtrusive Light Limitations for Exterior Lighting Installations detailed in the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01/2020 (or as superseded) and any mitigation measures to reduce and contain potential artificial light spill and glare as appropriate shall be detailed.

The artificial lighting scheme as approved shall be carried out / implemented within one month from the date of approval and maintained and retained thereafter.

Reason: To protect the amenity of adjoining and adjacent properties.

7. Within 3 months from the date of this decision / grant of planning permission, a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours and to discharge at an appropriate outlet height / level, shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be carried out / implemented within one month from the date of approval and maintained and retained thereafter.

The odour filtration/extraction/abatement system shall always be designed and operated in accordance the industry technical guidance "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (update to the 2004 report prepared by NETCEN for DEFRA) dated 05-09-2018" or as superseded.

Reason: To protect the quality of life / amenity of nearby properties.

8. Within 3 months from the date of this decision / grant of planning permission, a noise impact assessment and a noise insulation / mitigation scheme as required to mitigate and reduce to a minimum the potential adverse noise impacts of any operational plant, machinery or equipment both internal and external, shall be submitted to and approved in writing by the local planning authority. The noise insulation / mitigation scheme as approved shall be carried out / implemented within one month from the date of approval of the scheme and retained as such.

Reason: To protect the quality of life / amenity of nearby properties.

9. Within 3 months of the date of this decision / grant of planning permission, details of cycle parking to accommodate a minimum of 12 secure cycle parking spaces shall be submitted for approval by the local planning authority. The cycle parking provision as approved shall be installed available for use by customers / staff and retained, maintained thereafter within one month of the date of approval of the scheme.

Reason: In order to ensure adequate provision of cycle parking to meet the requirements of customers / staff and to promote sustainable modes of transport.

10. Within 3 months of the date of this decision / grant of planning permission a scheme for improvements to the accessible toilet facilities within the site, which shall include handrails and basin to right of WC shall be submitted for approved by the local planning authority. The improvements shall be installed and made available for use by customers / staff and be retained, maintained thereafter within one month of the date of approval of the scheme.

Reason: In order to ensure adequate facilities for disabled users of the site.

Application Number	21/02861/FUL	Agenda Item	
Date Received	21st June 2021	Officer	Richard Fitzjohn
Target Date	16th August 2021		
Ward	Abbey		
Site	393 - 395 Newmarket Road Cambridge		
Proposal	Installation of a mezzanine floor to Unit 2 and modification of S106 Agreement associated with planning permission 18/0363/FUL to allow open non-food retail sales (Class E) from the unit.		
Applicant	Aldi Stores Ltd. c/o Agent		

	SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed additional floorspace would not result in a significant additional adverse impact on the role or health of nearby centres. 2. Amending the Section 106 legal agreement would not result in a loss of vitality and viability of Cambridge Town Centre, nor to the retail hierarchy as a whole.
	RECOMMENDATION	APPROVAL subject to planning conditions and completion of a Deed of Variation.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, 393 Newmarket Road, is an existing vacant retail unit on Newmarket Road, Cambridge. The site is attached to an Aldi food store. The site is accessed by car via Newmarket Road to the south east of the units, with car and cycle parking provided to the front of the units. To the north east of the site are residential dwellings accessed from Stanley Road. To the north and north west of the site are a variety of commercial and office units. Servicing takes place from the rear of the units.
- 1.2 The site is not within a Conservation Area or the setting of any Listed Buildings and is outside of the Eastern Gate Opportunity Area. There is a group Tree Preservation Order in place along the site frontage with Newmarket Road and covering trees within the site's car park.

2.0 THE PROPOSAL

- 2.1 It is proposed to introduce a mezzanine floor into Unit 2 at 393 Newmarket Road comprising an additional 412 sqm of floorspace. It is also proposed to alter the existing Section 106 Agreement relating to application ref. 18/0363/FUL which restricted the use of Unit 2, to open up the use of the unit to non-food retail sales (Class E). This is to enable occupation of the unit by a bicycle retailer and to allow for future flexibility for non-food retailers.
- 2.2 The application is accompanied by the following supporting information:
1. Design Statement
 2. Plans

3.0 SITE HISTORY

3.1 The relevant planning history identified for the site is the following:

Reference	Description	Outcome
C/93/0321	Erection of a building (2352 SQM) for retail use (Class A1) with associated new access, car parking and landscaping.	Approved
18/0363/FUL	Alteration to building and extension to provide loading bay. Reconfiguration of car park and associated landscaping. New S106 agreement to allow food retail.	Approved

4.0 PUBLICITY

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

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 2, 6 27 28, 29, 35, 36 55, 56, 57 80, 81, 82

5.2 Relevant Central Government Guidance and Supplementary Planning Documents

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)
Supplementary Planning Documents	Greater Cambridge Sustainable Design and Construction (Jan 2020)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

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

Environmental Health

- 6.2 Concerns regarding potential for uses within Class E, including E(b) and E(d) to cause adverse impacts on neighbouring residential properties in terms of noise or odours. Requests clarification on proposed uses and conditions are suggested to require noise insulation, plant information and restrictions on opening hours.

Access Officer

- 6.3 The proposed mezzanine level should be served by a lift.

7.0 REPRESENTATIONS

- 7.1 The owners/occupier of the following address has made a representation:

□ 21 Stanley Road, Cambridge

- 7.2 The representation can be summarised as follows:

“While this work is carried out, would it be possible to cut the trees back to the boundary wooden fence side? The trees are now dangerously over hanging our roof and have given us a squirrel problem. ”

- 7.3 The above is a summary of the representations that have been received and the relevant planning matters will be considered in

the assessment. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

Principle of Development

8.1 Application C/0321/93 approved a 2,353 sqm retail building at the site. The Section 106 Agreement relating to that application limited the use of the units within the building to the following goods:

- a) DIY goods including wallpaper and paint
- b) Materials for building
- c) Garden Products including pet food
- d) Furniture and carpets
- e) Electrical goods including videos
- f) Motoring and motor cycle accessories

8.2 In February 1995, a deed of variation to the S106 was agreed to allow the sales of the following goods:

- a) The bulk sale of office products, office stationery and equipment.

8.3 Permission was granted in 2019 (application ref. 18/0363/FUL) for the conversion of the adjacent Unit 1 to allow food sales from the unit and occupation by a Limited Availability Retailer (Aldi Stores Ltd.) which was implemented and is now complete. The amended S106 included a provision that should Aldi cease to use the building, the original restrictions listed above would automatically come back into force. Within the S106 for 18/0363/FUL, the above restrictions continue to apply to the neighbouring Unit 2, which is presently vacant.

8.4 This application seeks to alter the S106 agreement of 18/0363/FUL to allow Use Class E non-food retail use at Unit 2, and to install a mezzanine floor for an additional 412 sqm of floorspace. The applicant has stated that since Wickes (the previous occupant of Unit 2) left the site, the above restrictions have made it difficult to attract occupants and so the unit has remained vacant.

- 8.5 It is not proposed to alter the S106 agreement in respect of the restriction relating to the Aldi store at Unit 1.
- 8.6 Policy 6 of the Cambridge Local Plan establishes the retail hierarchy within the city, and seeks to direct retail and other main town centre uses to City, District, Local and Neighbourhood centres in line with the sequential approach set out in the National Planning Policy Framework.
- 8.7 Policy 6 states that any retail developments proposed outside of centres must be subject to a retail impact assessment, where the proposed gross floorspace is greater than 2,500 sq. m. the proposed development is not within a Centre but falls below this threshold and a retail impact assessment is not required.
- 8.8 Policy 6 also states that a retail impact assessment may be required below this threshold where a proposal could have a cumulative impact or an impact on the role or health of nearby centres within the catchment of the proposal. Given the existing retail use of the site, its close proximity to other established retail areas such as Cambridge Retail Park and the Beehive Centre, and the scale of the proposed increase in floorspace relative to the size of the existing units, it is not considered that the proposed additional floorspace would result in a significant additional adverse impact on the role or health of nearby centres.
- 8.9 Policy 6 requires that new retail development should in the first instance be directed to the centres and then located according to the sequential test set out in the NPPF.
- 8.10 As above, the site is not in a centre, and the application seeks the extension of an existing retail unit as opposed to a new retail development. Notwithstanding this, the applicant states that they have undertaken a review of potential alternative sites as per the sequential test.
- 8.11 The NPPF 2021 para 88 states that when considering out of centre retail locations, preference should be given to accessible sites which are well connected to the town centre.
- 8.12 The applicant has stated in their planning statement that the only alternative sites that would be sequentially more appropriate (being located in centres) were a former

Debenhams unit and a second vacant unit at the Grafton Centre. It is stated that at 4000sqm, the former is too large and would be better suited to an anchor tenant (as Debenhams was) who would make the maximum use of all of the available floorspace. The second vacant unit at the Grafton, at 430sqm, was considered too small to offer sufficient space for the intended occupant who is a cycle retailer.

- 8.13 It is also proposed to amend the Section 106 Agreement, as explained above. This would be achieved via a Deed of Variation
- 8.14 As a non-food retail use, the proposed use is comparable to some of the types of retail already permitted in the existing S106, in particular the sale of motoring and motorcycle accessories. The uses permitted in the existing S106 are all for sale of non-food items which are generally bulky, and this would also be the case for the proposed use.
- 8.15 It is therefore considered that the variation to include other non-food retail uses would not result in a significant adverse impact on the vitality and viability of the city centre or of retail within District, Local and Neighbourhood centres.
- 8.16 A restriction on the use of Unit 2, limiting it to non-food retail uses within Use Class E(a), would be included within the Deed of Variation to allow the LPA to retain control over the use of the site and to avoid any impacts on the vitality or viability of centres and existing nearby retail units that have not been considered under this application.
- 8.17 Such a restriction would also avoid potential impacts on residential amenity from an unrestricted Class E use, as set out in further detail elsewhere in this report.
- 8.18 Taking the above into account, the proposed mezzanine floor is considered to comply with Policy 6 and the principle of development is acceptable, and it is concluded that amending the Section 106 legal agreement would not result in a loss of vitality and viability of Cambridge Town Centre, nor to the retail hierarchy as a whole.

Context of site, design and external spaces

- 8.19 The proposed development only proposes internal modifications and would not alter the external appearance of the existing unit and so the proposed development would not result in a significant adverse impact on the character and appearance of the area or the building itself.
- 8.20 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59.

Residential Amenity

- 8.21 The Environmental Health Officer has expressed concerns that by varying the S106 to allow uses within Class E at Unit 2, there would be the potential for some uses such as E(b) and E(d) to adversely impact on residential amenity if uncontrolled.
- 8.22 Officers consider that these concerns would be addressed by imposing a restriction within the varied S106 that Unit 2 shall only be used for the retail of non-food items and for no other use within Class E(a) or Class E as a whole.
- 8.23 Environmental Health have also requested that the opening hours of Unit 2 be restricted to align with the opening hours of the Aldi store at Unit 1 to 08:00hrs – 22:00hrs Monday to Saturday and 10:00hrs – 18:00hrs on Sundays and public holidays. The opening hours and permitted delivery hours for the Aldi unit are controlled via the S106. The times advised by the Environmental Health officer are considered to be reasonable and necessary in the interests of residential amenity and would be restricted within the varied S106.
- 8.24 Environmental Health have also requested limits on the delivery times as was requested in application 18/0363/FUL, and have advised that a condition requiring assessment and mitigation prior to the installation of any plant could be added, to ensure local amenity is protected. These limits will be imposed by condition on any consent or via the amended S106 agreement, as appropriate.
- 8.25 Subject to these conditions the proposal adequately respects the residential amenity of its neighbours and the constraints of

the site and is compliant with Cambridge Local Plan (2018) policies 56 (58) and 35.

Accessibility

- 8.26 The Access Officer has requested a lift to the mezzanine level. The submitted Design and Access Statement states a lift has not been shown in the proposed plans because the proposed occupant is a bicycle retailer, and all activities such as cycle testing are available on the ground floor which has level access and disabled toilet facilities.
- 8.27 Officers note that the occupant of the building may not always be a cycle retailer and so these circumstances may change. However, Building Control Approved Document M (section 4.1) states people must have access to and use of all facilities provided in a building. As installation of a lift would take place internally and the building is not listed, installation of a lift if necessary at the Building Control stage could be accomplished without requiring planning permission.

Highway Safety

- 8.28 No objections have been received from the Local Highway Authority with regards to highway safety impacts of the proposed development
- 8.29 The proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

Car and Cycle Parking

- 8.30 As noted in the Officer report for 18/0363/FUL, the existing site contains 114 car parking spaces and the requirement for the site under Appendix L of Policy 82 is for 89 spaces.

The additional 412 sqm of non-food retail floorspace would generate a requirement for an additional 8 spaces. The proposed development would therefore still meet the above standards.

- 8.31 The proposal is compliant with Cambridge Local Plan (2018) policy 82.

Third Party Representations

- 8.32 Third party representation with regard to overhanging trees is noted, however this is not a planning matter and can be addressed outside of the planning regime.

9.0 CONCLUSION

- 9.1 In conclusion, the proposed additional floorspace would not result in a significant additional adverse impact on the role or health of nearby centres, and amending the Section 106 legal agreement would not result in a loss of vitality and viability of Cambridge Town Centre, nor to the retail hierarchy as a whole.

10.0 RECOMMENDATION: APPROVE, subject to the following conditions and completion of a Deed of Variation.

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 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).

Application Number	21/01791/FUL	Agenda Item	
Date Received	20th April 2021	Officer	Jane Rodens
Target Date	15th June 2021		
Ward	East Chesterton		
Site	Land rear of 190 Green End Road Cambridge		
Proposal	Construction of a 1 bed bungalow		
Applicant	Dama Developments Studio 5, Penn Farm, Harston Road Haslingfield Cambridge		

SUMMARY	The development accords with the Development Plan and is recommended for approval subject to conditions.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site comprises of an area of land that is accessed from Green End Road to the north-west of the site. The access to the site is between no.190 Green End Road (dwelling) and no.192 Green End Road (retail). The site abuts the boundary with the following dwellings no. 188, 186, 200, 202 and 204 Green End Road.
- 1.2 The site contains an area of unused land that contains building material, rubble and unused material.

2.0 THE PROPOSAL

- 2.1 This application is for full planning permission for the construction of a 1 bed bungalow. The bungalow is to be 3.7m in height where the building is to be partially set into the ground. The building is to be 7m wide and 7.6m long.
- 2.2 There is to be one bedroom and associated living space. There is to be an area of hard standing to the front of the site and an

amenity space to the rear. There is landscaping proposed around the site and close board fences proposed as the boundary treatments.

- 2.3 There are to be various windows and doors located around the building, they are detailed on the submitted plans.
- 2.4 The application is presented to the City Planning Committee as a representation from a third party has been received in objection of the proposed development contrary to the Officer recommendation of support.
- 2.5 The application is accompanied by:
1. Design and Access Statement
 2. Plans and elevations
- 2.6 The plans have been amended throughout the course of the application process, this is predominately to the hardstanding to the front of the site to ensure that it is not to be used for car parking.

3.0 SITE HISTORY

Reference	Description	Outcome
09/0474/FUL	Erection of 2 storey residential unit (following demolition of existing garages).	Refused
10/0304/FUL	Erection of bungalow (following demolition of existing row of garages).	Refused
11/0127/FUL	Change of use from residential ground floor flat to A2 (financial and professional services).	Refused
13/1706/FUL	Change of use from flat to office use. Demolition of existing garages and 1 x 1 bed flat to rear of site.	Permitted
20/03102/FUL	Construction of 2no. 1 bedroom studio apartments	Refused

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 32 35 36 50 51 52 55 56 57 72 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) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material
-----------------------------	---

	consideration)
Material Considerations	<u>City Wide Guidance</u> Cambridge and Milton Surface Water Management Plan (2011) Cambridge Air Quality Action Plan (2018). Greater Cambridge Sustainable Design and Construction SPD (2020) Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 The development is acceptable, subject to conditions.

Landscape Officer

6.2 No comments received

Drainage Officer

6.3 The proposals have not indicated a surface water or a foul drainage scheme however, as this is a minor development and there are no known flooding issues, it would be acceptable to obtain this information by way of conditions.

6.4 There are no additional comments to make on the revised plans.

Environmental Health

6.5 The development is acceptable, subject to conditions.

7.0 REPRESENTATIONS

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

7.2 Object: Numbers 186 (two Comments) Green End Road

- The height is not acceptable, should be lowered to that of previously allowed at 3m.
- This is of a poor design.
- The landscaping to include a conifer tree is not acceptable as this will create overshadowing, and structural damage to the neighbouring property, the boundary treatments of a mixed hedgerow, how is this to be maintained and how is it going to be joined. How is it going to get to 1.8m and will it be planted at this height?
- There would be overlooking to the rear of no.186 Green End Road and the terraced and outside space. The openings facing this property should be glazed and the top below 1.8m.
- There is no scale on the plans, the application is not an improvement on the previous submitted plans.
- Cars will cause an impact on the amenity area to no. 186 Green End Road.
- Can the rooflights be restricted to one side of the building.
- Why is there an additional bin store to the front of the property?
- Why has the bungalow been lowered into the ground level?
- What is the impact on the neighbouring properties through the demolition and the construction going to be?
- The vehicle free development should be maintained, can this be conditioned.
- The occupancy of the bungalow should be set at 2 people

7.3 Comments made on the original plans: Object: Numbers 186 and Flat 3 190A Green End Road.

- This is an overdevelopment of the site.
- The shop does not have a defined bin area
- There is no unloading and loading area for the shop and the dwelling
- The original application showed the parking and cycle parking area
- Area to the rear of no.188 is not shown on the plans
- There is not an adequate scale plan to show the large development.
- The vehicle area to the rear of the site is not acceptable as this will create a noise nuisance, also the access is not wide enough for a car.

- The original application (13/1706) showed vehicle parking, bin storage and cycle storage. As this is changing it shows it is not a sustainable location.
- The ramp is not near the vehicle access into the site.
- The block paving and the drainage is not defined therefore there might be flooding to the neighbouring properties.
- The bin store is not practical
- The Velux windows do not have a view into the garden, should also the windows not be in the flank walls.
- The windows that face towards no.186 and 188 it is recommended that they are glazed.
- There is a concern that the vehicles on the site will cause risk to life from manoeuvring errors, there will be harm to the amenity of no.186, the flats, the bins, cycle store, shop, this will be from the cars being this close.
- There will be overlooking to no. 186 from this development.
- The original application (13/1706) should not be used as a base line because this has expired.
- The parking originally shown for no.190 is not in this application from the original application.
- The following conditions should be applied to the application if this is to be approved. That there is not to be any overlooking to no.186, only one vehicle is allowed to park on the site, if the car does not have an MOT then it is not to be allowed on the site. The garden is not to be used for the storage of materials, or any work that supports a business. The boundary is to be retained, there is to be no vehicle access to the rear of the site. Pile diving should not be allowed.
- The rear space of no190A is a dwelling not an office. The access to this unit is from the access that is for this dwelling. The privacy is going to be impacted on by this dwelling, the amenity will be impacted on by the development of the site.

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

8.0 ASSESSMENT

Principle of Development

8.1 This application is proposed to erect 1no, one bed bungalow. This is proposed to be sited on land that is associated with

no.190 Green End Road. The site is currently separated from the residential curtilage and the main building of no.190 Green End Road by a fence.

- 8.2 It is not clear the current use of the land and how it serves the properties that are located in the red and blue lines that have been produced. As the application site is within the redline of the site location plan that includes the property to the front of the site no.190 Green End Road, therefore Policy 52 is to be applied to the application.
- 8.3 Policy 52 of the Cambridge Local Plan 2018 states that development in the rear gardens where it meets the criteria of the policy will be supported. This is to be considered below in the design and amenity sections of the report.
- 8.4 The application site is located in an area defined as a Neighbourhood Centre by Policy 72 of the Local Plan. As this application is not to change one of the retail units it is considered that there would be no impact on the wider Neighbourhood Centre.

Design and impact upon the character of the area

- 8.5 This application is for a bungalow set to the rear of two storey dwellings and to the rear of residential gardens where there are associated out buildings and structures that relate to their dwellings.
- 8.6 It is considered that the design of the proposed dwelling is acceptable. The proposed structure is small in its nature and will not dominate the site. The proposed dwelling is to have its own curtilage and landscaping. The proposal is to be set into the site to ensure that the height of the structure is similar to that of the neighbouring outbuildings. The height of the proposal is also to be similar to that of the permission that has been previously approved (13/1706/FUL).
- 8.7 Landscaping is proposed on the site and it is recommended that this is conditioned as part of the application to ensure that it is retained and maintained on the site prior to the occupation of the dwelling.

- 8.8 The proposed development would comply with Policies 55, 56 and 57 of the Cambridge Local Plan 2018.

Residential Amenity

- 8.9 Officers consider that the proposed development has been designed in such a way as to mitigate any significant overlooking impacts towards neighbouring properties.
- 8.10 The submitted plans show a bungalow with windows and doors that face north east towards the common boundary with no.186 Green End Road and north west towards the rear boundary with no.190 Green End Road. There are roof lights to the south east towards no.204 Green End Road.
- 8.11 It is considered that there would be no significant overlooking towards these properties as there is a boundary treatment that is to remain in place towards no's 186 Green End Road and 190 Green End Road. As this dwelling is for a bungalow there would be no views over these boundary treatments.
- 8.12 Concerns have been raised about the boundary treatments and how these are to be maintained and retained and the impact that it would have on the neighbouring property. Therefore it recommended that a condition is applied to the application to ensure that the boundary treatments are agreed prior to occupation and the landscaping is to be retained.
- 8.13 In regards of the rooflights there would be no overlooking as these are over 1.7m from the internal floor level and there would be no direct views out of them.
- 8.14 In regards of concerns regarding overshadowing and enclosure on the neighbouring properties, these impacts are considered to be minimal as the proposal is for a bungalow which, the main bulk of the proposal does not exceed the current boundary treatments. Also the proposed dwelling is set back from the boundaries of the neighbours, this includes no.186 Green End Road, where its garden is located close to the proposed dwelling.
- 8.15 In regards of the ground floor use to the rear of no.190 Green End Road. Application 21/02148/PRI03O was recommended for

refusal and therefore this is still considered to be an Office Space, however, there is application 21/02954/FUL which is for the change of use of the office space to a dwelling which is pending consideration. Therefore, at the time of consideration of this application the unit is an office space. There would be no harm between this application and the office use, there would be no direct overlooking.

8.16 The Council’s Environmental Health team has been consulted and has no objection to the proposed development subject to conditions relating to demolition/construction hours piling, demolition and construction collection, delivery hours and airborne dust. These conditions would be added to any consent granted in the interests of residential amenity.

8.17 Insofar as the impact on the amenity of neighbouring dwellings is concerned, the proposed development would comply with Policies 52, 56 and 57 of the Cambridge Local Plan 2018.

Amenity of future occupants

8.18 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 (m²)	Proposed size of unit (m²)	Difference in size (m²)
1	1	1	1	37	43	+6

8.19 Policy 50 requires the gross internal floor areas of new residential development to meet or exceed the residential space standards set out in the Government’s Technical Housing Standards. Under these standards the smallest permissible residential unit is a 1 person 1 bed unit at 37m², as the bedroom space meets the one bed one person as required by part c of policy 50. The proposed unit includes a shower rooms and so the permissible GIA can be reduced to 37m². The submitted plans show 1 bungalow with an area of 43m².

8.20 Officers consider that the site would be capable of accommodating the proposed amount of development, while complying with the floor space standards outlined above. The

proposal includes a provision of directly accessible private amenity space for each unit, which complies with Policy 50.

- 8.21 Policy 51 states that all new housing development should enable Building Regulations requirement M4 (2) 'accessible and adaptable dwellings' to be met. M4(2) requires step free access to new residential units.
- 8.22 The dwelling is set into the ground by 0.35m, to reduce the height of the proposal. Therefore, a ramp has therefore been provided to the front of the site to be able to accommodate a level access to the building. This is in accordance with Policy 51 of the Cambridge Local Plan.
- 8.23 In regards of the outlook of the future residents it is considered that this would be acceptable, and it would not overlook the amenity of the neighbouring dwellings. The dwelling is to be hard to the common boundary with south east, there are to be roof lights to facilitate these rooms, which is to be a kitchen/living/dining room and bathroom. Along the northern elevation of the dwelling there is to be a window and door, also a window on the north west elevation. This will allow an adequate level of light into the kitchen/living/dining room. For the bedroom there is to be a window on the south west elevation. This would provide an acceptable outlook and level of privacy and amenity for future occupants.
- 8.24 Overall, it is considered that for the above reasons the proposed development would result in a satisfactory standard of amenity for the future occupants of the dwelling, and would comply with Policies 50, 51 and 56 of the Cambridge Local Plan 2018 and Paragraph 130 of the NPPF 2021.

Access and Highway safety

- 8.25 During the progression of the application the parking to the front of the site has been removed from the proposal. The Local Highways Authority has commented on the original plans of the application and had no further comments to make on the subsequent plans. Therefore it is recommended that the original conditions recommended on the application are applied as they are considered to be necessary, they are for the following:

- Traffic management plan
- Fall of the driveway
- Material of the Driveway
- Relevant informatives

8.26 The Local Highway Authority has no objection to the proposals on the grounds of Highway Safety. Therefore on that basis it is considered that the application is acceptable on this matter.

Car and Bicycle Parking

8.27 This application is not providing any on site car parking as this has been removed through the progression of the application. Policy 82 of the Cambridge Local Plan 2018 states that car-free and car-capped development is acceptable in the following circumstances:

- d. where there is good, easily walkable and cyclable access to a district centre or the city centre;
- e. where there is high public transport accessibility; and
- f. where the car-free status of the development can realistically be enforced by planning obligations and/or on-street parking controls.

8.28 The application site does not fall within a controlled residents parking area however it is located within the Green End Road Neighbourhood Centre as defined by Policy NC9 of the Local Plan. There is a bus stop approximately 70m away from the site.

8.29 The site is considered to benefit from high public transport accessibility and good access to facilities, and given the small scale of the proposed unit, is not likely to result in additional on-street parking to a degree that would result in a significant adverse impact on residential amenity.

8.30 Sufficient space is set aside for cycle parking, which is shown on the submitted plans as 4no stands within a covered area;

this would satisfy the requirements of Policy 82 for 1 cycle parking space per bedroom.

- 8.31 A condition is recommended for the hard standing to the front of the site to ensure that it is not used for parking and it is to remain as a landscaped area.

Drainage

- 8.32 The Council's Drainage Officer has been consulted on this application and they have stated that the development is acceptable, subject to the below conditions:

- Surface water drainage
- Maintenance Plan

- 8.33 These conditions are considered to be acceptable. The application is therefore considered to be in conformity with policy 31 of the Local Plan.

- 8.34 Concerns have been raised by the neighbouring properties in regards of the drainage of the site, it is considered that the condition that is being recommended will ensure that there is adequate drainage on the site.

Carbon reduction and sustainable design

- 8.35 To ensure compliance with Cambridge Local Plan (2018) policies 28 and 30 and the Greater Cambridge Sustainable Design and Construction SPD 2020, conditions would be attached to any consent granted requiring submission of a Carbon Reduction Statement to meet part L of Building Regulations, and water efficiency specification, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations.

Environmental Health

- 8.36 Cambridge City Council Environmental Health have commented on the application and they have recommended the following conditions:
- Construction / Demolition Hours

- Demolition / construction collections / deliveries
- Piling
- Noise Assessment and Mitigation
- Electrical Vehicle Charge Point
- Unexpected contamination
- Relevant Informatives

8.37 It is recommended that these conditions are applied to the application, including the bespoke conditions that are being recommended by the Officers. This ensures that there is minimal harm to the amenity of the future residents of the site by the neighbouring plant and external extraction fans that are located on the neighbouring retail units. On that basis it is considered, with the inclusion of these conditions, that the application is acceptable and there would be minimal impact on the amenity of the future and the current residents of the site, the application is therefore in conformity with the following Policies 35 and 36 of the Local Plan.

9.0 CONCLUSION

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

10.0 RECOMMENDATION

10.1 Approve subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in

accordance with the approved plans as listed on this decision notice.

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

3. The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details submitted unless otherwise agreed in writing by the Local Planning Authority.

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)).

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

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.

5. Part A

Prior to the commencement of development works a noise report that includes the provisions of British Standard (BS) 4142:2014+A1:2019, Methods for rating and assessing industrial and commercial sound, which considers the impact of noise upon the proposed development shall be submitted in writing for consideration by the local planning authority.

Part B

Following the submission of a noise report and prior to the commencement of refurbishment/ development works, a noise insulation scheme 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) for protecting the residential units from noise from the neighbouring industrial use shall be submitted to and approved in writing by the local planning authority.

The scheme as approved shall be fully implemented before the

use hereby permitted is commenced and prior to occupation of the residential units and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area Cambridge Local Plan 2018 policy 35

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

Reason: in the interests of highway safety

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 publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

8. The development, hereby permitted, shall not be occupied or used until the approved approach to meet a 19% reduction in carbon emissions compared to Part L 2013 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

9. 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.

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. 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).

12. 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)

13. If unexpected land contamination is encountered during the development works, 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 Phase 3 Remediation Strategy shall be implemented in full.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 20018 Policy 33

14. The proposed driveway be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Reason: for the safe and effective operation of the highway

15. The proposed drive be constructed using a bound material for at least the first 5m into the site from the boundary of the adopted public highway to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety

16. The area shown as red brick paving is not to be used for the parking of vehicles at any time.

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

17. 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) hard surfacing materials, refuse or other storage units;

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;

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected, including gaps for hedgehogs

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.

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

18. 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).

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. 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).

INFORMATIVES

1. Plant noise insulation informative
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.

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

2. Traffic Management Plan: notes for guidance

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

1. Site Plan

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

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

2. Movement and control of muck away and delivery vehicles

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

ii. If it is not possible to deliver on site or turn within the same, then details of how such deliveries will be controlled will need to be included, for example if delivering to the site while parked on the adopted public highway how will pedestrian, cycle and

motor vehicle traffic be controlled?

iii. Delivery times. If the site is served off a main route though the county (and this does not necessarily need to be a A or B class road), or other areas of particular traffic sensitivity (a list of traffic sensitive streets can be requested from the Street Works Team at Streetworks@Cambridgeshire.gov.uk) then delivery and muck away times will need to be restricted to 09.30-16.00hrs Monday to Friday.

iv. If the site is in the vicinity of a school then the applicant should ascertain from the school when their opening/closing times are and tailor the delivery/muck away movements to avoid these. The Highway Authority would suggest that allowing at least 30 minutes either side of the open/closing times will generally ensure that the conflicts between school traffic and site traffic are kept to the minimum.

v. The Highway Authority would seek that any access used by vehicles associated with the site be paved with a bound material (for at least 15m for larger sites) into the site from the boundary of the adopted public highway (please note this is not generally the edge of carriageway), to reduce the likelihood of debris entering the public highway.

vi. Any temporary gates used for site security must be set back at least 15m from the boundary of the adopted public highway to enable a delivery/muck away vehicle to wait wholly off the adopted public highway while the gates are opened and closed, or they must remain open throughout the entire working day.

vii. Normally access to the site should be 5m in width for smaller sites and 6.5m for larger sites, though it is recognised that this may not be practical for small scale developments of one or two units.

3. Contractor parking:

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

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

iii. If the site has no potential to provided off street car parking

and or only limited numbers the applicant must provide details of how on street parking will be controlled.

iv. If contractor parking is to be on street the applicant must maintain a daily register of contractor (and sub-contractor vehicles) that are parked on street, so if any such vehicle does create a problem, it can quickly be removed by the owner/controller. At a minimum the register should contain the following:

- a. The name of the driver
- b. The registration number of the vehicle
- c. Make of vehicle
- d. Arrival time
- e. Departure time

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

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

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

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

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

3. Fire Tender Informative

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.

4. Informatives

1 The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise

abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level.

To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features. In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactory and any defects remedied to ensure that the noise levels do not increase over time.

5. Cambridge City Council recommends the use of low NO_x boilers i.e. appliances that meet a dry NO_x 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)