



Cambridge City Council

Planning

Date: Wednesday, 28 April 2021

Time: 10.00 am

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

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

Agenda

1 Order of Agenda

This meeting is the continuation of the adjourned Planning Committee of Wednesday 21 April 2021.

There may be a thirty minute lunch break part way through the meeting if required.

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

Part 2: Minor/Other Planning Applications

- | | | |
|---|---|-------------------|
| 4 | 20/02504/S73 - Varsity Hotel and Spa, 24 Thompsons Lane | (Pages 7 - 20) |
| 5 | 20/03838/FUL - 38 High Street, Chesterton | (Pages 21 - 48) |
| 6 | 20/04303/S73 - 1 Grosvenor Court | (Pages 49 - 62) |
| 7 | 20/00190/FUL - 44 George Street | (Pages 63 - 86) |
| 8 | 20/04824/FUL - 130 Queen Ediths Way | (Pages 87 - 110) |
| 9 | 20/03704/FUL - Land adjacent 1 Lovers Walk | (Pages 111 - 130) |

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

Alternates: Bird and Herbert

Information for the public

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

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

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

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

Appendix 1 – Planning Policies and Guidance

(Updated September 2020)

1.0 Central Government Advice

1.1 National Planning Policy Framework (NPPF) February 2019 – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

1.2 Planning Practice Guidance (NPPG)

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

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

Planning Obligations

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

Paragraph 122 Places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

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

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

2.0 Development Plans

2.1 The Cambridgeshire and Peterborough Minerals and Waste Plan 2011

2.2 Cambridge Local Plan 2018

3.0 Supplementary Planning Documents

3.1 Sustainable Design and Construction 2020

3.2 Cambridge Flood and Water 2018

3.3 Affordable Housing 2008

3.4 Planning Obligations Strategy 2004

Development Frameworks and Briefs

3.5 The New Museums Site Development Framework (March 2016)

3.6 Ridgeons site Planning and Development Brief (July 2016)

3.7 Mitcham's Corner Development Framework (January 2017)

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

3.9 Land North of Cherry Hinton (February 2018)

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

4.0 Use Classes

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

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

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Application Number	20/02504/S73	Agenda Item	
Date Received	26th May 2020	Officer	Aaron Coe
Target Date	21st July 2020		
Ward	Market		
Site	The Varsity Hotel And Spa, 24 Thompsons Lane		
Proposal	Removal of condition 2 (vehicle parking) of planning permission 08/1610/FUL		
Applicant	Mr William Davies The Varsity Hotel Thompsons Lane		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed loss of the disabled car parking space subject to the conditions which retain the ability for taxis to enter and leave the site in forward gear and the provision of a valet car parking service for disabled guests is not considered to result in an adverse impact on the highway network or the accessibility arrangements for disabled visitors.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is The Varsity Hotel which consists of a seven-storey building which was originally erected as a residential block following approval by Planning Committee under application reference C/03/0808/FP, with a modified design subsequently approved under 04/1270/FUL and then a change of use (other than the uppermost floor of the building) from residential (C3) to hotel accommodation (C1) which was granted permission under application reference 08/1610/FUL. Permission was subsequently granted under 09/0447/FUL for change of use of the top floor from residential to hotel.

- 1.2 The Glassworks gym and its associated restaurant occupy a converted warehouse building which adjoins the application building to the north. Other than this, the area to the north, east and south of the site is predominantly in residential use consisting of nineteenth century and early twentieth century terraced houses. On the opposite side of Thompson's Lane there is student accommodation and to the south-west and west are the relatively modern buildings of the Quayside development, in a mixture of residential and commercial uses.
- 1.3 Thompson's Lane itself, which runs along the eastern side of the application site, is a narrow street. The carriageway width in front of the application site is 4.5m.
- 1.4 The site falls within the Central Conservation Area and is within the controlled parking zone (CPZ).

2.0 THE PROPOSAL

- 2.1 The application seeks to remove Condition 2 from the permission granted under 08/1610/FUL. The wording of that condition is as follows:

The use hereby permitted shall not commence until details of a layout for the car parking area which will allow taxis to turn, enabling them to both enter and leave the site in forward gear, and which makes clearly marked provision for a disabled parking space, have been submitted to and approved in writing by the local planning authority. The approved layout shall be implemented before occupation, and shall thereafter be maintained, free of any obstruction, including parked vehicles, except with the express permission of the local planning authority.

Reason: To avoid obstruction to traffic in Thompson's Lane and in the interest of highway safety. (Cambridge Local Plan (2006) policy 8/2)

- 2.2 The application is accompanied by the following supporting information:
 1. Application form
 2. Site Photos
 3. Transport Note

2.3 The accompanying information explains it is proposed to remove the condition for the following reasons:

1. Cars parked in this space have, following a fire risk assessment, been deemed to constitute an ignition risk directly next to one of two main escape routes; and to impede access to the dry riser in the ground floor undercroft.
2. The spaces have only been used 3 times in 10 years as drivers have found it difficult to navigate into the space.
3. Due to these difficulties, disabled drivers have tended to use the hotel's valet parking service

3.0 SITE HISTORY

Reference	Description	Outcome
03/0412/FP	Erection of residential block containing 19 apartments and 9 live/work units	Withdrawn
03/0808/FP	Erection of residential block containing 19 apartments	Permitted
04/1270/FUL	Erection of residential block containing 19 apartments (amendments to elevations of scheme approved under 03/0808)	Permitted
08/1610/FUL	Change of use from residential to hotel, with two residential units on the top floor	Permitted
11/0240/FUL	Installation of acoustic baffle to boundary wall and smoking shelter.	Permitted
12/0933/FUL	External works including the installation and modification to doors and windows (following demolition of existing out-buildings)	Permitted
09/0344/S73	Variation of Condition of 08/0161/FUL to allow the possibility of a restaurant	Refused- Appeal Allowed (17.02.2010)
09/0447/FUL	Change of use of top floor	

	from residential to hotel	Permitted.
09/0498/S73	Variation of Condition 3 of planning permission 08/1610/FUL to allow the possibility of a restaurant.	Refused.
09/0775/S73	Variation of condition 3 to allow restaurant use	Permitted (02.10.2009)
14/0499/S73	Variation of condition 2 to Replace on-site disabled car parking with valet parking for disabled guests.	Refused.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Cambridge Local Plan 2018

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 28 31 32 33 34 35 36 56 61 77 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards
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	Circular 11/95 (Annex A)
Relevant SPDs	Greater Cambridge Sustainable Design and Construction (Jan 2020)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

As submitted

- 6.1 The Highway Authority requests that condition 2 is not removed. While accepting that the fire risk in the undercroft car park may be significant, the width of carriageway in Thompsons Lane is not wide enough to enable a delivery vehicle to pass a domestic vehicle (see Manual for Streets Vol. 1 figure 7.1). It must also be recalled that these dimensions are based on data taken from Design Bulletin 32 which was first published in 1977, motor vehicles have become wider since then. This lack of width will encourage drivers to mount the footway to pass a parked car which would be to the detriment of pedestrian safety. The Highway Authority would have no objection to the removal of the car parking alone as long as the ability for a taxi to enter and leave in a forward gear is retained.

As Amended

- 6.2 Following the submission of the Transport Note dated 6th January 2021 which states in paragraph 2.6 that the ability for taxis to enter and leave the site in a forward gear will remain, the Highway Authority removes its request that Condition 2 of 08/1610/FUL not be removed. Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that the area within the hotel site use for the turning of taxis enabling such vehicles to enter and leave in a forward gear shall be used solely for that purpose. Reason: The safe and effective operation of the highway.

Access Officer

- 6.3 Onsite parking is preferred but I cannot challenge the view of a fire safety report. Valet parking has to be offered. I cannot see

that valet parking would have any major impact on traffic passing the hotel. Mainly because this will not be frequent and should be managed efficiently so that the parking time is limited and given the area has no through traffic.

Environmental Health

6.4 No objection.

City Council Conservation team

6.5 No heritage implications

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

7.0 REPRESENTATIONS

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

- The Officers Mess Business Centre, Royston Road, Duxford on behalf of Beaufort Place Ltd
- The Old Vicarage, Thompsons Lane
- 1 Clifton Road
- 7 Park Parade
- 27 Portugal Place
- 18 Park Parade
- 24 Park Parade
- 10 Park Parade
- 28 Portugal Place
- 11 Park Parade
- 24 Portugal Place
- 23 Portugal Place

7.2 The representations can be summarised as follows:

- Previous application to replace the disabled parking space with free valet parking (ref 14/0499/S73) was refused on disability discrimination and highway safety grounds. The current application now seeks to remove both the disabled parking space and taxi drop-off bays within the undercroft of the hotel. This would exacerbate existing issues in the area.

- Increased parking in and around the Varsity and blockage of the road with traffic outside the entrance to the site.
- The rationale for the original condition has not changed.
- Fire risk is not a valid reason for the removal of the condition which has been created by the design of the hotel.
- Other conditions have already been amended or removed in relation to this site which undermines the public trust in the planning process
- Narrowness of the highway and lack of space generally causes problems with deliveries and site servicing
- Taxis, Delivery Vehicles and Hotel Customers are constantly breaking the law by stopping in front of the hotel on double yellow lines.
- Dangerous arrangement for pedestrians and cyclists.
- The undercroft has never been used for disabled parking nor has it been used for taxi drop off or pick up.

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

8.0 ASSESSMENT

Principle of Development

- 8.1 Policy 82 (parking management) states that developments should provide at least the disabled and inclusive parking requirements set out in Appendix L. Appendix L states 'where there are rooms specifically designed for disabled people, parking for disabled people of at least 1 space for each room so designed should be provided'. As set out under the Equality Act, it is the responsibility of site occupiers to ensure that adequate provision is made for the needs of disabled people.
- 8.2 The application seeks the removal of condition 2 which involves the loss of the allocated disabled car parking space approved under application reference 08/1610/FUL. The reason for the proposed removal of this disabled car parking space is fire safety issues associated with its location within the undercroft. A fire safety assessment was carried out before the lockdown and has been submitted to support the application. This was completed by a fire prevention officer and advises that cars should not be parked within the undercroft for any period of time as it is a source of ignition directly adjacent to one of two main

fire escape routes out of the hotel. The location of the parking space also obstructs/ impedes fire fighter access to the dry rising main inlet.

- 8.3 As approved within the Travel Plan associated with the original hotel permission the provision of a valet parking service is offered by the Varsity Hotel. This service involves guests agreeing to an arrival time with the hotel to ensure there is sufficient staff on hand to provide this service. The submitted Transport Statement confirms this service has been in place for over 10 years and has been the preferred option for disabled guests visiting the site.
- 8.4 It is acknowledged the principle of the loss of the allocated disabled car parking space is contrary to policy 82. Due to the site constraints within this city centre location, fire safety matters set out in the risk assessment and the provision of a valet service for disabled guests, on balance the loss of the allocated disabled car parking space is considered acceptable in this instance.

Highways Safety

- 8.5 As submitted the County Council Highways engineer raised concern over the loss of the undercroft due to the narrow width of the carriageway along Thompsons Lane and the impact of drivers mounting the footway to pass a parked car. However, during the course of the application the applicants submitted a transport note confirming that the ability for a taxi to enter and leave the site in forward gear will be retained. This has resulted in their original objection being withdrawn subject to a further condition which ensures that the manoeuvring space within the undercroft is retained. Officers support the inclusion of this condition as it is considered reasonable and necessary.
- 8.6 There are no loading and unloading restrictions along Thompsons Lane which means that deliveries to properties and the unloading of vehicles including those associated with residents can take place along its lengths. In this instance the level of disruption to the highway caused by a vehicle pulling up and waiting for the valet parking service is considered to be unlikely to cause any further disruption than the use of the undercroft car parking space (which involves the guest leaving their vehicle to contact a member of staff at reception to open

the gates to the undercroft before manoeuvring into the space) or the delivery of goods to properties along Thompsons Lane. Moreover, within a previous appeal decision relating to the provision of a restaurant on the site, the 4.5m carriageway with footways on both sides was considered to be 'sufficient to allow most small or medium sized commercial vehicles to load or unload on the kerbside without causing undue difficulty'. On balance the loss of the disabled car parking space is not considered to result in additional adverse impacts on the highway network than the existing arrangements. The proposals are considered to be in accordance with Cambridge Local Plan 2018 policy 81.

Access matters

- 8.7 Cambridge City Council's Access Officer has been consulted and provided comments on the proposed loss of the disabled car parking space. Whilst the preferred option would be for a disabled car parking space to be retained on site, given the evidence provided in the form of a risk assessment which identifies the fire safety issues arising from the current arrangement it is considered that on balance the loss of the disabled car parking space would be acceptable subject to the continued offering of a valet parking service to disabled guests. An additional condition which ensures the valet parking service for disabled guests is retained for the lifetime of the development is considered reasonable and necessary.

Other matters

- 8.8 Application reference 14/0499/S73 was refused by Cambridge City Council under delegated powers on 28th May 2014 for the following two reasons:

1) Valet parking for disabled users would be inconvenient and unsuitable for such users, and would show lack of consideration for them, contrary to policies 3/7 and 6/3 of the Cambridge Local Plan 2006.

2) The use of valet parking for disabled users would be likely to lead to vehicles waiting on the carriageway or the footway in Thompson's Lane, causing an obstruction to traffic, a hazard to

highway safety, especially for cyclists and pedestrians, and noise and disturbance to residents, contrary to policies 3/4, 3/7/4/13 and 8/2 of the Cambridge Local Plan 2006.

8.9 In respect of refusal reason one above, it is considered that from the evidence provided by the applicant in relation to the fire safety issues associated with the location of the allocated space it would be unreasonable and unsafe to insist that the disabled car parking space is retained. Officers maintain the view that disabled guests using valet car parking service rather than an on-site car parking space remains to be an inconvenience. However, given the conclusions of the fire safety audit that has been submitted it is considered necessary to give significant weight to this issue and it is considered appropriate for alternative solutions to be considered. Given this change in circumstance since the previous refusal, and the need to address fire risks becoming much more heightened since the Grenfell disaster, it is considered appropriate to depart from this previous reason for refusal in this instance.

8.10 The second reason for refusal listed above refers to the inconvenience to residents/highway safety caused by vehicles parked up on the pavement waiting to be valet-parked. As set out in paragraph 8.6 above, due to the infrequency of the use of this service and the level of disruption caused by vehicles attempting to manoeuvre into the undercroft space on balance the proposal is not considered to result in additional adverse impacts on the highway network than the existing arrangements and the proposals are considered to be in accordance with Cambridge Local Plan 2018 policy 81.

9.0 CONCLUSION

9.1 Overall, the proposed loss of the disabled car parking space subject to the conditions which retain the ability for taxis to enter and leave the site in forward gear and the provision of a valet car parking service for disabled guests is not considered to result in an adverse impact on the highway network or the accessibility arrangements for disabled visitors.

10.0 Recommendation

10.1 Approval subject to conditions.

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan 792/06, Ground Floor 792/H/20, 1st Floor 792/H21, 2nd Floor 792/H/22, 3rd Floor 792/H/23, 4th Floor 792/H24, 5th Floor 792/H/25.

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

2. The area within the hotel site available for visitor drop off shall be retained throughout the lifetime of the development to enable vehicles to enter and leave the site in forward gear. The area shall be used solely for that purpose and shall not be used for the parking of cars.

Reason: To avoid obstruction to traffic in Thompson`s Lane and in the interest of highway safety, and to ensure the area is retained free of obstruction for fire safety reasons. (Cambridge Local Plan 2018 policy 81).

3. The hotel use hereby permitted shall not include a cafe or a bar except with the express permission of the Local Planning Authority.

Reason: The incorporation of such activities would generate a different pattern of activity from the hotel operation proposed in the application and attached drawings, whose impact on neighbour amenity would require testing through the planning application process (Cambridge Local Plan 2018 Policy 35)

4. No person shall be permitted to occupy accommodation in the hotel hereby permitted for a continuous period of more than 13 weeks. The operators of the hotel shall make reservation and occupancy records available to the local planning authority on request, in order to demonstrate the observance of this condition.

Reason: To ensure that the hotel contributes fully to satisfying the need for short-stay visitor accommodation. (Cambridge Local Plan 2018 policy 77).

5. The hotel shall continue to offer a valet parking service for all disabled guests throughout the lifetime of the development.

Reason: To secure the provision of an adequate car parking service to meet the needs of disabled visitors. (Cambridge Local Plan 2018 policy 82).

6. The hotel hereby permitted shall not be occupied until details of the internal configuration of at least three of the rooms in order to confirm with Visit Britain Stars standards of accessibility have been submitted to and approved in writing by the local planning authority. The room layouts so approved shall be implemented before occupation of any rooms in the hotel and shall be maintained thereafter except with the express permission of the local planning authority.

Reason: To ensure adequate provision for disabled visitors (Cambridge Local Plan 2018 Policy 77)

7. The hotel hereby approved shall not be occupied until full details of the sizes and locations of storage containers for waste and recycling and the arrangements for collection have been submitted to and approved in writing by the local planning authority. The provision so approved shall be implemented before occupation of any rooms in the hotel and shall be maintained thereafter except with the express permission of the local planning authority.

Reason: To ensure adequate provision for waste and recycling (Cambridge Local Plan 2018 Policy 57)

8. The hotel use hereby approved shall not commence until details of provision for parking cycles which meets the requirements of the cycle parking standards in the local plan have been submitted to and approved in writing by the local planning authority. The approved provision shall be implemented (including the fixing of approved hoops or stands) before the hotel use commences and shall be maintained thereafter without obstruction except with the express permission of the local planning authority.

Reason: To ensure adequate cycle parking (Cambridge Local Plan 2018 Policy 82)

9. The noise insulation scheme approved by the local planning authority in accordance with the conditions attached to C/03/0808/FP, or an alternative noise insulation scheme approved in writing by the local planning authority, shall not be altered except with the prior written permission of the local planning authority.

Reason: To protect the future occupants of the building from the high ambient noise levels in the area. (Cambridge Local Plan 2018 Policy 35).

10. No restaurant use shall be brought into use, as part of the development hereby permitted, until equipment for extraction of cooking fumes and odours has been installed, in accordance with details to be submitted to and approved in writing by the local planning authority. The extraction equipment shall thereafter be used and maintained at all times in accordance with the manufacturers' instructions.
11. The conditions associated with planning permissions 08/1610/FUL and 09/0344/S73 shall continue to apply to this consent. Where such conditions pertaining to application references 08/1610/FUL and 09/0344/S73 have been discharged, the development shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

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Application Number	20/03838/FUL	Agenda Item	
Date Received	15th September 2020	Officer	Luke Waddington
Target Date	10th November 2020		
Ward	East Chesterton		
Site	38 High Street		
Proposal	Demolition of existing house and the erection of 3 No. dwellings		
Applicant	Mr Barham c/o Agent 96 King Street Cambridge CB1 1LN		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - It would sustain the character of the Chesterton Conservation Area and adjacent Buildings of Local Interest - It would not result in a significant adverse impact upon the residential amenity of neighbouring dwellings - It would not adversely impact highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a detached two storey residential dwelling at number 38 High Street Chesterton. The site is laid to hard standing at the front, with much of the rear garden area occupied by buildings and extensions to the existing dwelling.
- 1.2 The site is within the Conservation Area and is adjacent to two Buildings of Local Interest; Bells Corn Depot is located across Chesterton High Street and number 42-46 High Street

Chesterton is located directly to the west of the application site. 25 and 27 High Street Chesterton is a Grade II Listed Building and is sited approximately 40 metres to the west of the site. The site is not within a controlled parking zone.

- 1.3 Flats at Alan Percival Court are located to the rear/east of the site, these are accessed from Chesterton Road via an access to the north east of the site. Numbers 20, 22 and 22A High Street are located to the south west of the site.

2.0 THE PROPOSAL

- 2.1 It is proposed to demolish the existing dwelling and to erect a terrace of 3x 2.5 storey dwellings, comprising of 1x 2 bed dwelling and 2x 3 bed dwellings. The two dwellings would be spread over 3 floors with rear dormers facing south east. Each dwelling would have a rear garden and the site would be accessed from Chesterton Road. Two car parking spaces are proposed. The dwellings would be of a contemporary appearance and would use buff brick and slate for the external materials.
- 2.2 The proposed development has been amended during the life of the application, with the amendments removing a third bedroom and projecting rear element from plot 3 to reduce its size to a 2 bed unit. The size of the single storey rear elements of plots 1 and 2 was also reduced to increase available garden space at the rear.
- 2.3 The present application follows 19/0760/FUL which was appealed for non-determination. The appeal was dismissed on the grounds of the adverse impact upon neighbouring dwellings 22 and 22A High Street in terms of overbearing impact and loss of light. It was also refused as the proposed gardens were too small to provide sufficient amenity space for the proposed 3 bedroom dwellings.

3.0 SITE HISTORY

Reference	Description	Outcome
19/0760/FUL	Erection of 3No. dwellings following demolition of existing house.	Refused, Appeal dismissed

A copy of the Inspector's Decision letter in relation to the appeal is attached.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 27 28 29 31 32 35 36 50 51 52 55 56 57 61 62 69 70 80 81 82

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

Central Government Guidance	National Planning Policy Framework July 2018 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A) Technical housing standards – nationally
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	described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
<p>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</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>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objections subject to conditions. The proposal is for three dwelling and only two off street car parking spaces are proposed, the 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 additional demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Comments on amended plans: Unchanged from above

Environmental Health

- 6.2 No objections subject to conditions for construction hours, collection during construction, piling dust condition, low Nitrous oxides boilers and Electric Vehicle charging points

Comments on amended plans: Unchanged from above

Urban Design and Conservation Team

- 6.3 Conservation Officer: This site falls within the Chesterton conservation area.

A previous application for this site was the subject of an appeal in 2019 and was refused on amenity issues. The inspector did not consider that the proposal would harm the character of the conservation area but would make a neutral contribution.

The existing house is located well back from the road in the middle of the site, opposite the former Maltings and next to No's 40-45 High Street both of which are Buildings of Local Interest.

The High Street contains remnants of the historical route through the former village of Chesterton. It has a handful of older houses interspersed amongst significant later development which has eroded its character. As a result, the townscape is rather fragmented with no overall building line and little consistency in materials or detailing.

Generally, the older buildings tend to front the High Street and are located on the back of the footpath or behind small front gardens. Most of the modern buildings are set further back within their gardens and do not have much of a street presence.

This proposal is to demolish the existing 60s/70s house and replace it with a terrace of three at 2 and a half storeys. The terrace is of the same height, mass and design as the 2019 proposal and will be in buff brick with a slate roof. The large bay windows were previously in zinc (in the refused application) but have been changed to reconstituted stone which will lessen their impact on the street scene. This new application has moved the terrace forward to increase the size of the rear gardens but the frontage is still devoted to parking for three cars.

There are no objections in conservation terms to the demolition of the existing house which as one of the modern infills does not enhance the character of the conservation area. It is a potentially positive move to reintroduce a terraced built form here as it could complement the existing BLI 19th century terrace alongside. Bringing the terrace forward has improved its relationship to the street and a brick wall has been introduced to the frontage which is positive however it is only 600mm high which would not help to screen the parking effectively. A taller wall and additional planting to the front would help to soften the parking and create some further amenity in the street.

The terrace is still proposed at 2 and a half storeys which is half a storey taller than the buildings on this side of the road. This is higher than the BLI terrace and No 36 but given that the buildings are set back and at an angle this height difference will more than likely not be appreciated when viewed from the street.

Taking the above into account, I consider that the proposal will have a neutral effect on the character or appearance of the conservation area.

The proposals will comply with Local Plan policies 55, 57 and 61.

With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 193 would apply.

Comments on amended plans: There are no further conservation comments to make in response to these amendments.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.4 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.

Comments on amended plans: Unchanged from above

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

7.0 REPRESENTATIONS

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

89 King Street, 3, 4, 8, 16 Alan Percival Court, 1, 4 The Maltings 41 High Street Chesterton (x2), 20 High Street, Cambridge Past, Present & Future Wandlebury Country Park Cambridge

- 7.2 The representations can be summarised as follows:

- Overlooking of flats at Alan Percival Court
- 5m hedge is not in place as shown on plans to, what screening will be put in place
- Increase in traffic

- Proposed 5m high hedging will reduce outlook and light for flats at Alan Percival Court particularly at ground floor
- Building work should be done at considerate hours
- Concerns regarding dust generated and impact on adjacent residents
- Two parking spaces insufficient for 3 dwellings and likely to result in on street parking
- Urbanisation of streetscape
- Cramped parking and bin storage
- Concerns over light and ventilation for loft rooms

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. Carbon reduction and sustainable design
4. Water management and flood risk
5. Noise, vibration, air quality, odour and dust
6. Inclusive access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking

Principle of Development

8.2 The application proposes to subdivide the single residential plot to provide three dwellings. As a result Policy 52 applies. This policy states that subdivision of an existing residential plot will only be permitted where;

- a) the form, height and layout is appropriate to the surrounding character,
- b) there is sufficient garden space for the proposed and retained dwellings and any important trees are retained,

- c) the privacy of the new and neighbouring dwellings are respected,
- d) adequate amenity space, vehicular access and parking arrangements are available for the new and retained dwellings and
- e) there is no detrimental effect on the potential comprehensive development of the wider area.

8.3 The principle of the development is acceptable, for the reasons set out in further detail within this report.

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

8.4 The application site is within the Chesterton Conservation Area and within the setting of Buildings of Local Interest (BLI) and a Grade II Listed Building.

8.5 With regard to the previously refused application, the inspector stated that the significance of the Conservation Area (CA) “is, in part, derived from the presence of traditionally designed dwellings generally arranged in a linear pattern in close proximity to the street. Whilst a number of newer buildings reflect this character, there are some exceptions, including the appeal site. Therefore, whilst the appeal proposal would be set back from the highway, this would not result in harm to the character and appearance of the CA as it would replace a building that is similarly set back from the highway edge. In consequence, the development would maintain the character of the CA.]”

8.6 Although the current proposal has been moved slightly closer to the highway than the refused proposal, it is still visibly set back from Chesterton High Street and is very similar to the refused application in terms of its scale, bulk, design and materials. As such the comments of the Inspector remain relevant to the current application.

8.7 As noted by the Conservation Officer, the introduction of modern developments within the High Street has resulted in a character that is rather fragmented with no strongly established building line and little consistency in materials or detailing. The existing dwelling is not considered to contribute significantly to

the character of the Conservation Area and its demolition is acceptable.

- 8.8 In terms of its scale, the proposed terrace would be 2.5 storeys, half a storey taller than the buildings on this side of the High Street including the BLI terrace. However, the proposed terrace would be set back further than the adjacent dwellings, and so it is considered that this height difference will not be overly evident or obtrusive when viewed from the street. The proposed terraced form relates to the existing BLI 19th century terrace alongside the application site.
- 8.9 The contemporary appearance of the dwellings is considered to be acceptable. As noted previously there are several more modern buildings and dwellings within the close vicinity of the site, and as such there is no strongly historic character, with dwellings close to the application site exhibiting a mix of ages, materials and detailing. The bay windows at the front of the dwellings are to be finished in stone which would be more in keeping and less obtrusive than the zinc finish as proposed within the refused application.
- 8.10 As such it is considered that the proposed development would not result in a significant adverse impact upon the character of the Conservation area or the settings of the BLI and Grade II Listed Building and would preserve the significance of these designated heritage assets. This would be subject to conditions requiring samples of materials and details of hard and soft landscaping, to ensure appropriate detailing and so that the proposed development is assimilated into its surroundings.
- 8.11 The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57, 60 and 62

Carbon reduction and sustainable design

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

Integrated water management and flood risk

- 8.13 Subject to the imposition of conditions requiring submission of a surface and foul water drainage strategy as requested by the Sustainable Drainage Officer, the proposed development is considered acceptable in terms of water management and flood risk. A condition would also be attached to any consent granted, to ensure that all flat roofs are green/brown roofs, in accordance with Cambridge Local Plan (2018) policies 31 and 32.

Air quality, noise, vibration, odour and dust

- 8.14 The Council's Environmental Health Officer has recommended conditions in respect of hours of construction, delivery, piling and dust control.
- 8.15 The proposed plans show Electric Vehicle charging points for both parking spaces. In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, a condition would be imposed on any consent granted requiring the provision of an EV charging point, as shown on the submitted plans and requested by Environmental Health.
- 8.16 Subject to the recommended conditions, the applicants have suitably addressed the issues of air quality, noise, construction vibration and dust and the proposal is in accordance with Cambridge Local Plan (2018) policies 34, 35, 36.

Inclusive access

- 8.17 The development has been assessed for compliance with Policy 51 in relation to all the new units. The Design and Access Statement states the development will comply with the requirements of Part M4 (2) of the Building Regulations. A condition will be imposed upon any consent granted to secure this requirement in compliance with Policy 51 of the Cambridge Local Plan 2018.

Residential Amenity

Relationship with adjacent dwellings

- 8.18 Adjoining the site is 22 High Street, which faces the highway albeit, set further forward than the existing dwelling. To the rear of No. 22 is an additional dwelling (22A), which is orientated differently in that its rear elevation faces the side elevation of the application site. No.22 has a narrow garden running alongside the south western boundary of the application site.
- 8.19 Within the previous refused application, the proposed units were situated alongside this garden, with a large amount of the proposed dwellings alongside the garden at full height. Unit 3 had a projecting single storey element that would have projected even further alongside the garden boundary (approximately 9 metres past the rear elevation of 22) so that approximately two thirds of the garden of 22 would have been enclosed by the new dwellings. This massing would also have been perceptible from the rear windows of 22A. The appeal was dismissed 19/0760/FUL due to this projection causing an overbearing impact and loss of outlook to 22 and 22A.
- 8.20 Within the present application, one of the car parking spaces at the front of the site has been removed allowing the building line to be brought forwards, so that unit 3 now projects approximately 2 metres past the rear elevation of no.22. The single storey element has been removed entirely for unit 3. This is considered to remove the sense of enclosure that would have resulted from the previous proposal, and the distance of the proposed dwellings from the rear elevation of 22A has doubled from approximately 5 metres to 10 metres. As such the proposed development is now considered to be acceptable in terms of its impact on numbers 22 and 22A.
- 8.21 With regards to impacts upon the residential amenity of Alan Percival Court, the Council's Statement of Case in respect of the appeal for 19/0760/FUL stated that there is approximately a 14 metre separation from the rear first floor windows of the existing dwelling at 38 High Street Chesterton and the first floor habitable rooms of flats within Alan Percival Court with a mature hedgerow obscuring views. The proposal involves introducing a 15.5 metre separation between the first floor window and second floor (dormer) windows whilst retaining the hedge on the

south east boundary of the site. It is therefore considered the proposed development would not result in additional harm on the residential amenity of these properties

- 8.22 The Inspector did not raise any concerns with regards to the impacts upon the residents of the flats at Alan Percival Court, and noted that “by reason of the layout of the proposed building, its position and the boundary treatments, the development would not lead to a significant effect upon the occupiers of Alan Percival Court.]
- 8.23 The current application is very similar to that proposed in 19/0760/FUL, in terms of its proximity, scale and positions of windows and proposed boundary treatment. The main difference is the removal of the second floor dormer window for unit 3. As such, having regard to the appeal decision, it is not considered that the proposed development would result in a significant adverse impact upon Alan Percival Court in terms of residential amenity.
- 8.24 The proposal involves bringing the building line forward so that the front elevation of the property is approximately halfway alongside the side elevation of No. 42 High Street. This is an HMO property with a lightwell and basement located at the rear. Given that there is already a two storey unit located to the south of No. 42 and the proposal maintains a 5 metres separation (which serves an access road to the car parking court) the additional harm of bringing the building line forward is not considered to be significant enough to warrant the refusal of the application.
- 8.25 As existing there are no windows on the north east elevation of No 38 High Street. The proposal involves introducing windows to serve two en-suite bathrooms. It is considered the addition of these windows would not result in any harm on the residential amenity of No’s 42-46 High Street subject to an obscure glazing condition.
- 8.26 In order to preserve the residential amenity of neighboring occupiers, permitted development rights in respect of outbuildings, extension and alteration to the roofs for the new dwelling houses will be removed by condition.

8.27 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 52, 55 and 56.

Amenity for future occupiers of the site

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

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	3	6	3	108	109	+1
2	3	6	3	108	109	+1
3	2	4	2	79	84	+5

Size of external amenity space:

8.29 In the appeal decision for 19/0760/FUL, the Inspector stated that “Owing to the scale of the proposed dwellings, there is an increased likelihood that they would be occupied by families, or larger households. Owing to these circumstances, the amount of private recreation space provided to the rear of the site would not provide a sufficiently proportioned area for the carrying out of the full spectrum of recreation activities by all occupiers of the proposed dwellings, including outdoor play.]

8.30 The present application proposes external amenity areas as follows: Unit 1 = 45m², Unit 2 = 40m², Unit 3 = 44m². These areas exclude the footprint of the proposed bin and cycle stores. Units 1 and 2 are 3 bedroom units, unit 3 is 2 bedroom. As stated above, the proposed dwellings have been moved closer to the highway to allow additional space for amenity areas at the rear.

8.31 While it is acknowledged that the proposed amenity spaces are not large, the provided space is considered sufficient for an area for relaxing with a table and chairs, circulation, play for children and for hanging washing.

8.32 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.

Refuse Arrangements

- 8.33 The proposed development would provide space to store refuse bins within rear gardens of dwellings. Further details of bin storage will be required by condition to ensure these are of appropriate size. Subject to this condition, the proposal is compliant in this respect with Cambridge Local Plan (2018) policies 52 and 57.

Highway Safety

- 8.34 The Local Highway authority has raised no objections on the grounds of highway safety, subject to conditions relating to provision of pedestrian visibility splays, materials and drainage of the driveway, construction deliveries and provision of a traffic management plan. These conditions are necessary in the interest of highway safety and will be applied to any consent granted. Subject to these conditions the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

- 8.35 The site lies outside the controlled parking zone. Two off-street car parking spaces are provided. This is considered acceptable and compliant with policy 82, which sets a maximum of 1 space per 2 bed dwelling outside the controlled parking zone, and no less than a mean of 0.5 spaces per dwelling for 3 bed dwellings. There would be an area of 6x6 metre for turning within the site as recommended by the Local Highway Authority.
- 8.36 As was noted within the LPA Statement of Case for 19/0760/FUL a nearby application site conducted a car parking stress survey and found there to be capacity for further overnight on-street car parking. Therefore, the off-street car parking area at the frontage was not considered to be necessary.
- 8.37 Cycle parking is shown to be provided in the rear gardens of each unit. Further details of cycle parking would be conditioned. Subject to this condition the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Biodiversity

- 8.38 The site is presently laid with hard standing at the front and the rear of the site mostly contains buildings and extensions. Officers consider that through the introduction of measures such as additional native planting at the front and rear, bird and bat boxes and hedgehog holes a modest net gain in biodiversity could be accomplished. A condition would be added to any consent granted to require submission of details for ecological enhancements in accordance with Policies 59 and 69 of the Cambridge Local Plan 2018 and paragraph 170 of the NPPF 2019.

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 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. No development shall take place above ground level, other than demolition, until details including samples of the external

materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

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

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

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

5. 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)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

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

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

8. Two pedestrian visibility splays of 2m x 2m as shown on drawing number P01 C shall be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety.

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

Reason: for the safe and effective operation of the highway

10. The proposed car parking area shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety

11. Prior to the occupation of the new dwellings hereby approved the existing vehicular access and redundant dropped kerbs shall be removed and the footway shall be returned to having a full-face kerb.

Reason: for the safe and effective operation of the highway

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

Reason: For the safe and effective operation of the highway

13. Demolition or construction vehicles or vehicles with a gross weight in excess of 3.5 tonnes or deliveries of materials shall enter or leave the site only between the hours of 09.30hrs - 15.30hrs, seven days a week.

Reason: in the interests of highway safety

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

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

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and in accordance with the requirements of the National Planning Policy Framework (NPPF, 2019) paragraphs 170 and 181, policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan 2018 and Cambridge City Councils adopted Air Quality Action Plan (2018).

15. No permanent connection to the electricity distribution network shall be undertaken until at least one active electric vehicle charge point has been designed and installed with a minimum power rating output of 7kW to serve at least one of the approved allocated parking spaces for the proposed residential units. The approved scheme shall be fully installed before the development is occupied and retained as such.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of

development on local air quality (Cambridge Local Plan 2018 policies 36 and 82 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

16. 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; x Planning Consultation Response (Planning Applications) Rev A
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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

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

and 32

17. Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) shall 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 Cambridge Local Plan (2018) policies 31 and 32.

18. All flat roofed elements within the development shall be green or brown roofs. No development above ground level, other than demolition, shall commence until full details of these green or brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved and the green or brown roof(s) maintained for the lifetime of the development in accordance with the approved details. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The green roofs shall be installed in accordance with the approved details and shall be maintained thereafter for the lifetime of the development. The development shall be retained as such thereafter.

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

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

and shall include the following details:

a. Levels of carbon reduction achieved at each stage of the energy hierarchy; and

b. A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit. Where on-site renewable or low carbon technologies are proposed, the Statement shall also include:

c. A schedule of proposed on-site renewable energy technologies, their location, design and a maintenance schedule; and

d. Details of any mitigation measures required to maintain amenity and prevent nuisance. There shall be no occupation of the development until the carbon reduction measures have been implemented in accordance with the approved details. Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Carbon Reduction Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved details.

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

20. No dwelling 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).

21. No development above ground level, other than demolition,

shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure including provision for gaps in fencing for hedgehogs; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

22. No development above ground level, other than demolition, shall commence until a biodiversity enhancement scheme has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and / or bat boxes on the new buildings and any other measures to demonstrate that there will be a net biodiversity gain on the site of at least 10%. The installation of the boxes and biodiversity enhancements as agreed shall be carried out prior to the occupation of the development and subsequently maintained in accordance with the approved scheme for the lifetime of the development.

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

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

Reason: To secure the provision of accessible housing

(Cambridge Local Plan 2018 policy 51).

24. Prior to the occupation of the development, hereby permitted, the bathroom windows on the north east facing elevation shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 57 and 58).

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: In the interests of protecting the character of the area and amenities of neighbouring residents in accordance with Policies 55, 57 and 58 of the Cambridge Local Plan 2018.



Appeal Decision

Site visit made on 11 August 2020

by **Benjamin Clarke BA (Hons.) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: Friday, 21 August 2020

Appeal Ref: APP/Q0505/W/19/3239676

38 High Street, Chesterton, Cambridge CB4 1NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Barham against Cambridge City Council.
 - The application Ref: 19/0760/FUL, is dated 12 March 2019.
 - The development proposed is the erection of three dwellings following demolition of existing house.
-

Decision

1. The appeal is dismissed, and planning permission for the erection of three dwellings following demolition of existing house is refused.

Main Issues

2. The main issues are:
 - the effect of the development upon the living conditions of the occupiers of 22 and 22a High Street, with particular reference to outlook; and
 - whether appropriate private garden space would be provided for the future occupiers of the development.

Reasons

Living conditions

3. The appeal site consists of a detached dwelling set back from the highway. Adjoining the site is 22 High Street, which faces the highway albeit, set further forward than the existing dwelling. To the rear of No. 22 is an additional dwelling (22a High Street), which is orientated differently in that its rear elevation faces the side elevation of the appeal site. To the rear of the appeal site is Alan Percival Court.
4. Whilst the site has previously been developed, the proposed dwellings would have larger proportions in terms of height, massing, and footprint than the existing structure. In addition, the proposed dwellings would be closer to the shared boundaries with Nos. 22 and 22a than the existing building.
5. The property at No. 22 features a relatively narrow garden adjacent to the dwelling at No. 22a. By reason of the proposed dwellings having a greater footprint than the existing houses, this space would become substantially enclosed. In addition, as the proposed dwellings would be set further back than

the house at No. 22, the proposed development would have a notable enclosing effect upon the rear elevation windows that are present within the neighbouring house.

6. Furthermore, the neighbouring dwelling at No. 22a features glazing block within its rear elevation, which would face the proposed development. Whilst these blocks have been fitted with obscure glazing, the increased form of the proposed development, in conjunction with its closer relationship with the shared boundary, would mean that the proposed dwellings would also be readily perceptible from this neighbouring dwelling.
7. Although the sites are on different land levels, the degree of variation is relatively small. In addition, the proposed development would be significantly taller than the treatments that are proposed to be utilised on the shared boundary. This means that the greater form of development would be apparent by the occupiers of neighbouring properties. In addition, the relatively small set back of the proposed dwellings from the shared boundary with Nos. 22 and 22a would mean that it would not be possible to install appropriate screening that might mitigate the adverse effects of the proposed development.
8. In consequence, the proposed development would have a significant overbearing effect on the adjoining properties, which would prevent the occupiers of these properties experiencing appropriate levels of outlook, irrespective of the 45-degree line that has been drawn from the adjacent windows from No. 22
9. I acknowledge efforts made by the appellant in designing a scheme that does not impinge upon the levels of light experienced by neighbouring occupiers. Whilst these are matters of note, they are only some of all the matters that must be considered when assessing a proposed development. In result, they do not overcome the adverse effects on living conditions as previously identified.
10. The evidence before me is indicative that, by reason of the layout of the proposed building, its position and the boundary treatments, the development would not lead to a significant effect upon the occupiers of Alan Percival Court. Whilst this is a matter of note, it is one of all the issues that must be considered and therefore does not overcome my previous concerns.
11. I therefore conclude that the proposed development would have an adverse effect upon the living conditions of the occupiers of Nos. 22 and 22a, and in particular, result in a loss of outlook. The development in this regard, would fail to accord, with the requirements of Policies 55, 56, and 57 of the Cambridge Local Plan (2018) (the Local Plan). These policies, amongst other matters, seek to ensure that the developments respond positively to context; provide a comprehensive design approach that achieves the successful integration of buildings; and that design considers the needs of all users.

Garden space

12. The proposed development would contain three dwellings, each with three separate bedrooms. There would be a garden area to the rear of each dwelling. Most of the land to the front of the site would be utilised for the provision of car parking.
13. Owing to the scale of the proposed dwellings, there is an increased likelihood that they would be occupied by families, or larger households. Owing to these

circumstances, the amount of private recreation space provided to the rear of the site would not provide a sufficiently proportioned area for the carrying out of the full spectrum of recreation activities by all occupiers of the proposed dwellings, including outdoor play.

14. In reaching this view, I have also noted that that the submitted plans indicate that storage for refuse and bicycles would be provided. Whilst such facilities are desirable, the effect of their provision is to further reduce the level of recreation space available for the future occupiers of the development.
15. Although there is a greater amount of space to the front of the site, this would in the main be given over to the provision of vehicle parking and manoeuvring space. In consequence, its availability for recreation purposes cannot be guaranteed. Furthermore, by reason of its proximity to High Street, this area would not benefit from the requisite level of privacy that would be required in a garden to provide the future occupiers of the development with appropriate living conditions.
16. Whilst I acknowledge that the appeal site currently features a residential dwelling, the fact that the appeal proposal would represent a more intensive form of development and would have a larger footprint means that the presence of the existing house does not allow me to disregard the preceding concerns.
17. I therefore conclude that the proposed development does not provide an appropriate amount of private garden space. The proposed development, in this regard, would not comply with the requirements of Policy 52 of the Local Plan. This policy, amongst other matters, requires that developments that subdivide an existing residential plot ensure that enough garden space is retained.

Other Matters

18. The site is located in the Chesterton Conservation Area (the CA). The significance of this is, in part, derived from the presence of traditionally designed dwellings generally arranged in a linear pattern in close proximity to the street. Whilst a number of newer buildings reflect this character, there are some exceptions, including the appeal site.
19. Therefore, whilst the appeal proposal would be set back from the highway, this would not result in harm to the character and appearance of the CA as it would replace a building that is similarly set back from the highway edge. In consequence, the development would maintain the character of the CA. Whilst this is a matter of note, it does not outweigh my previous concerns

Conclusion

20. For the preceding reasons, I conclude that the appeal should be dismissed, and planning permission refused.

Benjamin Clarke

INSPECTOR

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Application Number	20/04303/S73	Agenda Item	
Date Received	20th October 2020	Officer	Mary Collins
Target Date	15th December 2020		
Ward	Castle		
Site	1 Grosvenor Court		
Proposal	S73 application to vary condition 2 (Approved Plans) of permission 19/1250/S73] to permit the introduction of roof terraces to the second-floor flats.		
Applicant	Mr John Wilson Unit 10716 Lytchett House 13 Freeland Park Wareham Road Lytchett Matravers BH16 6FA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development would respect the existing building and the surrounding area. - The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers. - The proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.
RECOMMENDATION	APPROVAL

SITE DESCRIPTION/AREA CONTEXT

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

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

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

2.0 THE PROPOSAL

- 2.1 Planning permission is sought under Section 73 to vary condition 2 (Approved Plans) of permission 19/1250/S73] to permit the introduction of roof terraces to the second-floor flats.
- 2.2 This would entail the addition of doors to the rear dormer. The internal layout is unchanged, and access is proposed from the bedrooms. Access will be limited through the balustrades to a small area so that the edge of the accessible area is further from the boundary on either side, and the terraces are shielded by the rest of the building.

During the course of this application revised plans were received showing the following:

- Privacy screens to second floor terraces
- Height of clay tile cladding lowered to line through with first floor balconies to south east and south west elevation

- Format of rooflights changed - north east elevation
- Rear elevation (north west) - window proportions changed, height of parapet dropped, and balustrades introduced to first floor balconies

3.0 SITE HISTORY

18/1637/FUL	Extensions and alterations to provide 8 flats, car parking, covered cycle parking, bin store and new fencing.	Approved 08.02.2019
19/1250/S73	Section 73 application to vary Condition 2 (approved plans) of permission 18/1637/FUL (Extensions and alterations to Grosvenor Court to provide 8 flats, car parking, covered cycle parking, bin store and new fencing) to permit changes including changes to external wall specification and elevational treatment; changes to roof profile; changes to internal layouts (including additional bedrooms to flats 1 and 5 and reconfiguration of flats 3 and 4); alterations to rear balconies and alterations to pergola and boundary treatment adjacent to no. 11 and relocation of plant.	Approved 27.01.2020
20/02965/S73	Section 73 application to vary condition 2 (approved plans) of planning permission 19/1250/S73 to permit changes including changes to the car port, plant room, roof profile and windows.	Approved 31/12/2020
21/00283/S73	S73 to vary condition 2 of 20/02965/S73 to remove the proposed lift from the scheme (Extensions and alterations to Grosvenor Court to provide 8 flats).	Refused 18/03/2021

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

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

6.1 None required necessary.

7.0 REPRESENTATIONS

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

- 9 Woodlark Road
- 2 Hawkins Road
- 29 Woodlark Road (support)

7.2 The representations can be summarised as follows:

The introduction of roof terraces will give an overlook into garden as such will have a detrimental effect on amenity.

Revised drawings

My garden (and surrounding properties) will be overlooked and therefore suffer a loss of privacy.

Out of character with the other buildings in Woodlark Road as no other properties have 2nd floor roof terracing.

The screen proposed is not a good idea since the height of 1.7 metres would allow someone to view above it.

8.0 ASSESSMENT

Principle of Development

8.1 The principle of development has been established through the extant consent 18/1637/FUL which has been varied through permissions 19/1250/S73 and 20/02965/S73.

Context of site, design and external spaces

8.2 The proposed second floor terraces would be located above the terraces on the first floor and are considered to be visually acceptable. The other changes proposed to the first floor terrace and the introduction of balustrades are also considered acceptable.

8.3 Other external changes proposed do not affect the overall appearance of the building.

8.4 In the opinion of Officers the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56 and 57.

Residential Amenity

Amenity for future occupiers of the site

- 8.5 The proposed changes would provide external amenity space for the occupiers of the second-floor flats 2 and 7 which would be directly accessible, and this would complement the use of the communal garden area for these occupiers. The area of the terrace would be sufficient to provide a good level of outdoor amenity space.
- 8.6 The proposed terraces would remove the obscurely glazed rooflight which serves the dining room to flats on the first floor. This is not considered to be detrimental to these units, as they receive light from rear facing windows.
- 8.7 The existing balconies to flats 1 and 5 at first floor level face each other with an intervening distance of approximately 11 metres. There would be a similar degree of inter looking between the two proposed terraces to flats 2 and 7. Due to the relationship with the larger terraces underneath at first floor level there would also be the potential for loss of privacy through overlooking these terraces.
- 8.8 However, it has previously been accepted that given there are areas of communal garden and shared amenity space, any inter looking from these balcony/terrace areas would not be detrimental.
- 8.9 In the opinion of Officers, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and it is considered that in this respect it is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

Residential Amenity

Impact on amenity of neighbouring occupiers

9 and 11 Woodlark Road

- 8.10 These properties lie to the south west and share a common boundary with the application site.

The proposed terrace to flat 2 is inset from the side elevation of the building and the common boundaries.

29 Woodlark Road

- 8.11 The proposed terrace to flat 7 is inset from the side elevation of the building by at least 13 metres. Given this distance from the boundary a detrimental impact through overlooking into the private rear gardens should not result.
- 8.12 Officers consider that a privacy screen installed to the outer side of each second-floor terrace would ensure there are no sideways views available from the terraces into neighbouring gardens to either side in Woodlark Road and this would direct views towards the rear. Drawings have been received showing the screening to the side of the terrace and this is considered acceptable to prevent direct overlooking and sideward/backwards views towards neighbouring gardens.
- 8.13 A condition will be imposed to ensure that the privacy screen is constructed in accordance with the approved drawings prior to first occupation and that it is maintained in perpetuity.

Darwin Green Development

- 8.14 To the rear of the application site is the Darwin Green development. Outline permission (07/0003/OUT) has been granted on this site for mixed use development comprising up to 1593 dwellings, primary school, community facilities, retail units (use classes A1, A2, A3, A4 and A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works.
- 8.15 The development along the boundary with the application site has been designated for residential properties of two storeys in height. Reserved matters

have been granted for access roads, pedestrian and cycle paths, public open space, services across the site and one allotment site, reference 14/0086/REM. Since the original grant of planning permission 18/1637/FUL for Grosvenor Court, an application for reserved matters for 330 dwellings with associated internal roads, car parking, landscaping, amenity and public open space has been refused, reference 19/1056/REM.

- 8.16 This refused layout particularly with regard to plots 131 to 136, is still a material consideration in the determining of this planning application as this reserved matter planning refusal may still be appealed.
- 8.17 There are approved windows on the first floor north western elevation as well as first floor balconies/terraces, a distance of 4m from the rear boundary of Grosvenor Court.
- 8.18 Although there are approved terraces and windows at first floor level, as well as windows at second floor level, the second-floor terraces occupy a more elevated position and as such there is the potential for loss of privacy through overlooking.
- 8.19 Plots 131-134 of the Darwin Green development are located directly to the rear of Grosvenor Court. During the course of the reserved matters application, amendments were made to maximise the distance between the rear elevation and the boundary for three of those plots (131 – 133), via a change to a shallower house type with longer gardens and a reduction of one home. The distance between the rear elevation of the proposed plots 131-133 to the site boundary is approximately 14m (including the maintenance path and ditch). The distance between the edge of the first-floor roof terraces and the rear elevation of plots 131-133 would be approximately 18m.
- 8.20 The planning refusal at Darwin Green took account of the current application for the second-floor terraces and no significant harm was identified to the future occupiers of these dwellings.

- 8.21 At second storey level, the proposed terraces would not extend as far as the first-floor terraces, and as such would be set back further from the boundary than those approved at first floor level. The edge of the second-floor terraces are approximately a further 2.5 metres back and so there would be a intervening distance of approximately 20.5 metres. It is considered that this set back is sufficient to outweigh any additional harm from the elevated position of these terraces.
- 8.22 The rear facing balustrade to the terrace screening would need to meet the height requirement for an external fixed balustrade/railing per current building regulations of a minimum of 1100 mm from datum. Any higher and it is considered the external amenity area would be compromised as well as have an impact on light reaching windows. The balustrades proposed to the rear of both the first floor and second floor terraces are considered to be acceptable.
- 8.23 In the opinion of officers, the proposal adequately respects the 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.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

validation report will be provided to the LPA for consideration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13. Notwithstanding the approved plans, units 6 and 8, hereby permitted, shall be constructed to meet the requirements of Part M4(2) or M4(3)' accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

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

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

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

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

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

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

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

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

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies

28, 35 and 36).

18. Prior to the occupation of the development, hereby permitted, the second floor terrace shall be screened in accordance with the approved drawing. The terrace screening shall thereafter be retained in accordance with the approved details.

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

19. Conditions 3 to 17 of planning permission 19/1250/S73 shall continue to apply to this permission. Where such conditions pertaining to 19/1250/S73 have been discharged, the development of 20/04303/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

Application Number	21/00190/FUL	Agenda Item	
Date Received	18th January 2021	Officer	Luke Waddington
Target Date	15th March 2021		
Ward	West Chesterton		
Site	44 George Street		
Proposal	Demolition of existing dwelling and replaced with new 2.5 storey dwelling and associated works		
Applicant	Mr Dan Brown 44, George Street		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development would respect 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 proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 44 George Street is a 1.5 storey detached three-bedroom dwelling, and stands on the southwest corner of George Street, where it turns from a north-south orientation to a southeast-northwest orientation. The site occupies the internal angle of this turn in the street and the existing dwelling is located between numbers 42 and 48 George Street, which are both semi-detached, two-storey properties. The existing house on

the site was built in 1986 and differs from its older neighbours in style, materiality and form.

- 1.2 The long section of George Street, running south from the application site is a narrow street, made up of two-storey terraced houses from the middle and the end of the nineteenth century. These houses have a consistent scale and general pattern, but they differ in detail. All are finished in buff brick, although the colouration varies. Some have been cleaned and some have been painted over the whole elevation. Many have projecting bays.

2.0 THE PROPOSAL

- 2.1 It is proposed to demolish the existing dwelling and replace it with a single detached dwelling. The dwelling would have accommodation over 3 levels and would provide an on-site parking space. This application follows an approved application at this site for 2x dwellings with a basement level.

3.0 SITE HISTORY

Reference	Description	Outcome
18/1661/FUL	Demolition of existing house and replacement with two new dwellings.	Approved
17/0671/FUL	Demolition of existing house and construction of a new dwelling with a basement.	Refused, Appeal Dismissed
16/1817/FUL	Demolition of existing house and construction of a new dwelling with basement.	Refused

A copy of the Inspector's Decision letter in relation to the appeal of 18/1661/FUL is attached.

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 59 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance 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)
	Sustainable Design and Construction SPD 2020
Material Considerations	<u>City Wide Guidance</u> Air Quality in Cambridge – Developers Guide (2008) Cambridge City Council Draft Air Quality

	<p>Action Plan 2018-2023</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
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6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objections. Conditions are requested in relation to provision of a traffic management plan and materials and construction of the driveway, in the interests of highway safety

Environmental Health

- 6.2 No objections. Conditions requested with regard to construction hours and piling, in the interests of residential amenity

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."

7.0 REPRESENTATIONS

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

42 and 48 George Street

- 7.2 The representations can be summarised as follows:

- Overlooking from bedroom windows towards gardens of 42 and 48 George Street
- Obscured glazing on rear facing can be removed
- Reduction of light and increased overshadowing to 48 George street
- Reduction of off-street parking from 2 to 1 space, adversely impacting amenity

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. Carbon reduction and sustainable design
4. Water management and flood risk
5. Noise, vibration, and dust
6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking

Principle of Development

8.2 The principle of development is acceptable and in accordance with the Cambridge Local Plan 2018 policies 1 and 3.

Context of site, design and external spaces

8.3 The principal elevations of the proposed dwelling, facing north and west would have a traditional appearance with a sloping slate roof and would be finished in brick. The overall ridge height and eaves height of the proposed dwelling respects those of the neighbouring properties alongside which they will be sited and would be a similar height to 42 George Street and would be marginally higher than the ridge height of the detached property adjacent at 48 George Street by 0.12 metres. The eaves height is graduated between these three dwellings

as the corner is turned and the existing set back from the back edge of the pavement and the building line would be maintained.

- 8.4 The treatment of the principal elevation of the proposed dwelling reflects the architectural detailing seen in George Street, with its ground floor bay windows and detailing that is in keeping with the character and materials of surrounding dwellings. As such it is considered that the appearance of the principal elevations would not result in a significant adverse impact upon the character and appearance of the surrounding street scene.
- 8.5 When viewed from the rear the proposed dwellings would have a three-storey appearance in brick with a flat roof and would have zinc cladding to the third floor loft section. Although this three-storey form is not a traditional feature or way of extending this type of dwelling, the roof form would read as a large roof extension, of a type that can be found in the vicinity, for instance at numbers 40 and 42 George Street. Given that views of the rear of the properties would be restricted to surrounding gardens, Officers do not consider this feature to be significantly detrimental to the character of wider area.
- 8.6 Overall, the external appearance of the proposed dwelling is very similar to that of the approved development ref. 18/1661/FUL. The principle alterations from the approved design are the re-arrangement of doors and windows within the front elevations facing George Street. These alterations are minor and the overall character of the proposed development would not alter significantly from that already approved.
- 8.7 Conditions would be attached to any consent granted requiring submission of samples and details of external materials, to ensure the materials and detailing is appropriate to the character of the area. Details of hard and soft landscaping would also be required by condition should consent be granted.

Carbon reduction and sustainable design

- 8.8 To ensure compliance with Cambridge Local Plan (2018) Policies 28 and 30 and the Greater Cambridge Sustainable Design and Construction SPD 2020, conditions will be attached to any consent granted requiring submission of a Carbon

Reduction Statement to meet part L of Building Regulations, and a water efficiency specification, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations

Integrated water management and flood risk

- 8.9 The proposed single storey rear element would have an area of flat roof. As required by Policy 31, this should be a green or brown roof. A condition will be added to any consent requiring the roof to be green/brown.
- 8.10 Subject to this, and to the conditions requested by the Sustainable Drainage Officer, the proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

Noise, vibration, and dust

- 8.11 No objections have been received from the Environmental Health department regarding noise, vibration, and dust, subject to conditions to limit piling and working and delivery hours.
- 8.12 Subject to the recommended conditions, the proposal is in accordance with Cambridge Local Plan (2018) policies 35 and 36.

Accessible Homes

- 8.13 The Design and Access Statement accompanying the application confirms that the development would comply with Approved Document Part M(2) of the Building Regulations. A condition would be added to any consent to secure this requirement in accordance with Policy 51 of the Cambridge Local Plan.

Residential Amenity

Impact on amenity of neighbouring occupiers:

- 8.14 In terms of its massing, scale, relationship with neighboring dwellings, the proposed development is very similar to that approved within 18/1661/FUL.

- 8.15 With regard to potential overbearing impact, the main difference between the proposed and approved developments is the addition of a single storey flat roofed projection on the proposed rear elevation, alongside the boundary with no.42 George Street. Given its limited length, this would not result in a significant overbearing impact on the garden of that dwelling.
- 8.16 No 42 is situated to the south and has a first-floor window in the side elevation of an extension. This window faces north towards the application site and is understood to serve a study. Whilst the overall height of the dwelling would be increased as a result of the proposed development, the depth of the dwelling into the site at first floor level would not extend any further than the existing main dwelling at No 42; whilst there would be an increase in the built structure in proximity to this window it is considered that it would not result in undue harm in terms of loss of outlook or result in a significant enclosing effect.
- 8.17 The site is located to the north of no.42 George Street. Therefore, Officers do not consider the proposal would result in an unreasonable loss of sunlight or daylight to this neighbour.

No.48 George Street.

- 8.18 The neighbouring dwelling at no.48 has a garage adjacent to the application site which separates the main dwelling property from the application site. The proposed dwelling is not considered to result in a significant overshadowing or overbearing impact upon this dwelling.
- 8.19 As is noted on the proposed plans, all the first and second floor windows on the garden-facing elevations would be fitted with obscured glazing, to a height of 1.7 meters above internal floor level. This was also the case with the previously approved scheme. Officers consider that obscuring these windows would mitigate any potential for significant overlooking impacts onto adjacent gardens. A condition would be attached to any consent granted, to ensure that these windows are fitted with obscured glazing and that it is retained in perpetuity.
- 8.20 In the opinion of officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

Amenity for future occupiers of the site:

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

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	3	6	3	108	157	+49

8.22 As was the case with the dwellings approved in 18/1661/FUL, the proposed dwelling would have obscure glazed windows to the rear elevation at first and second floor level, serving habitable rooms. These rooms are dual aspect and would have an outlook to the front; as such the obscured windows would not have a significant detrimental impact on the living conditions and usability of the living rooms at first floor level.

8.23 The proposed garden would be approximately 30m² excluding the bin storage area. It is considered that this area, while modest, would not be out of keeping with garden sizes of properties 48-52 George street which are similarly sized. The space provided is considered to be sufficient for the occupants to circulate, play, have a table and chairs and to hang washing.

8.24 In the opinion of officers, the proposal provides an appropriate standard of residential amenity for future occupiers, and in this respect it is compliant with Cambridge Local Plan (2018) policy 50.

Refuse Arrangements

8.25 Refuse bins would be stored within the site and collected from the kerb as is the existing arrangement.

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

Highway Safety

8.27 Subject to conditions requiring the submission of a traffic management plan, and details of the construction of the access and driveway, there are no objections from the Local Highway

Authority on the grounds of highway safety. The proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

8.28 Concerns from residents regarding the loss of an off-street parking space are noted, however the proposal would still provide a single off-street parking space. This provision would remain compliant with the car parking standards in the Cambridge Local plan, which require no less than 0.5 spaces and no more than 2 spaces, per 3-bedroom dwelling.

8.29 The dimensions of the proposed garage provide space for car and cycle parking in accordance with Appendix L (figure L.1). The proposal is compliant with Cambridge Local Plan (2018) policy 82.

Biodiversity

8.30 The site's garden is presently paved with some flowerbeds, and areas for planting to the front of the dwelling, although these are currently neglected. Officers consider that through the introduction of measures such as additional native planting at the front and rear, bird and bat boxes, hedgehog gaps, and a green roof, a modest net gain in biodiversity could be accomplished. A condition would be added to any consent granted to require submission of details for ecological enhancements in accordance with Policies 59 and 69 of the Cambridge Local Plan 2018 and paragraph 170 of the NPPF 2019

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

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

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

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

5. 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)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

7. 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 principle 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

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

Reason: for the safe and effective operation of the highway

9. 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; x Planning Consultation Response (Planning Applications) Rev A

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

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

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

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

f) Site Investigation and test results to confirm infiltration rates;

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

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

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

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Cambridge Local Plan (2018) policies 31 and 32

10. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features)

shall 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 Cambridge Local Plan (2018) policies 31 and 32.

11. All flat roofed elements within the development shall be green or brown roofs. No development above ground level, other than demolition, shall commence until full details of these green or brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved and the green or brown roof(s) maintained for the lifetime of the development in accordance with the approved details. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The green roofs shall be installed in accordance with the approved details and shall be maintained thereafter for the lifetime of the development. The development shall be retained as such thereafter.

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

12. No development above slab level shall commence until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all new residential units shall achieve reductions in CO₂ emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
 - a. Levels of carbon reduction achieved at each stage of the energy hierarchy; and
 - b. A summary table showing the percentage improvement in

Dwelling Emission Rate over the Target Emission Rate for each proposed unit. Where on-site renewable or low carbon technologies are proposed, the Statement shall also include:

c. A schedule of proposed on-site renewable energy technologies, their location, design and a maintenance schedule; and

d. Details of any mitigation measures required to maintain amenity and prevent nuisance. There shall be no occupation of the development until the carbon reduction measures have been implemented in accordance with the approved details. Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Carbon Reduction Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved details.

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

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

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

14. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels

or contours; means of enclosure including provision for gaps in fencing for hedgehogs; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

15. No development above ground level, other than demolition, shall commence until a biodiversity enhancement scheme has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and / or bat boxes on the new buildings and any other measures to demonstrate that there will be a net biodiversity gain on the site of at least 10%. The installation of the boxes and biodiversity enhancements as agreed shall be carried out prior to the occupation of the development and subsequently maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To provide ecological enhancements for protected species on the site (Cambridge Local Plan 2018 policies 59 and 69, NPPF 2019 para.170). 26.

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

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

17. Prior to the occupation of the development, hereby permitted, the windows and doors annotated as 'Part obscured' on drawing

numbers PL(21)02 Rev P1 and PL(21)01 Rev P1 shall be obscure glazed up to a minimum height of 1.7 metres above internal finished floor level, to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall be non-openable below 1.7m from internal finished floor level. The windows annotated as 'Obscured' on drawing number PL(21)01 Rev P1 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall be obscure glazed up to a minimum height of 1.7 metres above internal finished floor level and shall be non-openable below 1.7m from internal finished floor level. The glazing shall thereafter be retained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 57 and 58).

18. Notwithstanding Schedule 2, Part 1, Classes A, B and C of the General Permitted Development Order 2015, no new windows at first floor or above on the west or south west elevations shall be inserted without express planning permission having first being obtained from the LPA.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 57 and 58).

INFORMATIVES

1. 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.



Appeal Decision

Site visit made on 20 March 2018

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th April 2018

Appeal Ref: APP/Q0505/W/17/3187958

44 George Street, Cambridge CB4 1AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Dan Brown against the decision of Cambridge City Council.
 - The application Ref 17/0671/FUL, dated 11 April 2017, was refused by notice dated 16 October 2017.
 - The development proposed is the demolition of the existing house and replacement with a new dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - The character and appearance of the area; and
 - The living conditions of adjoining occupiers.

Reasons

Character and Appearance

3. The appeal site is located on a corner plot along George Street and consists of a dwelling with rear amenity space. The road bends quite sharply at this point and the existing dwelling is located on the back of the footpath, and follows the bend in the road. George Street is characterised by residential development on both sides of the road, comprising predominantly of semi-detached and terraced properties.
4. The proposed development would involve the demolition of the existing dwelling and its replacement with a larger dwelling. The proposal would include a basement level with the remainder of the dwelling set over three floors. It would also retain some of the rear outdoor space, provide a small terrace at first floor from the master bedroom and a further roof terrace at second floor. An integral garage would be provided adjacent to No 48.
5. The northern elevation of the proposed dwelling would provide a sliding garage door at ground floor level with windows to first floor and rooflights. The overall height of this elevation would reflect the existing adjoining dwelling at No 48 and the design and fenestration would also reflect the character of the

- adjoining dwelling. The proposed brickwork detailing of this elevation would add interest and would represent a visual improvement over and above the northern elevation of the existing dwelling.
6. However, the eastern elevation of the proposal would present a complex and highly detailed appearance. The projections and heights of the various proposed elements would be staggered and the proposed windows would be positioned in an irregular arrangement and would vary in size. The overall effect of the varied heights, fenestration and positioning would result in an incongruous and dominant feature within the street scene which would lack coherence. Furthermore, although the overall height of the dwelling would not exceed that of No 42 adjacent to the site, the proposed dwelling would be clearly visible above the eaves height of this property and this, in combination with the busy nature of this elevation, would result in the development being highly prominent and of a design and form which would be incongruous with the general character of George Street.
 7. I note that many of the other properties in the area have dormers, many of which occupy a large proportion of the roof, and accordingly, the proposed zinc clad box dormer itself would not be out of keeping. However, in combination with the complex design of the eastern elevation, the dormer would add to the dominance of the proposed dwelling within the street scene.
 8. There is another dwelling on the opposite side of George Street which presents a contrasting and more modern design to the general character of the area. However this presents an anomaly within the prevailing character of the street. The Council have identified that this was constructed in the 1980s and its location and scale differ from the appeal site and proposal. The appeal site is in a more prominent location, on the corner, and as such I consider that the existing dwelling does not set a precedent for the appeal proposal.
 9. I acknowledge that the design of the proposal has tried to avoid mimicking the predominant architecture of the street and seeks to turn the corner in an interesting fashion and I consider that the proposed materials would be suitable. However, although the northern elevation represents some improvement to the appearance of the appeal site, the complexity of the design and form of the eastern elevation results in the proposed development having a dominant and incongruous appearance which would be out of keeping with the existing character and appearance of George Street.
 10. For the above reasons the proposed development fails to comply with Policies 3/4, 3/7 and 3/12 of the Cambridge City Council Local Plan (2006) (Local Plan). These policies seek to ensure that new development responds to the context and characteristics of the locality and has a positive impact on its setting in term of height, scale, form, materials and detailing to enhance the townscape.

Living Conditions

11. The existing dwelling is located between Nos 42 and 48 George Street, which are both semi-detached, two-storey properties. No 42 has a first floor window in the side elevation of the dwelling facing the appeal site, which I understand serves a study. Whilst the overall height of the dwelling would be increased as a result of the proposed development, the depth of the dwelling into the site would not extend any further than the existing main dwelling at No 42. The window facing the site is located in the rear outrigger of the property which is

set back from the main side elevation of No 42. The proposed dwelling would not extend out as far as the window and therefore, whilst there would be an increase in the built structure in proximity to this window I consider that it would not result in undue harm in terms of outlook or result in a significant enclosing effect.

12. In addition to the side window of No 42, there is also a large area of glazing to the roof of the ground floor side element. The proposed side elevation adjacent to No 42 would introduce windows at first and second floor. The Appellant has demonstrated that there would be minimal views from the second floor window into this area. Furthermore, two of the proposed windows would serve a hallway and staircase, and another would be a frosted bathroom window, which are unlikely to give rise to significant levels of overlooking.
13. No 51 is located opposite the appeal site, across the road, and faces the eastern elevation. The proposed development would include a small terrace which would be located opposite a first floor window of No 51. I have had regard to the Council's concerns with this aspect of the proposal however, given the separation between the appeal site and No 51, across George Street, and the size of the terrace proposed, which would preclude excessive use, this would not result in significant harm to the occupiers of this property in terms of loss of privacy.
14. For the above reasons the proposed development would not be harmful to the living conditions of the occupiers of Nos 42 and 51. As such the proposal would comply with Policies 3/4 and 4/13 of the Local Plan which require development to identify and respond to existing features and avoid significant adverse effects on amenity.

Other Matters

15. Objections have been received from local residents concerning impacts on living conditions and parking issues. I have considered the living conditions above. Given my overall findings it is not necessary for me to conclude on the parking matters.

Conclusion

16. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR

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Application Number	20/04824/FUL	Agenda Item	
Date Received	23rd November 2020	Officer	Mary Collins
Target Date	18th January 2021		
Ward	Queen Ediths		
Site	130 Queen Ediths Way		
Proposal	Demolition of existing 2 storey house and replacement with three, two person one bedroom flats and two, three person two bedroom flats in a one and two storey building.		
Applicant	Mr Colin Wills c/o Si One Parsons Green St. Ives PE27 4AA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development would respect the surrounding area. - The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers. - The proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the southern side of Queen Edith's Way between the junction with Heron's Close and Beaumont Road. This is a predominantly residential area characterised by detached brick

properties on large plots with houses set back from the street having car parking and landscaping to the frontages. The existing property is two storey red brick building. The property is accessed from Queen Edith's Way with two dropped kerbs at either end of the property and some trees and hedge to the frontage.

- 1.2 The site does not fall within the Conservation Area nor is it within the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of the existing building and erection of a replacement property. The replacement building would be comprised of two 1x bedroom flats and three 2x bedroom flats.
- 2.2 The replacement building would be broken into three elements; a single storey element to the east which rises into 2 x two storey blocks with pitched roofs which are linked by a flat roofed clad and glazed element. The building would be finished in buff bricks with timber cladding to the upper floors of the front elevation and brown roof tiles with a grey single ply membrane to the flat roof.
- 2.3 Amendments have been received during the course of the application and to alter the description of the proposal to: demolition of existing 2 storey house and replacement with three, two person one flats and two, three person two bedroom flats in a one and two storey building.
 - The scheme has been amended to comply with the space standards and private amenity space requirements of Policy 50 of the Cambridge Local Plan 2018 and to comply with Policy 51 of the Cambridge Local Plan 2018 through the addition of a lift.
 - Flat 4 has been changed from a 4-person two bed flat to a 2-person one bed flat.
 - Flats 1, 2 and 4 are now all 2-person one bed flats of 51sqm GIA (to comply with Policy 50)

- Flats 3 and 5 have been changed from 4-person two bed flats to 3-person two bed flats and resized to 61sqm (to comply with Policy 50)
- A lift has been introduced into the communal hallway to provide level access to Flats 4 and 5 at the first-floor level (to comply with policy 51).
- Where introducing a lift has removed access to the rear communal garden directly from the communal hallway, external, south-facing balconies have been added to both first floor flats, affording each flat a private external space (to comply with Policy 50). These balconies are separated by a timber privacy screen, have been set back from the boundary with 132a Queen Edith's Way, and do not project beyond the rearmost elevation of the development.
- The main entrance to Flat 1 has been relocated to the proposed west elevation, giving a more efficient internal layout.
- Where access to the rear communal garden from the communal hallway is no longer required, an enclosure for 5 air-source heat pumps is proposed, reducing the lifetime carbon footprint of the development.
- The area of the site covered by pathways has been reduced to allow for more green space.

3.0 SITE HISTORY

Reference	Description	Outcome
08/0888/FUL	Erection of 4 two-bedroom flats (following demolition of house).	Withdrawn
17/1626/FUL	Demolition of existing 2 storey house and replacement with 2 one bed flats and 3 two bed flats in a one and two storey building.	Approved 06/12/2017

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1 3 28 31 32 35 36 50 51 52 55 56 57 59 69 70 81 82

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

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

Cambridgeshire County Council (Highways Development Management)

6.1 Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that no demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority.

Environmental Health

6.2 In the interests of amenity, recommend the following standard conditions (and informative):

- Demolition/construction hours
- Collections/deliveries during demolition and construction
- Piled foundations

- Airborne dust (and informative)
- Noise insulation scheme

The impacts of noise are a material consideration for any new build property. The habitable rooms facing onto Queen Edith's Way may be significantly impacted by traffic noise by day and night. As such, will require a standard traffic noise assessment which will guide the design of the glazing and ventilation system serving the new building.

Refuse and Recycling

- 6.3 In the design and access statement, it states there will be 360 litre shared bins, next to the flats, this is a 15m walk to the kerbside (collection point), the residents should take the bins to the kerbside and take them back in after collections, however as these are shared bins, will they do this? It would be better if the bin store/bins could be placed next to the entrance, so the crews can just take the bins from the curtilage

Sustainable Drainage Officer

- 6.4 The proposals have not indicated a surface water drainage strategy however, as this is a minor development, it would be acceptable to obtain this information by way of condition.

Nature Conservation Projects Officer

- 6.5 Would recommend an internal and external preliminary bat survey prior to determination, to identify potential bat roost features and if any further emergence surveys are required. This survey can be undertaken at any time of year. The building is in an area of relatively large mature gardens with numerous bat records.
- 6.6 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 15 Almoners Avenue
- 36 Almoners Avenue
- 4 Beaumont Road
- 6 Beaumont Road
- 73 Beaumont Road
- 21 Bowers Croft
- 2B Cavendish Avenue
- 1 Herons Close
- 5 Herons Close
- 8 Herons Close
- 9 Herons Close
- 11 Herons Close
- 15 Herons Close
- 17 Herons Close
- 19 Herons Close
- 129 Queen Ediths Way
- 138 Queen Ediths Way
- 11 Strangeways Road
- 18 Topcliffe Way

7.2 The representations can be summarised as follows:

- Out of character for the area and other structures in the South Queen Edith's area. The development is over-bearing and overlooks existing properties.
- Loss of biodiversity as trees are being removed and not replaced.
- There is no consideration of the environment of energy saving as per Council Policy.
- The existing property has a covenant which requires the site to be used for a single property
- 4 Parking spaces is insufficient for a potential of 16 people (2 per double bedroom), possibly more if they have a visitor. It would be dangerous to have another 12 cars parking in this area. There is not enough space at the front of the property for it to include a garden/screening, space for 4 diagonal parking spaces plus space to manoeuvre a car.
- In Herons Close, we already experience a lot of 'overflow parking' from Queen Edith's Way which causes obstructions at the top of our cul-de-sac and damages the verges. This development is very close to the entrance of Herons Close and

will likely contribute further to this problem so more parking should be provided on the site.

- Queen Edith's Way is very busy at rush hour so on road parking here would add to traffic, and the side streets already have damaged verges and blocked access from too many cars.
- The property sits opposite the T junction to Strangeways Road which leads to a primary school and there is a secondary school further along Queen Edith's way. It is very busy at school start/finish times with traffic and children cycling, therefore it would be dangerous having cars entering/exiting it across a pavement onto a busy road.
- There is not enough space for a potential of 15 wheelie bins (black, green and blue for each flat).

Revised drawings

Objections

1 Herons Close
8 Herons Close
17 Herons Close
19 Herons Close
133 Queen Ediths Way
234 Queen Ediths Way
5 Strangeways Road
11 Strangeways Road
18 Topcliffe Way

- Note the reduction in overall occupancy of the site, but principle objection remains. The revised proposal has not addressed the issues raised concerning the parking provision
- Insufficient parking for the occupants of 5 apartments leading to overspill into Herons Close. This exacerbates an already dangerous situation at the junction between Herons Close and Queen Ediths Way.
- Concern about the 5 air source heat pumps and the proximity of these pumps to property.

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

8.0 ASSESSMENT

Principle of Development

- 8.1 Planning permission has recently expired on the 6 December 2020 reference 17/1626/FUL. Although this application was determined under the previous 2006 Local Plan and has expired, case law has emphasised the importance of consistency in decision making, and it is therefore a material consideration.
- 8.2 The principle of development is acceptable and in accordance with the Cambridge Local Plan 2018 policies 1 and 3.
- 8.3 Policy 52 states: Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:
- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
 - b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
 - c. the amenity and privacy of neighbouring, existing and new properties is protected;
 - d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
 - e. there is no detrimental effect on the potential comprehensive development of the wider area.

The criteria listed in this policy will be addressed later in this report.

Context of site, design, external spaces

- 8.4 There have been minor changes to the approved scheme apart from the addition of balconies to the first floor rear elevation which would be situated in the recess to the rear of the building and the reduction in the depth of the recessed central section.

- 8.5 The proposed replacement building still reads like two domestic scale buildings, connected by a link that is set back and treated with contrasting materials to the main elevations.
- 8.6 The proposed replacement building is broken down into different elements which help to reduce the overall scale and massing of the development. The clad and glazed linking element provides a visual break between the solid brick elements. This reduces the overall scale and massing as the materials have a more lightweight feel.
- 8.7 The position of the replacement building is still broadly in line with the surrounding building line and the previous approval. The siting of the building is considered acceptable.
- 8.8 A boundary condition is recommended to ensure that the altered planting to the frontage is of an adequate quality. This maintains a varied and suburban character to match the streetscape, which is mixed.
- 8.9 Conditions are recommended relating to material samples, cladding details, window/door details and details of bin and bike stores.
- 8.10 The form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and is in accordance with Policy 52 (a).

Carbon reduction and sustainable design

- 8.11 Conditions are recommended to secure carbon reduction and water conservation measures in accordance with Cambridge Local Plan 2018 policies 28 and 31.

Integrated water management and flood risk

- 8.12 Officers are satisfied that an acceptable surface water drainage scheme could be secured through condition. Policy 31 of the Cambridge Local Plan 2018 requires all flat roofs to be Green or Brown to assist in reducing surface water run-off from buildings. There are sections of the proposed building which would have flat roofs. In this instance, given a drainage scheme would need to be agreed prior to commencement of work in this instance,

and this would take into account the flat roofed sections, a condition requiring a Green Roof is not required.

- 8.13 Subject to this, it is considered the proposal is compliant with Cambridge Local Plan 2018 policies 31 and 32.

Ecology

- 8.14 The building is in an area of relatively large mature gardens with numerous bat records. The proposal entails the demolition of an existing building and an internal and external preliminary bat survey has been requested to be carried out prior to determination, to identify potential bat roost features and if any further emergence surveys are required. This survey can be undertaken at any time of year. The report has been commissioned and is expected to be submitted prior to the planning committee. The results of the bat survey as well as consultee response will be conveyed to the members of the planning committee who will be updated through the amendment sheet.

- 8.15 The proposal will be required to provide a biodiversity net gain. A condition is recommended to secure this detail.

- 8.16 Subject to this, it is considered the proposal is compliant with Cambridge Local Plan 2018 policies 69 and 70 and policy 52(b).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.17 The building drops down to single storey near the boundary with 132A Queen Edith's Way. The building would also be set away from the boundary. Whilst it would extend further into the garden than 132A Queen Edith's Way, it would be of a relatively modest size with a low eaves height of 2.5 metres and set away from the boundary. As a result, Officers are satisfied that it would not have any significant impact on this occupier in terms of enclosure or overshadowing. The proposal would be two storeys near the boundary with the other neighbour at 128 Queen Edith's Way and would extend beyond the rear building line of this neighbouring property by approx. 3.6 metres. However, the building is set off of this boundary with 6.35 metres from building to building and 3.2 metres between the

extension and the boundary. Whilst the proposal would result in some additional enclosure to the neighbouring garden in comparison to the existing building, given the set away from the boundary, Officers are satisfied that this would not be significantly harmful to warrant refusal. The proposal may result in some additional overshadowing of the garden of number 128, however Officers are satisfied that this would be very limited and not sufficiently harmful to warrant refusal of permission.

- 8.18 Some of the representations raise concerns regarding noise and disturbance from additional users of the site. The proposal is for 5 flats on a plot which is considered to be adequately large to accommodate the number and type of units. In the view of Officers, the additional residential uses would not give rise to a significant increase to noise and disturbance to the surrounding occupiers. The building would have windows closer to the neighbouring gardens however given the presence of existing first floor rear windows Officers are satisfied that there would be no significant impact on overlooking of neighbouring properties.
- 8.19 The addition of balconies to the rear would not extend much further into the application site than the previously approved rear elevation and windows. The balconies are inset approximately 8 metres from the rear boundary and this distance is considered sufficient to ensure that there would not be a detrimental loss of privacy. The balconies are also set in sufficiently from each side boundary with properties in Queen Edith's Way. The first-floor balconies would be the same distance from the boundary as the approved windows. As such it is considered that the insertion of the balconies would not result in a detrimental loss of privacy through overlooking.
- 8.20 With regard to the air source heat pumps for dwelling houses and flats, the MCS Planning Standards were developed to act as a resource for this and contains the requirements, including noise prediction methodologies, that ground source or air source heat pumps must comply with to be permitted development under the above Act. Development would not be permitted development if it failed to comply with The MCS Planning Standards. It would be a reasonable step to require that the air source heat pump complies with the MCS Planning Standards. This should ensure that internal and external noise levels are kept to a reasonable level at any nearby residential premises.

8.21 In the opinion of officers, the proposal adequately respects the 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, 56 and 52(c).

Amenity for future occupiers of the site

8.22 Policy 50 of the Cambridge Local Plan 2018 sets out internal residential space standards.

8.23 The previous planning application was considered prior to the adoption of the Cambridge Local Plan 2018 and policy 50 – internal space standards. The emerging policy and space standards were a material consideration in the determination of this planning application, and it was considered that the proposal provided a good quality of internal space although none of the proposed units met the space standards.

8.24 The sizes of the units have been revised so that three of the units now meet the space standards whilst the two 3-person bedspace units only have a shortfall of 1sq.m

8.25 All five flats are dual aspect and were previously considered to be of an adequate internal size albeit being below the space standards set out in the emerging plan, the Cambridge Local Plan was adopted in 2018.

8.26 The floor space of the proposed units is presented in the table below against the requirements of Policy 50.

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	2	1	50	50	-
2	1	2	1	50	50	-
3	2	3	1	61	60	-1
4	1	2	1	50	50	-
5	2	3	1	61	60	-1

Size of external amenity space

- 8.27 Policy 50 of Cambridge Local Plan 2018 states that all new residential units will be expected to have direct access to an area of private amenity space.
- 8.28 The amenity space is south facing, and all units are dual aspect. Ground floor flats have access to private gardens. The two upper floor flats have access to a communal garden.
- 8.29 The first-floor flats as previously approved did not have access to private amenity space although they would have use of the communal gardens. Amendments have been made in the current application with the first-floor flats now having direct access to a balcony. These are south facing and would give an acceptable level of private outdoor amenity space in association with the communal gardens.
- 8.30 The proposed balcony area would overhang the ground floor garden to Flat 2 but is not considered to impede the use of this garden or to result in undue overshadowing to this garden or loss of light to ground floor rear facing rooms. The communal garden is now accessed from the front entrance to the property.
- 8.31 The proposal as amended is considered to comply with policy 50.

Accessible Homes

- 8.32 As this is a new build, compliance with policy 51 and the requirements of Part M4 (2) of the Building Regulations is required. The proposal as submitted did not meet these requirements but has been amended to include lift access to the first-floor flats. The proposal as amended is considered to comply with policy 51.
- 8.33 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

- 8.34 Recycling and waste provision has been amended to accommodate the reduced occupancy (two 360l general waste and recycling bins each and two 240l composting bins for 12 occupants). The applicant has noted the comments of the council Waste Team and has confirmed that the premises will be fully managed by an agent on behalf of the owner and the service provided will include delivery and recovery of the shared bins to the roadside on collection day. Details of the stores, including elevations and materials proposed are recommended to be required via condition.
- 8.35 It is considered that the proposal is compliant with Policy 56 of the Cambridge Local Plan 2018.

Highway Safety

- 8.36 In the previous application, the building position was amended to be set far enough back so that there was enough space for cars to turn at the front. The position of the building has not changed and there is enough space for four cars to be parked but also to turn.
- 8.37 The Highways Authority does not consider that there would be any adverse impact upon highway safety. The proposal would therefore be compliant with policy 81 of the Cambridge Local Plan 2018.

Car and Cycle Parking

- 8.38 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.
- 8.39 There are four parking spaces provided and this is considered acceptable as this is the level of parking that was previously provided. There is adequate space to accommodate cycle parking on site. Footprints for the cycle store are shown on the

plans. Details of these stores, including elevations and materials, are requested via condition.

8.40 The site lies outside the Controlled Parking Zone, and a number of residents have 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, but parking stress is a factor in the determination of this application as new residential units are being created.

8.41 Parking stress is defined as occurring in those streets where surveys show that there is less than 10 per cent free notional parking capacity. The Cambridge On-Street Residential Parking Study November 2016 shows that in Queen Edith's Way and Heron's Close there is low parking pressure with at least 10 per cent notional free parking and subsequently no overnight car parking stress on these streets. As a result, the development is not considered to give rise to an unacceptable increase in on-street parking pressures.

8.42 The proposal would therefore be compliant with policies 81 and 82 of the Cambridge Local Plan 2018.

Third Party Representations

8.43 These have been addressed in this report.

9.0 CONCLUSION

9.1 In conclusion, it is considered that the proposed development would have an acceptable impact on the amenity of the occupiers of adjoining properties and future occupants having regard to the proposed unit sizes and accessibility.

10.0 RECOMMENDATION APPROVE

Subject to the following conditions:

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

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

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

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

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

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

- 2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory

undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

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

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

5. 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)

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

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

Reason: To protect the amenity of the adjoining properties.

(Cambridge Local Plan 2018 policy 35)

7. No development above ground level, other than demolition, shall commence until 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) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the development, hereby permitted, is occupied or the use commenced 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)

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

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

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

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

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

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

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

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

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

12. Prior to first occupation full details of all cycle stores and refuse stores, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details prior to first occupation of the development unless the Local Planning Authority agrees to any variation in writing.

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

13. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular accesses unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety (policy 81 of the Cambridge Local Plan 2018)

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

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

15. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety (policy 81 of the Cambridge Local Plan 2018)

16. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety (policy 81 of the Cambridge Local Plan 2018)

17. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

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

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

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

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

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

20. Prior to first occupation for the use hereby permitted, carbon reduction measures shall be implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
 - A) Levels of carbon reduction achieved at each stage of the energy hierarchy;
 - B) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each

proposed unit;

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

C) A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and

D) Details of any mitigation measures required to maintain amenity and prevent nuisance.

No review of this requirement on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the local planning authority. Any subsequent amendment to the level of renewable/low carbon technologies provided on the site shall be in accordance with a revised scheme submitted to and approved in writing by, the local planning authority.

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

21. Finished ground floor levels to be set no lower than 300mm above ground level.

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

22. No development shall take place (including demolition, ground works, vegetation clearance) until an ecological enhancement plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

The specification, number and location of bird and bat box provision.

Details of boundary treatments to ensure hedgehog and amphibians can move between adjoining gardens.

Areas of vegetation to be retained and enhanced for nesting birds and proposed new plantings.

Demonstrate that any proposed external lighting will not illuminate mature trees and boundary features likely to support foraging bats.

The approved scheme shall be fully implemented within an

agreed timescale unless otherwise agreed in writing

Reason: To maintain, enhance, restore or add to biodiversity in accordance with Policy 70 of the Cambridge Local Plan 2018.

INFORMATIVES

1. Under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (as amended) permitted development rights were granted to the development of ground source or air source heat pumps for dwelling houses and flats. The MCS Planning Standards were developed to act as a resource for this and contains the requirements, including noise prediction methodologies, that ground source or air source heat pumps must comply with to be permitted development under the above Act. Development would not be permitted development if it failed to comply with The MCS Planning Standards. It would be a reasonable step to require that any new ground source or air source heat pump complies with the MCS Planning Standards. This should ensure that internal and external noise levels are kept to a reasonable level at any nearby residential premises.

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.

2. 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.

3. If a construction dust assessment or suppression management plan is required reference and regard shall be given to various national and industry best practical technical guidance such as:
 - o Cambridge Sustainable Design and Construction Supplementary Planning Document, (Adopted January 2020)' <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd>
 - o Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016)
 - o Guidance on Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018)
 - o Control of dust and emissions during construction and demolition -supplementary planning guidance, (Greater London Authority, July 2014).

Application Number	20/03704/FUL	Agenda Item	
Date Received	3rd September 2020	Officer	Dean Scrivener
Target Date	29th October 2020		
Ward	West Chesterton		
Site	Land Adjacent 1 Lovers Walk		
Proposal	Demolition of existing car port and storage area and erection of 1no. dwelling and associated curtilage		
Applicant	Mr Peter Smith c/o Agent		

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. - Officers consider the current application overcomes the previous reasons for refusal concerning overbearing impact and an inadequate outlook and poor level of amenity for future occupiers (20/01203/FUL)
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located within the De Freville Conservation Area which mainly comprises rows of terraced dwellings set within linear plots. The site is accessed from Lovers Walk which is connected to Elizabeth Way, situated to the East of the site.
- 1.2 The site is occupied by a single storey double garage with a double width open car port located adjacent to it. The garage is no longer used but the car port is still used for car parking. An area of hardstanding is located to the south which can be used for car parking and manoeuvring of cars.

2.0 THE PROPOSAL

- 2.1 This planning application is a resubmission of a previous application which was refused last year under delegated powers (20/01203/FUL). The application was refused for the following reasons:

- 1) *'The proposed amenity area would be contrived and enclosed which would not provide a good level of amenity for future occupiers to enjoy. The amenity area would not provide sufficient outlook as it is enclosed on all four sides and is occupied with bins and cycle storage, within a small and confined space. As a result, the proposal is contrary to policy 56 of the Cambridge Local Plan 2018'.*
- 2) *'The lack of first floor windows serving the bedroom which is classed as a primary habitable space, would not provide an adequate level of outlook for future occupiers to enjoy. As a result, the proposal is contrary to policy 56 of the Cambridge Local Plan 2018'.*
- 3) *'By virtue of its height and projection along the boundary of no 70 Humberstone Road, the proposed dwelling would result in an unacceptable level of enclosure and overbearing impact upon the rear garden of this neighbouring property. The proposal would therefore result in an unacceptable loss of*

amenity to the occupiers of no 70 Humberstone Road contrary to Cambridge Local Plan (2018) policies 55 and 56'.

2.2 The proposed development under this planning application involves the rebuilding of the garage to create a one bedroom dwelling with its own amenity space. The dwelling will contain a bedroom, a kitchen/diner and bathroom. Bin and cycle stores are also provided and car parking is to be located on the existing hardstanding to the south.

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

- The proposed dwelling would retain the same height as the existing garage
- The dwelling has been reduced from two storey to single storey and a window is proposed on the east elevation to allow sufficient light through to the bedroom
- The proposed amenity area is larger in size

2.4 The following amended plans have been received and a further 14 day reconsultation has been undertaken:

- AP042-B (Revised Site Block Plan)
- AP044-B (Revised Ground Floor)
- AP048-B (Revised Elevations)

2.5 The application is accompanied by the following supporting information:

1. Planning Statement
2. Existing and proposed plans

3.0 RELEVANT SITE HISTORY

Reference	Description	Outcome
20/01203/FUL	Demolition of existing car port and storage area and erection of 1no. dwelling and associated curtilage	REFUSED

18/1860/FUL Demolition of existing car port and storage area and erection of 2no. dwellings and associated curtilage. REFUSED

4.0 PUBLICITY

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

5.0 POLICY

5.1 Cambridge Local Plan 2018

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 32 33 34 35 36 50 51 55 56 57 58 59 61 62 69 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local
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	Government March 2015 (material consideration)
Supplementary Planning Documents	Greater Cambridge Sustainable Design and Construction (Jan 2020) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cambridge and Milton Surface Water Management Plan (2011) Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Cambridge City Council Waste and Recycling Guide: For Developers. Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objections subject to a an informatives regarding the following:

- Residents' Parking Permits

Environmental Health

6.2 Acceptable subject to conditions/informatives regarding the following:

- Construction hours

City Council Sustainable Drainage Engineer

6.3 Acceptable subject to conditions/informatives regarding the following:

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

Conservation Officer

6.4 No objections

Cadent Gas

6.5 No objections

7.0 REPRESENTATIONS

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

- 72 Humberstone Road
- Salisbury House
- 74 Humberstone Road
- 70 Humberstone Road

7.2 The representations can be summarised as follows:

- Restricted access along the public access/passage which starts adjacent to No. 74 Humberstone Road
- No designated car parking area

- Car parking will affect pedestrian/cycle access for to No. 7 Elizabeth Way which is a HMO
- Reclaimed bricks should be used to make sure the proposal is in keeping with the local area

- The boundary line is incorrect alongside No. 72 Humberstone Road
- Excavation works/foundation works will encroach into the garden area of No. 72 Humberstone Road
- Impact upon the amenity areas of neighbouring dwellings
- The land is to be lowered – how will this affect the higher land of Nos. 70, 72 and 74 Humberstone Road?
- Width and length measurements are required to understand how the property and foundations would fit on the land
- The proposed building is too large for the space available on the site
- It would appear that there is a wall proposed which would protrude into the garden land serving No. 70 Humberstone Road
- The space between Lovers Walk and this plot is jointly owned and therefore car parking may not be possible
- Incorrect addresses are referred to in the application
- The building should be built along the same line as the existing garage

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

8.0 ASSESSMENT

Principle of Development

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

application site is considered suitable to accommodate residential development.

Context of site, design, external spaces and Impact upon the Conservation Area

- 8.2 The proposal intends to provide a single one person dwelling by rebuilding the existing garage and car port space, with a private amenity space.
- 8.3 The Conservation Officer has been consulted on the application and has raised no objections. Given the siting of the dwelling would be located within an enclosed space to the rear of No. 1 Lovers Walk and out of clear views, the proposal is not considered to result in any visual harm upon the Conservation Area. Many of the rear gardens of nearby properties on Humberstone Road have sizable outbuildings and extensions and the scale of the proposed building would clearly remain subservient to the majority of the surrounding properties.
- 8.4 The proposed materials would comprise slate, grey aluminium fenestration and a yellow stone brick. There are concerns raised that these materials are inappropriate and are not in keeping with the character of the local area. Given its concealed location and minor scale, the proposal would not be seen in any prominent views within the Conservation Area and therefore the proposal is considered to be acceptable in this instance.
- 8.5 Overall, the form, height, scale and layout of the proposed development is considered to be appropriate and would sustain the character of the Conservation Area. The proposal is therefore compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 61.

Residential Amenity

Amenity for future occupiers of the site

- 8.6 Reason for refusal 1 under the previous application (20/01203/FUL), referred to the inadequate amenity space provided to serve the future occupants as it was deemed to be too contrived and enclosed.

8.7 The current application originally proposed a larger amenity area comprising 30.5m². This has been slightly reduced following the provision of a side passageway running along the eastern boundary of the site, in response to the third representations received requesting that a shared passageway is reinstated along this boundary. The provision of this passageway has resulted in a slight reduction of the proposed amenity space to 26.7m². Given the proposed dwelling is for a single person, this provision is still considered to be adequate and would provide a good level of amenity space for one person. Therefore, officers consider the current application has overcome the previous reason for refusal 1.

8.8 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. The proposed dwelling is for a single person and exceeds the minimum standards. Although the ground floor plan submitted shows a double bed which would indicate two bedspaces, the internal floor area of the bedroom comprises a total floor space of 9.8m², which is below the minimum floorspace to provide sufficient floorspace for two bedspaces in accordance with policy 50(d) of the Cambridge Local Plan 2018. The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	1	1	39.0m ²	47.8m ²	+8.8

8.9 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. The proposed residential unit will benefit from a private amenity area which can be easily accessed.

8.10 Reason for refusal 2 under the previous application (20/01203/FUL) referred to the lack of windows serving the bedroom to provide a good level of outlook for future occupiers.

8.11 The current application proposes a window within the eastern elevation (front) of the dwelling which would serve the proposed bedroom. This would provide an adequate level of outlook for

future occupiers. In addition, there are two proposed roof lights above the bedroom which would provide a sufficient level of light to this room. Officers therefore consider that reason for refusal 2 has been overcome and the proposal is acceptable.

Overbearing Impact

- 8.12 Under the previous application, the third reason for refusal referred to the overbearing impact of the proposed dwelling upon the neighbouring garden area serving No. 70 Humberstone Road.
- 8.13 The ridge height of the previous proposal would have continued and maintained the ridge height of the adjacent building at No. 1 Lovers Walk. This would have projected along the neighbouring boundary with No. 70 Humberstone Road and create a sense of enclosure upon the amenity of this neighbour. The current application proposes to retain the ridge height of the existing garage which 1.5m lower than that of the previous height proposed. Given the height of the proposed dwelling would be the same as the existing garage, officers consider that no additional overbearing impact would arise in this instance and therefore the proposal has overcome reason for refusal 3.
- 8.14 The flat roof of the proposed dwelling would be set hard up against the rear boundaries of Nos. 74 and 72 Humberstone Road, to the north. Given the low height of the flat roof and minor scale of the proposal, no significant overbearing impacts are considered to arise upon the amenities of these neighbouring properties.
- 8.15 Overall, the current application is considered to have overcome the previous reason for refusal (reason 3) regarding overbearing impact and is in accordance with policies 55 and 56 of the Cambridge Local Plan 2018.

Overlooking Impact

- 8.16 Given the proposed dwelling would be single storey and the positioning of the windows would not be facing in the direction of any neighbouring properties, no overlooking impact is considered to arise upon the amenities of the neighbouring properties in this instance.

Overshadowing Impact

- 8.17 Given the proposed dwelling would comprise the same height as the existing garage, no additional loss of light or overshadowing impacts will occur upon the amenity areas of the surrounding neighbouring properties.

Overall, the proposal is considered to respect the amenities of neighbouring properties and is therefore in accordance with Cambridge Local Plan 2018 policies 55 and 56.

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 work related delivery times. In order to protect the amenities of neighbouring properties, this condition is considered to be necessary and reasonable and shall be imposed upon any consent granted.

Accessible homes

- 8.19 The development has been assessed for compliance with Policy 51 in relation to providing an acceptable layout to comply with M4 92) Building Regulations. A condition shall be imposed upon any consent granted to secure this requirement and comply with policy 51.

Refuse Arrangements

- 8.20 The proposed bin store will be located adjacent to the amenity area which is considered to be in a suitable location. The proposal is compliant with the RECAP guidance and is in accordance with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.21 the Local Highway Authority have been consulted on the application and have raised no objections subject to an informative to ensure the applicant is aware that all future occupiers will not be eligible to apply for future Resident's Parking on the surrounding streets. This shall be imposed upon any consent granted.

8.22 Given the proposed dwelling will be occupied by a single person and no car parking is proposed, the proposal is not considered to result in any significant number of vehicle trips to and from the site and therefore, the proposal is considered to retain the safe and effective operation of the adopted highway and is in accordance with paragraphs 108 and 109 of the NPPF and policy 81 of the Cambridge Local Plan 2018.

Car Parking

8.23 The majority of representations received have raised concerns regarding the lack of car parking proposed to serve the proposed development. No car parking is proposed for the future occupiers and given that the proposed dwelling is a 1 bedroom dwelling which would be occupied by an individual potentially working within Cambridge, the reliance on the car as their main mode of transport is considered to be unlikely. There is a concern raised that any cars parked within this area would limit the accessibility of pedestrians and cyclists accessing the rear gate serving No. 7 Elizabeth Way. The application does not propose any car parking as part of the scheme and therefore officers consider that there would be no significant safety hazards to pedestrians and cyclists accessing No. 7 or using the side passageway along the eastern boundary of the site.

8.24 Given the location of the site is within walking and cycling distance of Cambridge City centre, the site is located within a sustainable location and the development is considered to promote sustainable modes of transport and reduce car dependency. The lack of car parking provided is not considered to warrant a reason for refusal in this instance.

8.25 There is no conflict with the adopted car parking standards set out in Appendix L of the Cambridge Local Plan 2018. The proposal accords with Cambridge Local Plan 2018 policy 82.

Cycle Parking

8.26 One cycle parking space is provided which is in accordance with the cycle parking standards under Appendix L of the Cambridge Local Plan 2018. This will be located within a secure and enclosed structure set within the amenity area serving the dwelling. Overall, the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Integrated water management and flood risk

8.27 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

8.28 There are concerns raised in regards the red line boundary submitted on the Site Location Plan. The applicant owns the majority of the land within the site however does not have full ownership of all of the land, hence why Certificate D has been submitted with the application. This is considered to be a legal dispute as opposed to a material planning consideration and will not be form any reason for refusal on planning grounds.

8.29 There are concerns raised in regard to the proposed dwelling being slightly offset when compared to the original building line of the existing garage. This is considered to be a minimal difference of approximately 100mm and is not considered to result in any reasonable reason to refuse the application on these grounds.

8.30 Concerns are raised regarding the footings/excavation works required to construct the dwelling, and the lower ground levels on which the dwelling would be situated. The applicant will be required to apply for Building Regulations which will formally assess the foundations on which the dwelling will be built upon and is not considered to be a material planning consideration. Should contractors require the access to the neighbouring gardens to construct the dwelling, this will need to be agreed between the applicant and the neighbouring parties and is not a material planning consideration in assessing this application.

8.31 There is a comment raised regarding a proposed wall which would encroach into the rear garden serving No. 70 Humberstone Road. The proposed footprint of the dwelling is shown to be included within the red line boundary as shown on the proposed Site Plan and therefore officers are of the view

that the proposal would not encroach into the rear garden area of No. 70.

8.32 Amended plans have been received following the applicant's wish to reinstate a 1.5m wide shared passageway running along the eastern boundary of the site, directly to the rear of Nos 5 and 7 Elizabeth Way. This was to address the comments raised by third party representations.

8.33 To ensure compliance with policy 28 (sustainability) condition 5 is proposed in relation to carbon reduction measures and condition 6 in relation to water efficiency standards. To ensure compliance with biodiversity requirements arising from policies 59 and 69, condition 7 is proposed which seeks details of bird and bat box provision. There is also a green/brown roof condition and an informative proposed in relation to Fire Tender access.

9.0 CONCLUSION

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

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

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

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

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

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

Planning Act 1990.

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

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

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

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

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

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

Where onsite renewable or low carbon technologies are proposed, the Statement shall also include:

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

There shall be no occupation of the development until the

carbon reduction measures have been implemented in accordance with the approved details.

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

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

6. The dwelling 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).

7. No development above slab level shall commence until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird boxes on the new buildings 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).

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

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

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

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

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

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

6) Site Investigation and test results to confirm infiltration rates

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

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

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

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

9. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings

hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in accordance with the approved details and shall be retained in full thereafter.

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

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

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

11. Notwithstanding the approved plans, all flat roofed elements within the development shall be green or brown roofs. No development above ground level, other than demolition, shall commence until full details of these green or brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved and the green or brown roof(s) maintained for the lifetime of the development in accordance with the approved details. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The green roofs shall be installed in accordance with the approved details and shall be maintained thereafter for the lifetime of the development. The development shall be retained as such thereafter.

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

12. The proposed garden courtyard shall be laid out in full and retained in accordance with the approved plans prior to the

occupation of the dwelling.

Reason: In order to protect future residential amenity (Cambridge Local Plan Policy 55 and 56).

INFORMATIVES

1. Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.
2. Before the existing building is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
4. There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
5. 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.