



Cambridge City Council Planning

Date: Wednesday, 2 November 2022

Time: 10.00 am

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

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

Agenda

Timings are included for guidance only and cannot be guaranteed

- 1 Order of Agenda
Minor/Other Planning Applications only. No major or general applications for this committee on 2 November.

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

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

- 2 Apologies
- 3 Declarations of Interest
- 4 Minutes

(Pages 7 - 34)

Minor/Other Planning Applications

5	22.00778-FUL The Varsity Hotel, Thompson's Lane - 10am	(Pages 35 - 70)
6	22-01504-FUL 196 Green End Road - 10:45am	(Pages 71 - 90)
7	22-0669-TTPO Report Tree Works 76 De Freville Avenue - 11:30am	(Pages 91 - 106)
8	21-00809-FUL Cambridge Snooker and Pool Centre - 12:15pm	(Pages 107 - 128)
9	22-00440-FUL Land at Tedder Way - 1pm	(Pages 129 - 144)
10	22-02200-FUL 109 Milton Road - 1:45pm	(Pages 145 - 168)

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

Alternates: Divkovic, Howard, Levien, Nethsingha and Todd-Jones

Information for the public

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- Email: democratic.services@cambridge.gov.uk
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Those wishing to address the meeting will be able to do so virtually via Microsoft Teams, or by attending to speak in person. You must contact Democratic Services democratic.services@cambridge.gov.uk by 12 noon two working days before the meeting.

Appendix 1 – Planning Policies and Guidance

(Updated September 2020)

1.0 Central Government Advice

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

1.2 Planning Practice Guidance (NPPG)

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

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

Planning Obligations

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

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

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

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

2.0 Development Plans

2.1 The Cambridgeshire and Peterborough Minerals and Waste Plan 2011

2.2 Cambridge Local Plan 2018

3.0 Supplementary Planning Documents

3.1 Sustainable Design and Construction 2020

3.2 Cambridge Flood and Water 2018

3.3 Affordable Housing 2008

3.4 Planning Obligations Strategy 2004

Development Frameworks and Briefs

3.5 The New Museums Site Development Framework (March 2016)

3.6 Ridgeons site Planning and Development Brief (July 2016)

3.7 Mitcham's Corner Development Framework (January 2017)

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

3.9 Land North of Cherry Hinton (February 2018)

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

4.0 Use Classes

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

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

PLANNING

6 July 2022

10.00 am - 3.30 pm

Present:

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

Also present (physically) Councillor: Davies

Officers:

Area Development Manager: Toby Williams

Principal Planner: Dean Scrivener

Senior Planner: Michael Allen

Senior Planner: Charlotte Peet

Planning Officer: Laurence Moore

Planning Officer (Strategic Sites): James Truett

Arboricultural Officer: Joanna Davies

Legal Advisor: Vanessa Blane

Committee Manager: James Goddard

Meeting Producer: Claire Tunnicliffe

FOR THE INFORMATION OF THE COUNCIL

22/71/Plan Apologies

Apologies were received from Councillor Page-Croft.

22/72/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Thornburrow	22/74/Plan	Prejudicial: Knows the applicant so would not take part in the discussion or debate at committee for this item.

Councillor Smart	22/75/Plan	Personal: Knows the Agent. Discretion unfettered.
Councillor Collis	22/78/Plan	Prejudicial: Was the Executive Councillor for Open Spaces, Food Justice and Community Development. Therefore would not take part in the debate or vote for this item.
Councillor Thornburrow	22/78/Plan	Prejudicial: Lives close to the application. Would speak as Ward Councillor to object to this application, and therefore would not take part in the debate or vote for this item.

22/73/Plan 20/01972/COND35 - GB1 - Neatherhall Farm, Worts Causeway - 10am

The Committee received details required by condition 35 (Pedestrian and Cyclist NW Connectivity) of outline planning permission 20/01972/OUT.

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

- i. Expressed disappointment in the Officer recommendation as it failed to protect Queen Ediths' residents.
- ii. The planning process failed to secure the (footpath) access that residents required.
- iii. GB1 was an unsustainable development. It would exacerbate existing traffic flow issues in the area.

The Committee:

Resolved (by 4 votes to 2) to discharge planning condition 35 of planning permission 20/01972/OUT in accordance with the Officer recommendation, for the reasons set out in the Officer's report.

22/74/Plan 22/00857/HFUL - 41 Barrow Road - 10.30am

Councillor Thornburrow absented herself from the committee for this item so did not take part in the discussion or the vote.

The Committee received an application for full planning permission.

The application sought approval for a loft conversion with rear dormers.

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

The Committee Manager read out the following points on behalf of Councillor Hauk (Ward Councillor) in support of the application:

- i. Had provided statements in objection to two previous planning applications in the Barrow Road Conservation Area last year, on the grounds that they were not in line with the Local Plan, NPPF and the guidelines of the conservation area. One proposal was indeed subsequently rejected (2 Barrow Road) because it would have destroyed the character of the entrance to the Barrow Road area. The other one (34 Barrow Road) was only narrowly accepted despite objections from myself and a number of residents and neighbours in the area with respect of the inappropriate scale and character of the building and the loss of mature trees. On the basis of this experience, was at a loss to understand how the dormer windows at 41 Barrow Road can be rejected on material grounds.
- ii. Had visited the site and could confirm that the dormer windows in question would not be visible from the road, and would only be noticed by direct neighbours, if at all. Had not seen any objections from neighbours, or heard any objections myself when talking to residents in the Barrow Road area. The direct neighbours at number 43, the only ones with a direct view on the dormer windows, registered their approval on the planning portal, as did several other local residents. The plans had not led to any negative comments on the planning portal over the course of three consultations. The conservation area exists to protect the interests of local residents, and in this case it seems to work against them. The dormer windows would not serve as decorative add-ons to the building, they would provide more daylight into the house with obvious benefits to its inhabitants. The residents of 41 Barrow Road already have planning permission for dormer windows on the front, back and sides of their house for the same reason, but these would be in public view from the road. The applicants therefore prefer larger dormer windows just in the back, and have already scaled down the design to its minimum viable

size to respond to feedback from their first submission. Any possible detrimental effects of the building alterations, which to me appear to be mainly theoretical and without significant consequence to neighbours or residents in the area, should be weighted against these benefits to the inhabitants.

- iii. The proposal did not “adversely impact on the setting, character or appearance ... of conservation areas” (Policy 58, Local Plan), because the changes will not be apparent to anyone except the residents of number 41, to whom they will be beneficial. The dormer would be visible from the garden of number 43, but they already have a large second floor dormer which overlooks no 41, and both gardens are shielded by substantial curtilage and ornamental trees. For the same reason, Local Plan policy 61 (Conservation and enhancement of Cambridge’s historic environment), should not apply here, especially when compared to other previously successful planning proposals in the area, where scale and style of complete buildings was very different from their neighbourhood. How can one better “minimise any conflict between the heritage asset’s conservation and any aspect of the proposal” (NPPF 190) than to ensure it won't get noticed and does not raise any objections from other residents in the neighbourhood? NPPF policy 194, referred to by the conservation officer, is mainly aimed at grade 2 listed buildings, monuments etc. NPPF 196 states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” Again, this policy may apply to heritage sites of greater public interest, but not at the back roofs of residential homes that cannot be seen by anyone. Applying these policies to the current case of rear dormer windows seems like shooting with cannons at sparrows.
- iv. In comparison with other much larger and already approved developments in the area and on the basis of Local Plan and NPPF a refusal of this proposal would seem highly disproportionate. Believed the Local Plan, NPPF and Conservation Area guidelines give the Planning Committee the flexibility and discretion to approve these plans. He therefore strongly supported the approval of this proposal.

Councillor Porrer proposed an amendment to the Officer’s recommendation that cycle parking should be included in the application.

This amendment was **carried by 6 votes to 1.**

The Committee:

Resolved (by 6 votes to 1) to reject the Officer recommendation to refuse the application.

Councillor Collis left the meeting briefly and so did not take part in the second vote.

Resolved (by 5 votes to 1) to approve the application contrary to the Officer recommendation; subject to standard planning conditions recommended by the Officer the additional cycle parking condition.

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

22/75/Plan 22/00279/FUL - 10 De Freville Avenue - 11am

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garage and erection of detached dwelling.

The Committee received a representation in objection to the application from a local resident (written statement read by Committee Manager):

- i. The request to build a two storey dwelling in very close proximity to our property at 96 Sandy Lane, would adversely affect the light and perspective of our house and garden, and overlook it. The dwelling design would have an impact due to its proximity, size and construction. The new dwelling has a larger and longer footprint than the three existing houses adjacent (96, 98 and 100).
- ii. If the property were of single storey, like the garage it could replace, there would be a reduced impact on neighbouring properties and so be more reasonable.
- iii. There were several most attractive and long-standing trees in the immediate area, and the proposed dwelling would have a detrimental impact on them. Reminded the Planning Committee of the Grade A (large mature Elm and Birch) and Grades B and C trees, close indeed to the proposed new dwelling. They must be considered as important to the nature and wildlife of this attractive residential area.

Councillor Porrer proposed an amendment to the Officer's recommendation to include a green or brown roof on the cycle and stores.

This amendment was **carried unanimously**.

Councillor Gawthrope Wood proposed amendments to the Officer's recommendation:

- i. To include a M42 compliance condition.
- ii. To include a water efficiency compliance condition.
- iii. To remove the low NOx boiler informative.

The amendments were **carried unanimously**.

The Committee:

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

- i. the planning conditions set out in the Officer's report;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional conditions:
 - a. to include a M42 compliance condition;
 - b. to include a water efficiency compliance condition;
- iii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and amend Condition 16 to include a green or brown roof on the cycle and stores;
- iv. to remove the low NOx boiler informative.

22/76/Plan 21/04605/S73 - 44 George Street - 11.30am

The Committee received a S73 application to vary condition 2 (approved drawings) of ref: 18/1661/FUL (demolition of existing house and replacement with two new dwellings) to facilitate the following amendments: 1) removal of the basement, 2) addition of a rear extension, 3) removal of garage to Plot 2 and creation of a kitchen/dining area, 4) external fenestration alterations, and 5) changes to the external layout.

Councillor Porrer proposed an amendment to the Officer's recommendation to include a green or brown roof on the cycle store.

This amendment was **carried unanimously**.

Councillor Thornburrow proposed an amendment to the Officer's recommendation to include an informative the building should comply with Building Regulations Part O to prevent overheating and ensure windows were openable.

This amendment was **carried unanimously**.

The Committee:

Unanimously resolved to grant the S73 application in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional condition:
 - a. to include a green or brown roof on the cycle store
- iii. include an informative on the planning permission: the building should comply with Building Regulations Part O to prevent overheating and ensure windows were openable.

22/77/Plan 22/01144/FUL - 338 Cherry Hinton Road - 12 noon

The Committee received an application for change of use of single dwelling to 3no. flats, first and second floor side and rear extension and rear terraces, porch and roof lights to front elevation and erection of bike store to front.

The Principal Planner updated his report by proposing an amendment to the Officer's recommendation to include a green or brown roof on the cycle store.

Councillor Smart proposed an amendment to the Officer's recommendation that the cycle store should have capacity for cargo bikes.

This amendment was **carried unanimously**.

Councillor Gawthorpe Wood proposed an amendment to the Officer's recommendation that heating methods such as solar panels and air source heat pumps should be encouraged to improve the carbon footprint of the development.

This amendment was **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for change of use in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional conditions:
 - a. to include a green or brown roof on the cycle store which should have space for five bikes;
- iii. reword Condition 5 to ensure there was bin capacity for five occupants;
- iv. include an informative that heating methods such as solar panels and air source heat pumps should be encouraged to improve the carbon footprint of the development.

22/78/Plan 22/0271/TTPO - St Matthews Centre - 12.30pm

Councillors Collis and Thornburrow did not take part in the debate or vote for this item.

The Committee received an application for T1, T2 & T3: London Plane - Reduce height by 5m and spread by 4m balancing crowns of all 3 trees. Prune on a triennial cycle to maintain broadly at reduced dimensions.

The Arboricultural Officer updated her report by:

- i. Saying letters of consultation were sent out 8th March giving a deadline of 22nd March for responses. A number of people sent in more than one objection. 30 Objections were out of date.
 - a. There is no legal obligation to consult on tree work applications.
- ii. Updating her recommendation as per bold and underlined text: Officers recommend that Planning Committee refuse consent for the trees' ~~removal~~ **removal crown reduction** pending an assessment of heave and a detailed assessment of costs associated with engineered solutions.

To include an informative requesting additional information for the heave assessment.

The Committee received a representation in objection to the application from a representative of the Friends of St Matthews Piece:

- i. The Local Plan should protect residents' quality of life, heritage and environmental assets – all threatened by this application which had dozens of objections.
- ii. For over 4,000 local residents, little St Matthew's Piece was the park nearest their home. Proximity was of particular significance to more vulnerable sectors of the population:
 - a. people with disabilities and their carers,
 - b. those with impaired mobility due to advanced age or childcare responsibilities.
- iii. Nearby properties were flats – with little or no private garden – or compact terraced homes with tiny gardens.
- iv. This was the only park in Petersfield – the most densely housed ward in Cambridge.
- v. The Government's Index of Multiple Deprivation ranks the area around St Matthew's Piece in the 2nd most deprived decile nationally, with regard to the 'Environment'.
- vi. Objective 6 of the Council's Climate Change Strategy pledged to enhance green infrastructure, to bring tree canopy to 19%.
- vii. The Council's Tree Strategy also:
 - a. records Petersfield with the lowest Canopy Cover in Cambridge (2.5%);
 - b. boosts statutory protection for areas with low Canopy Cover.
- viii. This application flouted Tree Strategy Policies P1, P2, P4 and E4.
- ix. Planning law requires applications to be determined in accordance with the Local Plan. This application breached Local Plan Policies 14, 23, 55, 56, 67 & 71.
- x. If approved, this application would:
 - a. undermine the Local Plan and key Council Strategy documents;
 - b. damage the Mill Road Conservation Area;
 - c. mutilate irreplaceable mature trees;
 - d. despoil residential amenity;
 - e. impair sparse local Protected Open Space; and
 - f. degrade an already poor local environment.
- xi. The whole of St Matthew's Piece and all of its original 1898 trees were essential to preserving mental and physical health.
- xii. There were zero public benefit arguments in support of this application.
- xiii. Members should refuse it in the clearest and most compelling terms.

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

- i. The application would disfigure three trees on St Matthew's Piece.
- ii. The application conflicted with Local Plan Policies 14, 23, 56, 61, 67 and 71. Also Town and Country Planning Act 1990, Part 8, Chapter 1. Plus Town and Country Tree Regulations 12.
- iii. There was no evidence in the Officer's report that tree work was needed.

Councillor Thornburrow (Petersfield Ward Councillor) addressed the Committee about the application:

- i. The application was not policy compliant as information submitted was incomplete. It should be refused and resubmitted with complete details on which to base a decision.
- ii. The tree work proposed would cause harm that outweighed any benefits.
- iii. Re-iterated the application conflicted with Local Plan Policies, Town and Country Planning Act 1990, plus Town and Country Tree Regulations.

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

- i. Spoke in Objection.
- ii. These three trees were an essential and central part of an invaluable avenue of trees in a part of the city which had a huge deficit of parks and public open space.
- iii. The trees that encircle the whole of St Matthew's Piece were the area's crowning glory. The immense value of these trees was emphasised by Cambridge City Council Arboriculturalist Diana Oviatt-Ham in 2006 and 2008 who stated "the especial significance of the trees as individuals and a group", and stated their protected "status should not be compromised". These trees are covered by Tree Protection orders and furthermore are in a conservation area.
- iv. Elsewhere recently residents had come together to protect or protest threatened trees of immense value to them. Local people deeply cared about the mature and large trees in the green spaces near them. Their value to the local community goes beyond that which can be measured.
- v. This proposal was in breach of Cambridge Local Plan Policy 14, 67 and 71.

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

- i. Objected to 22/0271/TTPO on behalf of the residents of Abbey Ward who rely on this public open space as their nearest amenity - that is residents of St Matthew's Garden's, New Street and around parts of Riverside area.
- ii. Although Abbey had a lot of large open spaces, this did not apply to residents in this part of Abbey who experience a similar lack of open space to residents of Petersfield. If the current Public Open Space provision was provided for the current Petersfield population based on current standards for a new housing development, then Petersfield's existing level of Public Open Space provision would be less than 7% of its entitlement. This was a severe shortage.
- iii. In the context of this, any threat or damage to the only park in Petersfield, and the only one nearby for the Abbey residents needs to be vigorously contested.
- iv. The strength of the park comes from the trees that surround it - specifically the wonderful and mature London Plane trees that make this a haven on hot summer days. The reduction in height and canopy as proposed by this application would do huge harm to the park as a local amenity.
- v. Wished to make one clarification - the officer report states: "Officers recommend that Planning Committee refuse consent for the trees' removal pending an assessment of heave and a detailed assessment of costs associated with an engineered solution."
- vi. However, these trees are not proposed to be removed and it is critically important that the committee does not sign up to an outcome of this meeting which includes this phrase. These trees must not be removed.

The Committee:

Resolved (by 6 votes to 0) to accept the officer recommendation and refuse consent for the trees' crown reduction with an informative requesting additional information on engineered solutions and for the submission of a heave assessment.

The meeting ended at 3.30 pm

CHAIR

PLANNING

3 August 2022

10.00 am - 6.00 pm

Present:

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

Interim Development Management and Planning Compliance Manager: Toby Williams

Principal Planner: Steve Fraser-Lim

Principal Planner: Michael Hammond

Senior Planner: Phoebe Carter

Senior Planner: Mary Collins

Senior Planner: Alice Young

Senior Planner: Amy Stocks

Planning Enforcement Officer: John Shuttlewood

Legal Adviser: Keith Barber

Committee Manager: Sarah Steed

Meeting Producer: James Goddard

FOR THE INFORMATION OF THE COUNCIL**22/79/Plan Apologies**

Councillor Page-Croft advised that she would only be able to attend Planning Committee until 1pm. She was present for item 22/01982/FUL but left before the vote on item 22/01432/FUL. Councillor Flaubert attended as Alternate for part of the meeting and was present for items 21/05549/FUL, 22/02111/FUL, 22/02520/FUL and 22/00469/FUL.

22/80/Plan Declarations of Interest

Councillor	Item	Interest
Porrer	22/90/Plan	Applicant contacted her but she took no action and forwarded the email on to other Ward Cllrs.
Baigent	All	Member of Cambridge Cycling Campaign.

Baigent	22/90/Plan	Would withdraw from Committee and Chamber for the duration of the item.
Thornburrow	22/82/Plan	Was a Ward Cllr for Petersfield and had been contacted about the application by a number of people but had refrained from making any judgement.
Collis	22/86/Plan	Would withdraw from Committee and Chamber as was Executive Councillor involved with the development of the project.
Smart	22/82/Plan	Had loyalty membership card with Travis Perkins.
Baigent, Dryden and Porrer	22/85/Plan	Advised that they had attended a site visit to look at alternative locations proposed for the sculpture.

22/81/Plan Minutes

The minutes of the meeting held on 14 June 2022 were approved as a correct record and signed by the Chair.

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

22/82/Plan 22/01982/FUL - Devonshire Gardens - 10am

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing depot building and the redevelopment of the site to provide three new buildings comprising Class E (g) (i) / E (g) (ii) floorspace with associated plant and cycle parking, two new residential buildings comprising 70 residential units with associated plant and cycle parking, one new building comprising flexible

commercial space (Class E) to include a creche with associated cycle parking, flexible community space (Class F.1 / F.2), hard and soft landscaping and associated access.

The Planner updated the Committee report by referring to amendments within the Amendment Sheet namely:

- a request from the East of England Ambulance Service Trust for a s106 / Community Infrastructure Levy contribution, which officers sought delegated authority to assess.
- additional comments from Cambridge Library of Things, Mill Road Traders and Cambridge Muslim Trust.
- amendments to paragraph 10.91 of the Officer's report regarding County Highways comments and paragraph 10.142 regarding the financial contribution for play space.

Doug Higgins (Project Manager for the Applicant) and Vic Annells (CEO Cambridgeshire Chamber of Commerce) addressed the Committee in support of the application.

The Committee:

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

- i. the planning conditions set out in the Officer's report;
- ii. the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 including the Heads of Terms set out in the Officer's report with delegated authority granted to Officers for minor amendments to the Heads of Terms, subject to consultation with the Chair, Vice-Chair and Spokes with regards to the Buy to Rent provisions;
- iii. delegated authority to Officers to consider whether a contribution to the East of England Ambulance Service Trust is justified in terms of the CIL Regulations;
- iv. delegated authority to Officers to draft amendments to conditions:
 - a. 5 to refer to piling and foundations to reflect the Environment Agency consultation response to the planning application;
 - b. 32 to include reference to the resident's parking scheme which is in operation;
 - c. 38 to include reference to EV charging;
- v. delegated authority to Officers to draft additional conditions covering:

- a. letterbox provision on the outside of properties if possible (ref Local Plan Policy 55);
 - b. the control of aerial and satellite dishes; and
- vi. Informatives included on the planning permission in respect of:
 - a. Part O Building Regulations regarding overheating;
 - b. residents' parking

22/83/Plan 22/01432/FUL - Romsey Labour Club - 10.45am

Councillor Page-Croft left the Committee during debate, before the decision was taken and did not return.

The Committee received an application for full planning permission.

The application sought approval for part demolition of the existing Romsey Labour Club building with the retention of the Building of Local Interest (BLI) historic frontage and the erection of 43 serviced apartment development (sui generis use) along with a cafe, gymnasium, community space, and associated infrastructure and landscaping.

The Planner updated their report by referring to the Amendment Sheet, containing an amendment to condition 2 and additional Informatives.

The Committee received a representation in objection to the application from a representative of Cambridge Past Present and Future.

The representation covered the following issues:

- i. The detrimental impact on the Conservation Area through overdevelopment of the site and the loss of a building of local interest (BLI).
- ii. Noted an application approved in 2019 had the development description changed to 36 units (from 39 units) on the Committee's Amendment Sheet.
- iii. The current application was for 43 units which was 7 additional units over the previous permission, this resulted in a scale and mass detrimental to the conservation area location on a visually important junction.
- iv. An application for 44 units submitted in 2021 was withdrawn.
- v. The current application for 43 units only reduced the scale and massing by the removal of a single unit which was replaced by a refuse and cycle

store and the slight set-back of upper floors. This did not resolve the overdevelopment of the site.

- vi. Retention of the building's external elevation was a token gesture.
- vii. Demolition of the majority of the building would cause substantial loss of significance contrary to Policy 62 on Local Heritage Assets.
- viii. Considered the application did not meet Local Plan Policies 57, 61 and 62 and the application should be refused.

Peter McKeown (Applicant's Agent) addressed the Committee in support of the application.

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

- i. The development sat on a busy road junction.
- ii. The proposed development of 43 serviced apartments was out of character with the surrounding area, which formed part of the Romsey Conservation Area and would adversely affect its neighbours and surroundings which consisted of Victorian terraced houses.
- iii. There was no provision for car parking which would add to street parking and insufficient bike parking.
- iv. The proposed apartments were small with limited ventilation and there was no green space proposed for residents.
- v. Felt the proximity of the site to busy roads would make these poor-quality homes.

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

- i. The application was contrary to Policy 24 as it proposed to turn a building of historical significance in Romsey into 43 tiny, overcrowded studio style corporate serviced apartments. This would run contrary to the ethos and history of the building which was built by the hands of working-class men and women from Romsey.
- ii. The Labour Club was a historically important building opened by Ramsey Macdonald in 1928 following support of the 1926 General Strike when many of Romsey residents who were rail workers supported it.
- iii. The application did not demonstrate how the interior spaces of the building were significant and did not incorporate this into the proposed scheme.
- iv. The proposed plans would demolish almost the entirety of the historic building and only retain the front facades. It ignored the historic importance of the building.

- v. The retention of the building's external façade was a token gesture. The demolition of most of the building would cause a substantial loss of significance which was contrary to Policy 62 on Local Heritage Assets.
- vi. The height of the proposed development was 4 storeys high, whereas the Labour Club is single storey. This height would be significantly detrimental to views from Mill Road as it would block out longer views and would visually dominate neighbouring properties which were Victorian terraces in the area, contrary to Policy 55 Context, and Policy 58 Altering and Extending Existing Buildings.
- vii. The development represented an overdevelopment of the site, with poor quality tiny housing for which there was no demand in Romsey. Policy 61 Conservation and Enhancement of Cambridge's Historic Environment required development to be of an appropriate scale, form and height. The new build was considered out of scale and diminishes the quality and significance of the asset to the Conservation Area.
- viii. The current application was for 43 units which was an additional 7 units over a previous permission, resulting in a scale and mass detrimental to the Conservation Area location on a prominent road junction.
- ix. Serviced corporate apartments meeting short term occupation did not address the significant housing issue in Cambridge.
- x. The proposed outdoor space was small and of a poor quality. This was contrary to Policy 59, Designing Landscape and the Public Realm. Furthermore, it was contrary to Policy 68 which stated that 'All residential development proposals should contribute to the provision of open space and recreation sites/facilities on-site.'
- xi. Final concern was in relation to the development having no parking. There was no mechanism to enforce a car-free residence which would result in significant pressure on all the surrounding streets. This was also raised as a concern in the local highways authority report which was commissioned in relation to the proposed development which noted that the development is likely to lead to "on-street parking in competition with existing residential users. The development may therefore impose additional parking demands upon the on-street parking in the surrounding area."

The Interim Development Management and Planning Compliance Manager advised Members to give due regard to the extant permission following Member's comments during debate regarding the principles of use and design. They also noted that the Conservation Officer had responded to the application and recommended conditions.

A vote was taken on the Officer's recommendation to grant planning permission for the reasons set out in the Officer's report with delegated authority to Officers for minor amendments and subject to the following additional conditions and Informatives recommended by the Officer arising from Member debate including:

- i. amendment to condition 2 and the additional Informatives contained in the Amendment Sheet;
- ii. additional conditions regarding:
 - a. EV point in the disabled parking space;
 - b. external letterboxes; and
 - c. siting a commemorative plaque.

The vote on the Officer's recommendation (as amended) was lost by 1 vote in favour to 5 against with 2 abstentions.

Officers drafted the following reason for refusal reflecting the policy concerns expressed by Members for rejecting the Officer's recommendation:

- i. The proposed development by virtue of the quantum of serviced apartments (over and above those approved on the extant permission 19/0004/FUL on the site), and the design, layout and provision of communal open space within the courtyard and community space within the building, would fail to provide a suitable amount (proportionate to the extant consent which is 7 fewer than proposed) of communal space appropriate to a high quality scheme, and fail to be inclusive and accessible for future occupants and visitors to the building and as such is contrary to Policies 56 and 57 of the Cambridge Local Plan 2018 and NPPF 2021 paragraphs 92 and 130.

The Committee approved the reason for refusal unanimously.

The Committee:

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

- i. The proposed development by virtue of the quantum of serviced apartments (over and above those approved on the extant permission 19/0004/FUL on the site), and the design, layout and provision of communal open space within the courtyard and community space within the building, would fail to provide a suitable amount (proportionate to the

extant consent which is 7 fewer than proposed) of communal space appropriate to a high quality scheme, and fail to be inclusive and accessible for future occupants and visitors to the building and as such is contrary to Policies 56 and 57 of the Cambridge Local Plan 2018 and NPPF 2021 paras. 92 and 130.

22/84/Plan 21/05549/FUL - Emperor, 21 Hills Road - 11.30am

Councillor Flaubert was present as Alternate Member for the duration of the item.

The Committee

Resolved by 8 votes to 1 to defer determination of the application pending receipt of the Fire Officer's report.

22/85/Plan 22/02111/FUL - King's College - 12.15pm

Councillor Flaubert was present as Alternate Member for the duration of the item.

The Committee received an application for full planning permission.

The application sought approval for the installation of an Antony Gormley sculpture, steel construction with concrete footing on an area of York stone paving immediately adjacent to the Wilkins Building.

Professor Nicolette Zeeman (Applicant's Representative) addressed the Committee in support of the application.

The Committee:

Resolved (by 5 votes to 3 with 1 abstention) to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report and subject to the conditions recommended by the Officer including an Informative in relation to a Public Access Management Plan which would be agreed in consultation with the Chair, Vice-Chair and Spokes.

22/86/Plan 22/02520/FUL - Midsummer Common Sculpture Trail - 12.45pm

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

Councillor Flaubert was present as Alternate Member for the duration of this item.

The Committee received an application for full planning permission.

The application sought approval for the installation of 11 sculptures and 5 benches and associated structures forming a sculpture trail of a scale model of the solar system for a temporary period from 25th July 2022 to 4th September 2022 (including installation and removal) from Midsummer Common via Riverside and Stourbridge Common, Cambridge along the River Cam towpath to Cow Hollow Wood, Waterbeach. This was a cross boundary application, the South Cambridgeshire District Council application could be found under application reference 22/02402/FUL.

The Planner updated their report by referring to updated wording for condition 7 which was detailed in the Amendment Sheet.

The Committee received a representation in objection to the application from Milton Cycling Campaign as a written statement read by the Committee Manager:

The representation covered the following issues:

- i. Expressed concern with the location, within the highway, of structures 10 and 8. This route was part of the National Cycling Network Route 11 and a major cycling transport corridor between Cambridge and Waterbeach. Believed that the location of these two structures posed a hazard to the legal users of this path.
- ii. Structure 10 for the planet Neptune was located within a very narrow towpath (in itself less than 2m wide at most points). The structure narrowed the path further to 1.6m with the structure columns causing a further narrowing of the path. The structure was also only illuminated if approached from the Cambridge end and there was no illumination if approached from the Waterbeach side. Conflict had been seen first-hand during the weekend when a cyclist tried to go past some people taking photographs near the path, and as they walked backwards the cyclist almost collided with the pedestrians.
- iii. The other problematic structure was structure 8 for Saturn, which was located near the entrance to the Abbey-Chesterton bridge, part of the Chisholm Trail. This structure had been placed in the natural swept path

- of cycles and during their visit had observed at least two potential collisions between two cyclists and people admiring the structure.
- iv. Noted that structure 9 had not been installed where it was originally proposed in the plans, because it caused an obstruction to operate the lock safely.
 - v. Felt it was unfortunate that these structures have been installed at these two locations. The path was perceived by many residents as the only safe cycle path between Milton and Waterbeach to Cambridge, and the locations of these structures would cause conflict between the users of the path.
 - vi. Suggested that structure 8 was moved to the other side of the bridge in Ditton Meadows, outside of the path, just like other structures within the trail.
 - vii. Suggested structure 10 should be installed outside of the main path but recognised that there might not be enough space alongside the river. Instead suggested installing reflective material on the back of the structure and some temporary signage asking cyclists to slow down. These would be similar to the signs asking visitors not to climb on the structures.
 - viii. The small changes suggested should help to mitigate the narrowing issues these structures create.

Jenny Page (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report and subject to the conditions recommended by the Officer including the amendment to condition 7 detailed in the Amendment Sheet.

22/87/Plan 22/00469/FUL - 157 Green End Road - 13.15pm

Councillor Flaubert was present as Alternate Member for the duration of the item.

The Committee received an application for full planning permission.

The application sought approval for the erection of a 2 bed bungalow to the rear of 157 Green End Road.

The Committee received a representation in objection to the application as a written statement read by the Committee Manager:

The representation covered the following issues:

- i. Requested the Committee refuse the application.
- ii. The living area of the proposed dwelling had six full height glass patio doors which would face directly into the living area of 9 Evergreens at a distance of 15.4m. Noted that the proposed dwelling would also be close to 11 Evergreens.
- iii. The City Council had no Supplementary Planning Document specifying minimum separation distances between the windows of habitable rooms but noted that South Cambridgeshire District Council specified a separation distance of 25m and Southwark specified 21m. Noted properties in the locality had separation distances of around 27m-100m.
- iv. The proposed separation distance of 15.4m would not give adequate privacy or amenity.
- v. Disagreed with the case officer that the walnut tree would provide privacy. The tree was only in leaf for 6 months of the year and had a limited lifespan. Even when the tree was in leaf there was a clear view under the canopy.
- vi. 9 Evergreens would see directly into the living room and kitchen of the proposed dwelling and would have a view of the entire back garden. 11 Evergreens would also have a view.
- vii. There was a direct view from the proposed living room into the bedrooms of 9 Evergreens and to some degree 11 Evergreens.
- viii. Expressed concern regarding noise, which was contrary to Local Plan Policy 52c.
- ix. The previous application was refused. The shift of the dwelling by 2.9m did not significantly improve privacy.
- x. Queried the submitted 'Certificate A' as the boundary exceeded the applicant's Land Registry title and used part of a publicly maintained grass verge as garden.

The Committee:

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

- vii. the planning conditions set out in the Officer's report;
- viii. delegated authority to Officers in consultation with the Chair, Vice Chair and Spokes, to draft and include the following:
 - a. an additional boundary treatment condition which includes provision ensuring gaps for hedgehogs;
 - b. an amendment to condition 8 to remove the word 'not';
- ix. Informatives included on the planning permission in respect of:
 - a. referencing to condition 16 in relation to the relocation of the cycle store to the front of the property;
 - b. solar PV positioning on the roof; and
 - c. pedestrian visibility splays and that the telecommunication infrastructure cabinets may need to be relocated.

22/88/Plan 22/02030/FUL - Land r/o 1 Priory Street - 13.45pm

Following a vote to determine whether the Committee would extend beyond 6pm, Committee resolved not to do so, consequently this application was deferred to a future Committee.

22/89/Plan 22/01952/FUL - 108 Suez Road - 14.15pm

Following a vote to determine whether the Committee would extend beyond 6pm, Committee resolved not to do so, consequently this application was deferred to a future Committee.

22/90/Plan 22/01348/FUL - Land at 64 Cromwell Road - 14.45pm

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

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing garage and the creation of a new one bedroom dwelling including outdoor amenity space and pedestrian access from Cromwell Road.

Richard Sykes-Popham (Applicant) addressed the Committee in support of the application.

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

- i. Had visited the site and discussed the application with the applicant. Felt the proposal was in keeping with planning policy and the applicant had addressed the concerns raised in relation to their original application.
- ii. The access path to the dwelling would be 1.2m wide and would be in full view of the flats and neighbouring property so would be safe and adequate. Bin storage and off-road parking was proposed in the property's front garden.
- iii. The new dwelling would be separated from the main house by a reasonable length of garden so there should be no sense of over-intensification. Felt the proposal was attractive architecturally and in keeping with the character of the road. The dwelling would sit in line with a row of garages and outbuildings and was in no way incongruous, interfering to garden views or over-powering to neighbours.
- iv. Felt the new dwelling would provide an attractive, sustainable dwelling for the right occupant with plenty of light and ventilation in an area where there is need of housing.

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

- i. The initial application was withdrawn by the applicant in February and then resubmitted to address all concerns of the case officer. Had been to see the property, reviewed the plans and felt that the applicant had addressed all concerns raised by the case officer.
- ii. This application included a wider access path of 1.2 metres rather than 1 metre previously proposed, no access from the track to the rear, a stepped planted lower area to improve the outlook for future occupants and an additional rooflight to the lower ground level to provide extra daylight in the kitchen and dining area.
- iii. Noted that the case officer had now advised the application should be refused based on two new reasons for refusal which were not previously cited as concerns by the case officer in the previous application.
- iv. The first reason for refusal was that 'the development was not compatible with the surrounding area where there are a number of outside buildings and the proposed dwelling would be adjacent to 62 and 66's rear garages'. Given the surrounding context alongside the relatively small scale of the proposed dwelling, felt the proposal would not result in harm to residential properties in terms of overshadowing, overbearing or overlooking. While the proposal would create a new dwelling, the noise impact arising from any increased movement would not be significant. Felt the proposal adequately respected the residential amenity of its

- neighbours and the constraints of the site and felt that it was compliant with Cambridge Local Plan (2018) Policy 57.
- v. Noted other rear gardens along Cromwell Road and Brampton Road had annexes which were used in the same manner as separate dwellings and that the proposed dwelling's above ground mass would be smaller than many of the other rear garden buildings in the area, which would make it less obtrusive.
 - vi. The applicant had advised that of the two amenity areas proposed, the lower ground area was more likely to get used so the sound from this area would travel up (rather than outwards) and activity would not be visible from surrounding properties. The nature of the rear gardens on Cromwell Road were not likely to experience any change at all, contrary to what was suggested. Felt the proposal was not contrary to Policies 52 or 55 of the Local Plan.
 - vii. The case officer had also suggested that the proposed long narrow access from Cromwell Road would not create a "safe or inclusive access to the proposed dwelling, posing a safety risk for future occupiers". Felt that no evidence had been provided for these concerns and having visited the site felt the concerns were unfounded. The length of the access (main door at lower ground level to the highway) was 42 metres which was in keeping with several similar approved schemes in the city which were a similar distance from the highway.
 - viii. The access met the accessibility requirements set out in the Building Regulations Part M4(2). The access also met the requirements of Secured by Design Homes 2019 Version 2, March 2019. The proposal was not contrary to Local Plan Policies 55, 56 or 57 of the Local Plan and paragraph 130 of the NPPF.
 - ix. Noted the benefits of the development which included high-quality residential accommodation within the City, which was accessible to amenities. It was a high-quality design and highly sustainable; the development was energy and water efficient, generated no carbon emissions 'at source' and met a significant proportion of its own energy requirements through solar photovoltaics. It also made effective and efficient use of a site, which was already partially developed but underutilised and would help to meet the housing needs of the City.

Councillor Shailer (Ward County Councillor and who lived close to the site) addressed the Committee about the application:

- i. Noted that the access lane to the rear of the proposed site was 3.5m wide although it narrowed in some places. Expressed interest in how the lane could be brought up to adoptable standard.

- ii. Noted over the last 30 years the area had become much safer and more integrated.
- iii. The area was becoming a muse-like urban environment.
- iv. The proposal did not increase the living space density as high as that elsewhere in the City but being within walking distance of amenities was important.
- v. The proposal was better than most other new builds and would be a decent well-made accommodation.
- vi. The proposal would increase housing stock in the City at no cost to the local authority.

The Committee:

Resolved (unanimously) to refuse the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer report.

22/91/Plan Enforcement Monthly Report - 15.15pm

The Committee received an information report from the Principal Planning Enforcement Officer.

On 30th April 2022 there were 123 open cases, including 61 Short Term Visitor Accommodation investigations. The previous figure at the end of April February was 140.

In June 2022, 1 new case was opened and 4 investigations were closed.

In May 2022, 19 new cases were opened and 33 investigations were closed.

The Committee

Noted the Officer's report.

The meeting ended at 6.00 pm

CHAIR

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Agenda Item 5



Planning Committee Date	2 nd November 2022
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/00778/FUL
Site	The Varsity Hotel And Spa, 24 Thompsons Lane, Cambridge, Cambridgeshire.
Ward / Parish	Market
Proposal	Installation of a new all weather lightweight retractable roof canopy and associated works
Applicant	Mr Will Davies
Presenting Officer	Charlotte Peet
Reason Reported to Committee	Public Interest
Member Site Visit Date	Visit Recommended
Key Issues	<ol style="list-style-type: none">1. Design, Scale, Layout and Landscaping2. Heritage Assets3. Amenity4. Highway Safety and Traffic5. Third Party Representations
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks permission for the installation of a new all weather lightweight retractable roof canopy and associated works. The proposed canopy would sit above the existing roof top, which operates as part of the existing restaurant.
- 1.2 The report details that the proposed canopy structure is an unacceptable addition to the building and would adversely impact the high-quality Skyline of Cambridge and the surrounding heritage assets due to its insensitive scale, form, bulk, mass and appearance. It is outlined that the proposal has failed to meet the policy requirements for a structure of this height, and that the proposal would detract from several important listed building and the central conservation area.
- 1.3 It is acknowledged within the report the proposal would result in some public benefit in the form of increased employment and economic opportunities, however these are not considered to outweigh the harm resulting from the proposal to the Cambridge skyline and to surrounding heritage assets.
- 1.4 Officers recommend that the Planning Committee REFUSE the application.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	
Listed Building	X	Flood Zone	
Building of Local Interest	X	Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The Varsity Hotel is a seven-storey building, approximately 21m tall, used as a hotel and restaurant within the centre of the city adjacent to the quayside area. The Glassworks gym occupy the converted warehouse which adjoins the application site to the north. Other than this, to the northeast of the site, the character is predominantly residential and defined by consistent rows of two-storey terraced properties which are designated buildings of local interest. To the southwest, the character shifts, and is defined by taller, commercial use buildings which form part of the quayside area. Beyond this, is the River Cam.

2.2 The proposal is located with the Central Conservation Area, within the setting of a number of listed buildings and buildings of local interest which are summarised in the heritage section of this report.

3.0 The Proposal

3.1 The application seeks permission for installation of a new all weather lightweight retractable roof canopy and associated works

3.2 The proposed development comprises a structure made with a steel frame and glass which would sit across the over the entire rooftop area to provide year-round use of the rooftop bar. It would involve the removal of the existing balustrade and become a permanent fixture. The windows to the side of the structure would be openable through a mechanised system and the roof would be retractable.

3.3 The applicant was given the opportunity to submit further information/ amend the application twice times following the concerns raised by the Conservation and Urban Design Officer. Within the first opportunity to amend the application, the following documents were submitted.

- Heritage Impact Assessment
- Covering Letter
- Response to Conservation Letter

3.4 The second time, the applicant was encouraged to amend the application, however instead submitted verified views from locations around the city. It should be noted that verified views were requested by the Urban Design Officer, however the locations and viewpoints were not agreed prior to submission.

4.0 Relevant Site History

Reference	Description	Outcome
21/05201/NMA1	Non-material amendment of planning permission 21/05201/FUL (Creation of new basement/s for Hotel and Spa) Amendment of basement level, increasing depth by approx 2m	Withdrawn
21/05201/FUL	Creation of new basement/s for Hotel and Spa	Permitted
21/03682/FUL	Creation of new basement/s for Hotel and Spa	Permitted
20/02622/S73	S73 to remove condition 4 (car parking layout) of ref: 09/0447/FUL (Change of use from two residential apartments on 6th floor to six hotel rooms).	Disposed
20/02504/S73	Removal of condition 2 (vehicle parking) of planning permission 08/1610/FUL	Permitted

18/1933/FUL	Erection of a lightweight retractable fabric awning system, together with minimalist sliding glass curtains above the existing glass balustrade on the 6th Floor.	Permitted
15/0396/S73	S73 application to remove the prohibition of restaurant, cafe, bar use on the sixth floor - removal of condition 3 of planning permission 09/0447/FUL.	Permitted
14/0499/S73	S73 application to vary condition 2 of planning permission 08/1610/FUL to remove the part relating to the provision of a disabled parking space to amend to 'provision would be made offering valet parking free of charge for disabled guests'.	Refused
09/0775/S73	Variation of Condition 3 of planning permission 08/1610/FUL to allow the possibility of a restaurant	Permitted
09/0498/S73	Variation of Condition 3 of planning permission 08/1610/FUL to allow the possibility of a restaurant.	Refused
09/0447/FUL	Change of use from two residential apartments on 6th floor to six hotel rooms.	Permitted
09/0344/S73	Variation of condition 3 of planning permission 08/1610/FUL to allow the possibility of a restaurant.	Allowed on appeal
08/1610/FUL	Change of use which involves conversion of an existing apartment block in the centre of Cambridge into a Hotel, with no change to the top floor which will remain residential.	Permitted
04/1270/FUL	Amendments to approved planning permission C/03/0808/FP to achieve acoustic improvements and minor internal changes and increase size of Flat 19, to accommodate these changes by varying Northern, Eastern and Western elevations.	Permitted

- 4.1 The building was originally built as a residential building, however was later converted to a hotel through subsequent applications which first converted the lower floors to hotel use and then the top floor and then added the restaurant. The most recent alterations to the building have been in the form of the creation of a basement for the hotel/spa.
- 4.2 In regard to this application, it is worth noting that no pre-application has been undertaken regarding any addition to the roof.

5.0 Policy

5.1 National

National Planning Policy Framework 2021
National Planning Practice Guidance
National Design Guide 2021
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Circular 11/95 (Conditions, Annex A)
Conservation of Habitats and Species Regulations 2017
Environment Act 2021
ODPM Circular 06/2005 – Protected Species
Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development
Policy 2: Spatial strategy for the location of employment development
Policy 10: The City Centre
Policy 11: Development in the City Centre Primary Shopping Area
Policy 28: Sustainable design and construction, and water use
Policy 31: Integrated water management and the water cycle
Policy 32: Flood risk
Policy 34: Light pollution control
Policy 41: Protection of business space
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 59: Designing landscape and the public realm
Policy 60: Tall buildings and the skyline in Cambridge
Policy 61: Conservation and enhancement of historic environment
Policy 62: Local heritage assets
Policy 80: Supporting sustainable access to development
Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010
Open Space SPD – Adopted January 2009
Public Art SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009
Grafton Area Masterplan and Guidance SPD (2018)
Mitcham’s Corner Development Framework SPD (2018)

5.5 Other Guidance

6.0 Consultations

6.1 Conservation Officer - Objection

- 6.2 The application site is within the Central conservation area, and forms part of the setting of a number of statutorily and locally listed buildings, including the Grade I Pepys and First Court buildings at Magdalene college, the Chapel and the New Court buildings at St John's College, which are also Grade I, the Bright's building at Magdalene College, and Magdalene Bridge, which are both listed Grade II, and the Buildings of Local Interest on the east side of the north section of Thompson's Lane, both sides of St John's Street, and the west side of Park Parade. The Design and Access statement does not identify these heritage assets, nor does it make any reference to possible impacts on their setting, or on the significance of the conservation area. It is therefore clearly in conflict with Para 194 of the NPPF, and with part b of Cambridge Local Plan policy 60, both of which require applicants to identify heritage assets and assess potential impacts in this way.
- 6.3 The application documents are unclear on exactly how much of the proposed structure would remain permanently in place, and how much would be removed or retracted at times of good weather. Both the awnings and the roofing columns are described as retractable, but how cumbersome this process would be, and how frequently the applicants expect retraction to take place is not stated. The perimeter panels are explained as replacing the present glazed balustrade, so they would presumably have to stay in place at all times for safety reasons, but whether any other part of the structure would remain in place in good weather is not stated. The birds-eye image included in section 6 of the Design Access and Heritage Statement implies that the overall metal roof structure would remain in place even on a day when the canopy itself was retracted or removed. Given normal weather conditions, however, it is clear that the whole of the proposed structure would be in place most of the time, especially as it is clearly intended to provide shade in bright sunshine as well as protection from rain. The effect of the proposal would therefore be to create an enclosed eighth storey to the building. The additional storey would be more lightweight than the existing seven storeys, but no less visible, as the submitted CGI of the [proposed view from Jesus Green makes clear. During twilight and darkness, the additional storey would be lighted within, and would hence appear as a very prominent illuminated volume against the darkening sky.
- 6.4 The existing roof terrace restaurant is already a very prominent feature. The Historic Core conservation area appraisal notes that:

'The rooftop terrace of the new hotel and restaurant use can be seen from a wide surrounding area but is regarded as having

detracted from the historic character of Cambridge's collegiate skyline'.

- 6.5 The photographs submitted in the application demonstrate the way in which the hotel substantially overtops all the surrounding buildings. It is also a visually discordant element in views from surrounding streets, because it reads anomalously against the predominantly pitched roofs of the nearby domestic buildings, and introduces human activity and movement at rooftop level, in contrast to the wholly ground-level activity in its immediate environs. Seen across Jesus Green from the east, the building is prominent on the skyline, bulky and rectilinear, its massing and uncompromising modern materials contrasting aggressively with the delicate articulation of the pinnacle of St John's New Court, and the tower of St John's Chapel, and its scale overpowering both the collegiate buildings and the locally listed houses along Park Parade.
- 6.6 Additionally, in views from Magdalene College, especially from Second Court and the Fellows' Garden, the upper floors of the hotel building, and especially the roof terrace and its balustrade, are positioned directly against the listed Pepys and Bright's buildings, creating a jarring contrast with the profiles of those buildings, filling and towering over the opening revealed between the two.
- 6.7 The proposed additional structure would considerably exacerbate all these impacts, raising the effective height of the building, making it more prominent, more bulky, even more discordant in terms of form and materials, and more illuminated. It would thus erode the setting of all the nearby buildings cited above and harm the domestic character of the Thomson's Lane enclave, the collegiate and historic significance of Magdalene College, and the contribution which the western skyline makes to the quality of Jesus Green.
- 6.8 Recently published advice from Historic England: Historic Advice Note 4: Tall Buildings (March 2022) is relevant to this case. Paragraph 3.2 states:
- 'If a tall building is not in the right place, by virtue of its size and widespread visibility, it can seriously harm the qualities that people value about a place'.
- 6.9 This proposed canopy is not in the right place: the present building intrudes aggressively into the skyline and overwhelms nearby buildings. The proposed canopy would make it a taller and more intrusive building, even more inappropriately sited than it is at present.
- 6.10 Paragraph 4.5 of the advice states:
- 6.11 Understanding local context (including its evolution) is critical to achieving good design. This includes considering how the tall building relates to neighbouring buildings. It is important that the massing and scale of the

building is appropriate in relation to its surroundings and responds to context to avoid or minimise harm to the significance of heritage assets.

- 6.12 The proposal to increase the height of this building has not considered how that development will relate to neighbouring buildings or its surroundings. It is not good design, because it does not acknowledge the domestic character of the Thompson’s Lane enclave, the quality of the collegiate skyline seen across Jesus Green, or the historic collegiate character of Magdalene’s Second Court and Fellows’ Garden. The canopy would be inappropriate in this context and would cause significant harm to heritage assets.
- 6.13 Policy 60 of the Cambridge Local Plan 2018 states in part (b) that tall building proposals must ensure that ‘the character or appearance of Cambridge, as a city of spires and towers emerging above the established tree line remains dominant’. The proposed canopy would further erode this specific aspect of the city’s character, going beyond the damage already done to the dominance of towers and spires by the existing building.
- 6.14 The parallel drawn in Section 3 of the submitted Design Access and Heritage Statement between this proposal and the lightweight system previously approved on the hotel balconies is not valid, because those balconies are not a feature of the skyline, and their visual impact is far more limited.
- 6.15 The harm already done to heritage assets by the existing upper floors of the hotel and its roof terrace does not provide any justification for this project. There is no basis in local or national policy for accepting harmful impacts on heritage assets because a lesser level of harm has already been done. The proposed canopy would considerably exacerbate the harmful impact of this building.
- 6.16 I do not see any scope for mitigating the impact of this proposal through conditions. Any proposal to limit the amount of time the canopy could be in place would still allow the extensive harm to heritage assets detailed above and below to be caused for substantial periods of time. It would also be extremely difficult, if not impossible, to enforce. Proposals to alter the materials, reduce the extent of lighting, or limit the proposed canopy to only part of the roof terrace would similarly fail to have any substantial impact on the harm caused by the canopy.
- 6.17 The proposal would conflict with Cambridge Local Plan policies 55, 58, 60, and 61, and with government guidance in paragraphs 199, 200, 202 and 203 of the NPPF. It would cause ‘less-than-substantial’ harm to a number of heritage assets. The degree and nature of such harm is indicated in the table below.

Asset affected	Degree of harm	Nature of harm

Pepys Building, Magdalene College	Serious harm, towards the top of the 'less-than-substantial' range	Jarring juxtaposition of the proposed canopy area with the profile of the building when seen from Second Court. Further erosion of the enclosed and historic character of the space in front of this building. Jarring juxtaposition of the proposed canopy with the rear profile of the building when seen from the Fellows' Garden. Erosion of the character of this space, which is important to the setting of the Pepys Building.
Bright's Building, Magdalene College	Serious harm, towards the top of the 'less-than-substantial' range	Jarring juxtaposition of the proposed canopy area with the profile of the building when seen from Second Court. Further erosion of the enclosed and historic character of the space in front of this building.
St John's College chapel	Significant harm, beyond the mid-point of the 'less-than-substantial' range	Competing with and overtopping this landmark building; eroding the prominence of historic college towers and spires in the skyline.
New Court, St John's College	Significant harm, beyond the mid-point of the 'less-than-substantial' range	Competing with and overtopping the landmark pinnacle of this building; eroding the prominence of historic college towers and spires in the skyline.
BLIs in Thompson's Lane, St John's Street and Park Parade	Significant harm, beyond the mid-point of the 'less-than-substantial' range	Dominating the skyline; contrasting awkwardly with the patterns of the domestic roofscape; exacerbating the hotel's existing distraction from the street-based focus of this residential enclave.
Central conservation area	Serious harm, towards the top of the 'less-than-substantial' range	Cumulative impacts on the small-scale character of surrounding streets, the collegiate character of Magdalene College, the western skyline when seen from Jesus Green, and the view east along the river from Magdalene Bridge.

Further comments following submission of Heritage Impact Assessment and Response Letter - Objection

6.18 Comments subsequent to the additional (June) submission of an HIA, & response/letter:

- 6.19 The submitted HIA acknowledges harm to certain heritage assets:
- harm to the visual contribution the Magdalene College Brights Building makes to the adjacent riverscape;
 - harm to the Fellows Garden;
 - harm to the significance and character of this part of the river Cam corridor within the Conservation Area, and the skyline of Cambridge as seen from within Jesus Green.
- 6.20 The HIA considers that these harms would be “less than substantial” and at a minor level (in contrast to the Officer’s comments about the various buildings/places affected and levels of harm).
- 6.21 It then states that,
- “From within Jesus Green, the proposed rooftop canopy will alter the skyline from a small area within the parkland where there are vistas of The Varsity Hotel & Spa and St John’s College New Court and Chapel Tower. It is considered that that these views will not cause substantial harm to the overall character and appearance of the Cambridge skyline, as from many other areas within the historic core of Cambridge, these university buildings are still the prevailing tall features within the horizon.”
- 6.22 The latter is at issue. In terms of prevailing tall features, the proposed canopy would make it a taller building. Impact during twilight and darkness – when it would be lighted from within, would increase its prominence, and the introduction to the townscape, of a roof at high level, opening and closing would also be a feature uncharacteristic of the taller buildings of the historic core.
- 6.23 The applicant’s letter puts forward a justification (for in effect, the harms identified by the HIA) based on benefits to the business. However, NPPF para 202 states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...
- 6.24 The historic core is a very significant asset of the city. It has a distinctive skyline that combines towers, turrets, chimneys and spires with large trees. The aims of the Council’s Local Plan policy include to “maintain the character and quality of the Cambridge skyline” (page 329).
- 6.25 Notwithstanding the agent’s protestation that Council policy on tall buildings should not be applied to the proposal, the applicant’s HIA itself considers (at 8.4) Local Plan Apdx F “Tall Buildings” to be relevant.
- 6.26 The HIA in its methodology section, notes Historic England’s (2017) The Setting of Heritage Assets: Good Practice Advice Note 3 notes that ‘it is important that, at the preapplication or scoping state, the local authority, indicates considers approaches such as a ‘Zone of Visual Influence’ (ZVI)

in order to better identify heritage assets and settings that may be affected.’

- 6.27 Nevertheless, various impacts are not given consideration in the HIA – for example, the impact on the character & appearance of the conservation area – viewed from the Castle Mound and from Great St Mary’s Church.
- 6.28 The Council as Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Taking into account the June submissions, it remains the case that the proposal would harm (preserve or enhance) the conservation area.
- 6.29 Section 66 of the Planning (LB & CAs) Act 1990 states that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting.....
- 6.30 The NPPF provides that irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be) - Para 199.
- 6.31 Given these provisions, the proposal is not considered acceptable.
- 6.32 Further Comments Following Submission of Verified Views - Objection**
- 6.33 The Verified Views.
- 6.34 The images submitted confirm that there would be impacts from the viewpoints concerned. They confirm how out of character the retractable roof canopy would appear – the combination of its uncharacteristic form/volume, and its position atop the building resulting in an incongruous presence and intrusive (ref from Magdalene Bridge) appearance.
- 6.35 They illustrate impacts on the conservation area such as in the experience of Jesus Green (where the structure would also detract from the significance of the tower of St John’s College chapel in the view). From Great St Mary’s, the structure would also be seen in the setting of St John’s College chapel and against a tree belt beyond.
- 6.36 The introduction of the structure (bare or covered) into the vista from The Castle Mound cannot be said to be sympathetic with the important characteristics of the cityscape there.
- 6.37 Comments on the 17th August 2022 LanPro assessment.

- 6.38 At the river Cam corridor, the suggestion the design and shape of this canopy would be in keeping with the overall character of the juxtaposition between the old and new, with the historic grounds of Magdalene College to the north and the repurposed industrial and more modern developments along the south bank of the river whilst the canopy will simply result in a slightly taller ridgeline, does not take into account the nature of this metal and glass structure.
- 6.39 From within Jesus Green they say the tower of St John's College Chapel is still the dominant feature within the historic core skyline and that there will be only less than substantial harm (minor level) harm. Even if this were so, this does not account of the character of the structure nor dynamic aspects of its operation which would in both cases increase its impact.
- 6.40 Whilst the verified views produced from Castle Mound indicate that the retractable roof canopy would not break the existing treeline, this does not mean it would not compete (as a volume/form) with the spires and towers. Therefore, it is not accepted that the proposed development will result in less than substantial harm (minor level) to the views across the historic core of Cambridge from Castle Mound.
- 6.41 I have referred above to the view from Great St Mary's, the structure would also be seen in the setting of St John's College chapel and against a tree belt beyond. The structure is referred to as simply a "grey-coloured rooftop canopy almost entirely blending in with the Chapel roof when either closed or open" but this does not take into account that this is an opening and closing "lightweight" structure of quite different appearance to the masonry and slate it would be seen in conjunction with.
- 6.42 Overall, I consider that whilst the verified views submitted are indicative of the proposed development resulting in what the NPPF terms "less than substantial harm", the level of this harm would be significant and therefore more than the minor level the agents suggest.

6.43 Urban Design Officer - Objection

Background information/additional comments

- 6.44 The site is located within the Central Conservation Area and documented within the Historic Core Appraisal, 'Thompson's Lane'.
- 6.45 The proposals seek to introduce a retractable roof canopy, that covers the footprint of the existing roof, and has an overall ridge height of 4m.
- 6.46 As far as we are aware, the applicant has not engaged with the Local Planning Authority (LPA) in pre-application discussions. Pre-application discussions are recommended for all sites, particularly where there are contextual and amenity issues to be addressed. Engaging in pre-application discussions is consistent with paragraphs 39-42 of the NPPF.

Tall buildings and the skyline in Cambridge

- 6.47 The proposals break the existing skyline, and as such trigger Policy 60 of the Cambridge Local Plan (CLP 2018). The applicant has failed to satisfy the criteria set out in Policy 60 for assessing the impact of tall buildings on the Cambridge skyline.
- 6.48 The applicant will need to use the criteria in Policy 60 & Appendix F (CLP 2018) to assess the sensitivity of the upper floor, and to inform the extent of any additional massing.
- 6.49 Given the footprint and height of the proposed canopy frame, the proposals effectively add an additional floor to the existing building. As such, we will need to see comparative CGIs and accurate visual representations, which have been chosen using the methodology set out in Policy 60 & Appendix F (CLP 2018) and in response to the sensitivity of the surrounding context. The technical parameters of the two views provided, from New Park Street and from Jesus Green, have not been provided, nor do they show comparative views (existing and proposed), and as such they cannot be used to make an accurate judgement about the likely impact of the proposals on the surrounding context.

Scale, massing, and appearance

- 6.50 The proposed scheme creates a single large massing to the existing hotel with an apex form rising to a proposed ridge height of 4m. The proposed form lacks any meaningful articulation, and we are concerned that the proposed form and materials will create a visually dominant addition on the skyline that negatively impacts on available views. As such the proposed scale and form are not supported in urban design terms.
- 6.51 In our view, it should be possible to add a canopy to the upper floor that creates a visually interesting roofscape and adds interest to the Cambridge skyline. The proposals are located on a building that is already breaking the prevailing skyline in terms of height and massing. An addition to the building has, subject to careful assessment and sensitive design, the ability to create a more sculptural and well-articulated form that makes a positive contribution to the skyline.
- 6.52 The Hyatt, Eddington is a good example where the design of the rooftop canopy appears lightweight and recessive and is successful in creating a sculptural and articulated form.

Conclusion

- 6.53 In the absence of an adequate assessment against Policy 60 (CLP 2018) and given the resulting bulky scale and appearance of the proposals, the scheme does not comply with Policy 55, 56, 57 & 60 (CLP 2018) and cannot be supported in urban design terms. A more successful response to the challenge of creating the canopy is needed and a design brief where

the scale, massing, and appearance of the proposals combine to create an addition that makes a positive contribution to the skyline.

6.54 Further Comments Following Submission of Verified Views - Objection

6.55 We previously raised concerns about the bulky scale and appearance of the proposals, and the absence of an adequate assessment against Policy 60 of the Cambridge Local Plan (CLP) 2018. The proposed form lacks any meaningful articulation and has the potential to create a visually dominant addition on the skyline that negatively impacts on available views.

6.56 We concluded that it should be possible to add a lightweight canopy to the upper floor of the existing building and that an addition has, subject to careful assessment and sensitive design, the ability to create a more sculptural and well-articulated form that makes a positive contribution to the skyline.

6.57 The applicant has now submitted a set of Verified Views (15th August 2022) in line with Policy 60 (CLP 2018) but has not amended the proposals in response to the concerns raised. Having reviewed the Verified Views, our prior concerns remain.

6.58 The Verified Views show that the proposals are creating a large volume, which by virtue of the overall height, footprint, and detailing, results in a form that is bulky and heavy in appearance. The Urban Design comments provided by Raquel Leonardo on behalf of the applicant, fails to acknowledge the level of impact that the proposals can be seen to have, particularly from more local views. This can be seen in the Verified View taken from Magdalene Bridge, which shows the uncomfortable juxtaposition between the volume and bulk of the proposals against the finer, more articulated surrounding roofscape.

6.59 Given the resulting bulky scale and appearance of the proposals, the scheme does not comply with Policy 55, 56, & 60 (CLP 2018) and cannot be supported in urban design terms. We acknowledge that an additional form to the existing hotel roof top could be achieved, but a design led approach, that delivers a more articulated and slender form is needed to make a positive contribution to the skyline.

7.0 Third Party Representations

7.1 The applicant has submitted two petitions in support of the application with over 400 total signatures, from people living both within and outside of the city.

7.2 The application has received 27 representations on the application. A total of 24 representations were received in supporting of the application from the following addresses:

- 53 Akeman Street, Cambridge
- 3 Bath Close, Wyton on the Hill,
- 18 Priams Way, Stapleford, Cambridge
- 51A Ermine Street, Papworth Everard, Cambridge
- 9 Icen Way, Cambridge
- 7 North Street, Huntingdon
- 15 The Crescent, Cambridge
- East House, Homerton College Hills Road, Cambridge
- 36 Beaumont Road, Cambridge
- 31 Westmoor Avenue, Swaston
- 18 Madingley Road, Cambridge
- 86 Hartington Grove, Cambridge
- 3 Barnwell Road, Cambridge
- 64 Cam Causeway, Cambridge
- 17 Lovell Rd, Cambridge
- 1 Talls Lane, Fenstanton
- 35 Shirley Rd, Histon
- 11 Rawlyn Close, Cambridge
- 9 Cranfield Place, Somersham
- 7 Wagstaff Close, Cambridge
- Suite 1, 2nd Floor, 2 Quayside, Cambridge
- UNKNOWN
- UNKNOWN
- 63 Verulam Way, Arbury

7.3 The following matters were highlighted within these comments:

- Limited visual impact
- Design would have minimal impact
- Economic benefits
- Employment benefits

7.4 3 representations were received in objection to the application from the following addresses:

- 8 Lansdowne Road, Cambridge
- 29 Beaufort Place, Thompson Lane, Cambridge
- 22 Beaufort Place, Thompson Lane, Cambridge

7.5 The following matters were raised as concerns:

- Harmful visual Impact
- Harmful to skyline
- Traffic and Vehicle increase

8.0 Member Representations

Not applicable

9.0 Local Groups / Petition

9.1 Not applicable

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

10.0 Assessment

10.1 Principle of Development

10.2 The NPPF (2021) paragraph 86 states that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Cambridge Local Plan (2018) policy 10 seeks to ensure Cambridge expands its role as a multi-functional centre through supporting a mix of retail, leisure and cultural development in order to add to the viability and vitality of the city centre. The "Cambridge Hotel Futures Study" (2012) identifies the importance of achieving a high quality and distinctive hotel offer in Cambridge city centre and that around 1,500 new hotel rooms may be required up to 2031. High quality visitor accommodation is therefore important to the Cambridge economy if it is to remain competitive as a visitor destination.

10.3 The proposal would seek to create a new structure to cover the existing rooftop level, which is currently used as a rooftop terrace as part of the restaurant on the floor below. The applicants explain in the information submitted with the application that as existing the rooftop is used on a seasonable manner, however the proposal would allow year-round use of the rooftop bar as the weather conditions could be mitigated. The information submitted suggests that currently 8-10 full time and 8-10 part time staff that work in the bar/ restaurant in the months between March and October, and that the proposal would allow 12 full time and 12 part time staff members to work year-round.

10.4 In principle, the expansion of the rooftop bar facility is considered to be a logical response to the existing seasonal restrictions and an enhancement to the operational capacity of the hotel's existing restaurant. The proposal is therefore, supported in principle subject to other material planning considerations which are discussed below.

10.5 Design, Layout, Scale and Landscaping

10.6 Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment. The NPPF (2021) paragraph 126 seeks to support the creation of high

quality, beautiful and sustainable buildings. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 10.7 Cambridge Local Plan (2018) Policy 60 seeks to ensure that the overall character and qualities of its skyline is maintained and, where appropriate, enhanced as the city continues to grow and develop. The proposal states that any proposal for a structure to break the existing skyline and/or is significantly taller than the surrounding built form should be assessed against the criteria listed in parts (a) – (e) of the policy.
- 10.8 Appendix F (Tall Buildings and the Skyline) of the Cambridge Local Plan 2018, states that Cambridge has a distinctive skyline that combines towers, turrets, chimneys and spires with large trees with notable buildings including St John's College Chapel and others forming some of the important view to Cambridge.
- 10.9 It defines a tall building as any structure that breaks the existing skyline and/or is significantly taller than the surrounding built form, and states that within the historic core any proposal with six storeys or more and a height above 19 metres would need to address the criteria set out the guidance.
- 10.10 In regard to part (a), the applicant is required to demonstrate through a visual assessment or appraisal with supporting accurate visual representations, how the proposals fit within the existing landscape and townscape. Appendix F (paragraph F.29) expands on this criteria to suggest that the relationship of the proposed building, or buildings, to the surrounding context needs to be carefully examined through a townscape, landscape and urban design appraisal.
- 10.11 As submitted, the application did not provide any information to understand how the proposal had been informed by the surrounding context, nor did it provide any assessment to understand how it would fit into the existing townscape and landscape. The examination of the visual impact was limited to two visualizations of the proposal from Jesus Green and New Park Street with no assessment or consideration of these views and the impacts that would result to the surrounding area. These visualisations did not provide any existing and proposed views and as such were not considered sufficient to make an accurate judgement of the impacts of the proposal.
- 10.12 Following the comments made by the Conservation and Urban Design Officers the applicant sought to submit further information on two separate occasions.
- 10.13 At the first opportunity to submit further information a heritage impact assessment (HIA) and supporting documents were given. The HIA aimed to assess the harm to heritage assets and demonstrate a zone of visual influence to show where the proposal would be visible within the surrounding context. At the second opportunity to submit further

information, the applicant was invited to amend the application, however submitted verified views of the proposed development to demonstrate its impact upon the surroundings. The precise locations of the verified views were not agreed prior to submission with specialist officers as would be usual for a development of this nature.

- 10.14 Whilst Officers appreciate the additional information submitted, the information focuses on the highlighting where the proposal would be visible both in respect of heritage assets and its surroundings. It does not demonstrate how the proposal has been informed by an examination of the surrounding townscape and landscape. The zone of visual influence is partially helpful in its examination of potential viewpoints, however visibility or lack thereof does not justify the proposals siting, form or design. The verified views are helpful to assess how the proposal would appear from a variety of viewpoints, including in regard to some heritage assets, however these do not justify the approach taken. Instead, they highlight that the concerns raised by the Conservation Officer and Urban Design Officer are well-founded as they make clear the significant impact that the proposal would have on its surroundings and the skyline of Cambridge due to its poor articulation.
- 10.15 The information submitted does not demonstrate how the proposal has been informed by the surrounding context and the impact it would have in terms of the impact to the character and appearance of the area. It is considered that the application fails to meet criteria (a) of Policy 60.
- 10.16 Criteria (b) aims to preserve and enhance heritage assets and requires the applicant to demonstrate and quantify the potential harm of proposals to the significance of heritage assets or other sensitive receptors. The information submitted does provide an assessment of heritage assets, including surrounding listed buildings and buildings of local interest, however I agree with the Conservation Officer that the harm would be significant, and the justification given for the harm is insufficient. This will be assessed in detail in the following section on impact to heritage assets. The proposal fails to comply with criteria (b) of Policy 60.
- 10.17 Criteria (c) requires that the applicant to demonstrate through the use of scaled drawings, sections, accurate visual representations and models how the proposals will deliver a high quality addition to the Cambridge skyline and clearly demonstrate that there is no adverse impact.
- 10.18 Appendix F (paragraph F.36) states that the appropriate scale and massing of buildings is an important consideration in achieving the good integration of new buildings within established urban areas and the wider landscape. An understanding of the surrounding context, as required in Policy 55 of the Cambridge Local Plan, is an important step in achieving appropriately scaled buildings.
- 10.19 As above, as submitted, the information originally submitted with application was extremely limited in regard to the assessment of the visual impact of the proposal. Whilst there continues to be no justification or

demonstration provided into the choices made surrounding the scale, massing and architectural quality of the proposal, verified views have been submitted. These were submitted following the continuing concerns being raised by the Conservation Officer and Urban Design Officer. The submission of verified views is welcome given the requirements of Policy 60 as above, however the applicant has failed to make any amendments to the scheme following these views in order to address the concerns raised. Instead, the verified views demonstrate that the concerns raised are accurate to the proposal and that the proposed development would appear as a poor-quality, ill-considered addition that would be detrimental to the skyline and surrounding context.

- 10.20 As existing the hotel building already intrudes into the skyline above surrounding buildings, it unfortunately appears somewhat dominant above these due to its height and contemporary materials which differ from those more traditional examples in the surrounding context.
- 10.21 The proposed development would significantly exaggerate the dominating impact to the skyline and surrounding area, due to its poorly considered scale, form, mass, bulk and appearance. In terms of scale, the proposal would seek add a 4-metre-tall glass structure over the entire top floor of the building to effectively create an additional storey that would reach to the edges of the roof top.
- 10.22 Appendix F describes that the Cambridge Skyline is defined by an established tree line with spires, cupolas, chimneys and towers reaching above this. The elements are generally slender, with minimal and historically appropriate massing. In this case, the proposal would appear totally incongruous with these existing features and comprise an inconsiderate proposal with excessive and blocky massing which would over dominate the skyline. As in the views submitted, it would span a length of 23.4 metres, and be completely out of proportion with the existing features. It is considered that the proposal would represent a gross intrusive into the skyline due to the excessive scale and massing.
- 10.23 From the information submitted, it appears that little consideration has been given to the architectural detailing of the proposal. The proposal comprises a boxy structure, with a wide steel frame and glazing to cover this. The steelwork on the floor below appears to be slenderer and more infrequent, however the proposal would have the steelwork be very visible and a significant part of the proposal. No detail has been given to the proposed fabric roof, and how this would visually impact the wide-ranging views from which the proposal would be visible.
- 10.24 Overall, the proposal would be considered to be a poor-quality addition to the Cambridge skyline, that would aggressively disrupt the delicate articulation of the existing features. The proposal fails to comply with part (c).
- 10.25 In regard to part (d), the applicant has submitted no information regarding any consideration of the amenity and microclimate of neighbouring

- buildings and open spaces. The amenity impacts of the proposal will be considered more fully in the amenity section of this proposal, however the applicant has failed to provide any evidence that demonstrates that this has been considered. The applicant fails to meet criteria (d).
- 10.26 Finally, in reference to criteria (e) of policy 60, no information has been submitted regarding how the proposal would impact the public realm and street level, the application fails on this criterion also.
- 10.27 Policy 55 states that development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places.
- 10.28 Policy 58 supports alteration or extension to existing buildings where the addition is carefully designed to avoid them destroying the character or integrity of the existing building or negatively impacting on the amenity of neighbouring properties or area.
- 10.29 As existing, the building contains a brick facade with openings to serve the hotel from ground floor to the fourth, above this the building finish is a more contemporary grey zinc. The fifth floor contains balconies to serve the hotel rooms, the sixth comprises the restaurant with a covered balcony. Above this, is the roof top level which comprises a glass balustrade which wraps around the edge of the building. The existing glass balustrade projects only 1 metre above the existing roof top with only a minimal metal railing above the glazing. As such, it appears as a minimal and modest element above the existing building.
- 10.30 The application seeks to install what is described as a retractable roof canopy at this level, so that the roof top can be used year-round. The proposal seeks to utilise motorised guillotine perimeter windows which would slide down to open up the upper section of the side panels. It is detailed that a wide steel framework would hold these and the fabric roof with glazed corners, although no specific detail has been given of the steel frame, glazing or fabric to be used. From the additional information submitted, it has been made clear that the canopy structure would be a permanent addition as the glass balustrade would be removed to accommodate this proposal.
- 10.31 It is noted by Officers that some representations have commented that the proposal would not constitute solid structure however this is not the case, the proposal would be substantial structure with a heavily weighted frame and significant glazing panels. It is acknowledged that the roof canopy retractable and the side panels openable by a motorized system, however these would not reduce the substantial appearance of the structure. It would continue to read as a considerable and weighty addition to the roof, even when these elements are opened.
- 10.32 As existing, the Varsity Hotel projects well above the surrounding buildings including the residential properties to the north and the commercial

buildings which form part of the quayside to the south. The building comprises a height of 21 metres with the balustrade above projecting an additional 1 metre. This is significantly taller than the adjacent buildings which are closer to 14 metres in height. The upper floors which protrude above the surrounding built form comprise a modern grey zinc materials which exacerbates the building's visual dominance.

- 10.33 The proposal would sit above the existing building, and with an additional height of 4 metres, sits well above the surrounding buildings and protrudes unacceptably into the skyline of Cambridge. As have been described above, the proposed addition would result in a poorly considered, insensitive, addition to the building that is considered to be excessive in its scale, mass, bulk and height. The addition lacks any meaningful articulation and is instead in the form of a poorly considered box which does not preserve the high-quality nature of the Cambridge Skyline nor the surrounding area. The details given surrounding the steel framework suggest that it would be significant in width and overly dominant structure above the existing rooftop.
- 10.34 Officers note that representations have been received about the proposal, with commentors suggesting that the proposal would be better than alternatives such as using umbrellas which could be blown away. Whilst, a permanent solution may be better than umbrellas or other temporary measures to mitigate the weather, it is considered that a more considered, better quality design could be achieved on this site with an alternative design. As suggested by the Urban Design Officer, a pre-application has been recommended to support the applicant moving forward.
- 10.35 The applicant has twice been invited to amend the application in order to address the visual concerns of the proposal through the course of the application, however they did not amend the proposal and chose to submit further information instead. As above, the additional information does not address the concerns raised regarding the visual impact of the proposal. As part of the application some representations have been received suggesting that the proposal would have minimal visual impacts, however this is not the case. The verified views demonstrate that the proposal would be visible from a number of key locations around the city.
- 10.36 Overall, the proposed development fails to contribute positively to its surroundings and be appropriately landscaped. The proposal is not compliant with Cambridge Local Plan (2018) policies 55, 56, 58, , 60 and the NPPF (2021).

10.37 Heritage Assets

- 10.38 The application falls within the Central Conservation Area (Historic Core). The application is within the setting of a number of listed buildings and other heritage assets both within the surrounding area and within the skyline which are summarised within the table below.

Address	Historic Listing
29 Thompsons Lane	Grade II
30 Thompsons Lane	Grade II
Brights Building, Magdalene College	Grade II
Pepys Building, Magdalene College	Grade I
First Court, Magdalene College	Grade I
Second Court Magdalene College	Grade II
Magdalene Bridge	Grade II
No. 1-3 St Johns Road	Building of Local Interest
5-12 St Johns Road	Building of Local Interest
No 16-22 St Johns Road	Building of Local Interest
No 1-14 Thompson's Lane	Building of Local Interest
Park Parade	Building of Local Interest
St John's College Chapel	Grade I
New Court, St Johns College	Grade I
Central Conservation Area	Conservation Area

- 10.39 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 10.40 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 10.41 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 10.42 The Conservation Officer has been formally consulted on the application on three occasions, first as it was originally submitted, then following the submission of the heritage impact assessment and finally upon the submission of the verified views. The Conservation Officer objected on all occasions to the proposal.

- 10.43 As submitted, the application contained no information regarding the impact of the proposal on the surrounding heritage assets, and the Conservation Officer concluded that the proposal would result in less than substantial harm to a number of heritage assets without justification. The harm was summarized within a table in their comments which Officers have inserted within the consultation section of this report. The consultation response included recognition of moderate to high levels of less than substantial harm to the setting of several listed buildings, and the character of the conservation area. The setting of non-designated heritage assets (buildings of local interest) which contribute to the character of the conservation area would also be harmed by the proposal.
- 10.44 Following the significant concerns raised, the applicant requested the opportunity to submit further information in the form of a heritage impact assessment. The heritage impact assessment has regard to the significance of the heritage assets and the resulting impact of the proposal, however, argues that the proposal would result in lower levels of harm than concluded by the Conservation Officer.
- 10.45 Given that the Conservation Officer continued to have concerns, the applicant was given a further opportunity to amend the proposal, however rather than amend the proposal, chose to submit verified views of it from locations around the city. Following a review of these views, it is concluded that they demonstrate that there would be an adverse visual impact on the Cambridge skyline and heritage assets as the proposal would be uncharacteristic in terms of its form, volume and siting.
- 10.46 It is clear from the verified views submitted that the proposal would be significantly visible both within the Cambridge skyline and from views surrounding the proposal site.
- 10.47 To the east of the proposal site are the Thompson Lane, St John's Street and Park Parade buildings of local interest, which positively contribute to the Conservation Area due to their consistent two storey scale and uniformity in appearance. As existing these buildings sit within the setting of the taller and more varied buildings at the former brewery. Beyond these buildings is Jesus Green from which there are important views of the Cambridge skyline above the existing tree line. From this point the chapel of St Johns College and the spire of All Saint's Church can be seen, and positively inform the skyline. The rooftop of the Varsity hotel is also visible, but this is a negative feature which detracts from the skyline and character of the area. The proposal would protrude into views within this skyline, above the existing buildings of local interest, and as such would detrimentally impact the heritage assets. Due to the buildings insensitive form, bulk, height and poor quality architectural detail it would dominate these views and erode the high quality of the collegiate skyline.
- 10.48 The verified views submitted provide two views from Jesus Green, one from near to the centre of the green and one from the café. Both demonstrate the above concerns further and show how the built form

would protrude above the existing tree line and dominate views from Jesus Green. The building would have a poor and detrimental relationship with existing historic features which inform the skyline, and would ultimately detract from their significance from this view.

- 10.49 To the east of the site is Magdalene College as the associated listed buildings and Magdalene Bridge, from which the proposal would also be visible as shown in the verified views. As existing the rooftop area sits above the quayside buildings' rooftops, and is again recognized for having had an adverse impact on the city skyline and conservation area due to its height, bulky form and contemporary appearance. Officers agree with the Conservation Officer that the proposal would significantly exarate these impacts through the imposition of a tall, poorly considered structure which would aggressively intrude into the skyline and over dominate the surrounding rooftops and the views from the listed buildings which surround this area to the east.
- 10.50 From this side of the structure, the views submitted are from Magdalene Bridge and from Magdalene College Scholars Garden. The view from Magdalene Bridge has been positioned towards the south east of the bridge where the existing trees partially obscure the structure. On site Officers became aware that further along the bridge the proposal would be entirely visible and not obscure by the existing trees or roofs. This view shows that the proposal would sit well above the existing roof line and would over dominate the existing characteristics of the quayside. This is also the case from the Scholars Garden. The proposal would protrude above the skyline and be visible as a poor articulated feature that would fail to preserve the character of the Conservation Area in this location. Overall, as seen in the verified views, the proposal would intrude in the skyline above the surrounding buildings and appear as a bulky addition that would fail to preserve to enhance views from the existing heritage assets.
- 10.51 The applicant has also provided verified views from Great St Mary's Tower and Castle Mound, these locations were suggested by the Conservation Officer. From Great St Mary's the proposal is considered to sit in contrast to the delicate historic features which currently characterize the skyline. The views highlight the existing finely detailed spires and towers which hold significant merit in terms of their value to the Cambridge skyline. Whilst it is visible within the context of the existing buildings and tree belt, the proposal appears in disjunction with these features. As suggested by the Conservation Officer it would not blend in with the existing features or materials pallet and as such would further demonstrate the adverse visual impacts.
- 10.52 The view from Castle Mound shows that the proposal would be visible as an unsympathetic and poorly articulated structure from this point. Whilst, visible in the backdrop of the tree belt, it would appear a dominant structure that would detract from the existing views across the city.

- 10.53 Notwithstanding the additional information provided by the applicant, officers consider this to have reinforced the assessment of less than substantial harm to a number of heritage assets, of a moderate to high level. It should be noted that the Local Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area and a listed building or its setting. In this case, the Historic Core Conservation Area is considered to be a significant asset within the setting, as are the nationally and locally listed buildings. These would not be preserved or enhanced by the proposed development.
- 10.54 In the case that a proposal would lead to less than substantial harm, paragraph 202 of the NPPF (2021) states that this harm should be weighed against the public benefits of the proposal. In relation to non designated heritage assets which are indirectly affected by a proposal, paragraph 203 states a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.55 The applicant has provided information regarding the increase in employment opportunities that would result from the proposal. As has been set out at the beginning of the report the existing rooftop terrace supports 8-10 full time and 8-10 part time staff between the months of March and October. The proposed rooftop structure would allow this to increase to 12 part time and 12 full time staff year round as it would mitigate adverse weather conditions that would usually prevent the operation of the rooftop bar out of season. Officers recognize that the proposal would offer increased employment opportunities, that would indeed be more regular and secure for the employees of the site. Whilst, minimal in terms of overall employment benefit to the city, there would be economic benefits amounting from this which should be recognized as part of the proposal. Whilst the potential increase in employment is positive, the numbers are not significant and therefore, it is considered to carry limited weight as a social and economic public benefit.
- 10.56 In addition to the employment opportunities, Officers note that the representations received have made reference to the potential opportunities for increased tourism in the city. The proposal would allow for the terrace to be used all year round, therefore, increasing its capacity and appeal. Officers acknowledge that the Varsity Hotel represents high quality visitor accommodation within the city centre which is utilised by visitors to the city. However, any additional patronage of the terrace will be from visitors already staying at the hotel or within the city. The proposal does not expand the offer of visitor accommodation, as such, it is considered to carry limited weight in terms of wider economic benefits through increased tourism spend in the city.
- 10.57 Overall, officers consider there are limited public benefits of the proposal scheme and that these benefits do not outweigh the harm identified to heritage assets within the city.

10.58 It is considered that the proposal, by virtue of its scale, massing and appearance, would result in less than substantial harm of a moderate to high level, to the character and appearance of the Conservation Area and the setting of several listed buildings and buildings of local interest. The proposal would therefore, fail to preserve or enhance the character and appearance of the conservation area and the desirability of preserving the setting of listed buildings. The proposal is therefore not compliant with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Local Plan policies 61 and 62.

10.59 Amenity

10.60 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

10.61 Policy 60 requires the applicant to demonstrate that there is no adverse impact on neighbouring buildings and open spaces in terms of the diversion of wind, overlooking or overshadowing, and that there is adequate sunlight and daylight within and around the proposals.

10.62 The applicant has not made an assessment regarding the impact of neighbouring buildings in terms of the surrounding urban microclimate and impacts in regard to wind, overlooking, overshadowing and sunlight and daylight as is required by Policy 60. However, in this case, given that the proposal would be sited on the roof of an existing building it is unlikely to result in significant adverse impacts in terms of microclimate and amenity.

10.63 In terms of noise outbreak, the roof top terrace is already accessed and used by patrons of the hotel. As such, noise is dispersed from the terrace, albeit at a raised level above the surrounding buildings. Whilst enclosing spaces can often create noise reverberation, given the nature of the existing use it is not considered to contribute to a significant increase in terms of noise and activity that would be detrimental to the surrounding occupiers.

10.64 As well as this, Officers note that the proposal site is situated adjacent to the quayside area, with the closest buildings comprising commercial uses and therefore these are not considered to be significantly sensitive to an any increase in noise and activity.

10.65 The proposal front onto Thompsons Lane which does contain residential properties, closest to the site are No. 28 and No. 29 Thompsons Lane. As these buildings have a height of only two and two and half storeys, and taking into account that the proposal which sits above the sixth floor at roof top level the proposed structure is not considered to result in adverse impacts in terms of loss of light or cause an overbearing relationship to these properties.

10.66 The proposal would adequately respect the residential amenity of its neighbours and the constraints of the site and therefore would not be compliant with Cambridge Local Plan (2018) policies 35, 58 and 60.

10.67 Highway Safety and Traffic

10.68 The proposal would seek to create a glazed canopy structure over the existing roof-top bar area to allow for the roof-top to be used year-round. One representation raised that the increased use of the roof top would contribute to increased traffic difficulties along Thompsons Lane due to potential additional users.

10.69 Officers have had regard for the proposal and the increased use from season to potential year-round use, however note that the restaurant is already used year-round. In addition, Officers note that the building is sited in the centre of the city where sustainable transport methods are highly available and likely to be used.

10.70 It is acknowledged that the proposal may result in some additional traffic and pedestrian movements to use the roof-top area outside of the usual season, however given the roof-top and restaurant is already in use and the building is located in a sustainable location it is unlikely this would result in significant car movements along Thompson Road as to result in adverse impacts to highway safety.

10.71 The proposal is considered to be acceptable in highway safety terms in compliance with Cambridge Local Plan (2018) policy 80.

10.72 Third Party Representations

Address	Summary of Matters Raised	Summary of Response in Report
Comments in Support		
53 Akeman Street, Cambridge	The proposal would increase visitors to Cambridge year-round.	Officers acknowledge that the proposal would mean that the rooftop could be utilised by tourists year round. It is difficult to fully gage these benefits given that information regarding demand and potential use of the rooftop has not been submitted, however this is recognised as a public benefit.
3 Bath Close, Wyton on the Hill	Support year round use of the roof terrace, could be used as an event and entertainment space.	The applicant has not submitted any information about the use of the structure for events and entertainment and if this

		would serve members of the public, therefore it cannot be considered a public benefit of the proposal.
18 Priams Way, Stapleford	Support year round use.	Officers are aware that the proposal would allow for year round use of the roof terrace and mitigation against weather conditions. The potential benefits such as employment and tourism have been acknowledged within the body of the report.
51A Ermine Street North, Papworth Everard	Support year round use and mitigation against weather.	The benefits of year round use have been acknowledged within the report as above.
9 Icen Way, Cambridge	Support year round use and mitigation against weather.	The benefits of year round use have been acknowledged within the report as above.
7 North Street Huntingdon	Benefits should be recognised to local area, tourists and local economy	These benefits have been recognised within the report as above.
15 The Crescent, Cambridge	The proposal would mitigate against rain and sun, umbrellas could blow off.	The potential for the proposal to allow the year round use of the building have been recognised in the report.
East House, Homerton College, Hills Road, Cambridge	The proposal would allow for changing weather conditions and make economic sense for business. The proposal seems modest and will fit well.	It is recognised that the proposal may allow for the business to operate year round and that this would have potential economic benefits in terms of employment and tourism. Officers do not agree that the proposal would be modest and fit in well, it is considered to be a significant structure that would be visible from multiple views around the city and intrude into the skyline.

36 Beaumont Road, Cambridge	The retractable roof that is not solid, it would be good to allow the special site to be used year round and would be good for staff.	The proposal is considered to be a solid and substantial structure, that would comprise significant mass and bulk. Officers recognise that there are benefits to having the site open year round.
31 Westmoor Avenue, Sawston	Proposal would mitigate weather, folding roof is well designed and better than umbrellas.	Officers recognise that the proposal could offer provision year round. The roof element is retractable, however this is not well articulated or considered in design times. Whilst, a permanent solution may be better than umbrellas or other temporary measures to mitigate the weather, it is considered that a more considered, better quality design approach could be achieved.
18 Madingley Road, Cambridge	The proposal would allow the roof terrace to be used year round. The modest, slim frame would add to the building.	Officers recognise the benefits of year round use. The proposed structure is not modest or light weight, and the frame would not appear slim but bulky and significant. Officers consider that the proposal would be detrimental to the character and appearance of the area.
86 Hartington Grove, Cambridge	The proposal will blend in well with the building like the balcony additions, and be able to be used year round. It could provide permanent jobs.	The building benefits from covers over the existing balconies on the floor below, however these cover existing built form and would not intrude beyond the top of the building in the same that the proposal would. Indeed, these structures infill small sections of the building and would sit within the existing built form. The proposal would be considered a significant addition over and above

		the balcony additions that would have adverse impacts to the surroundings. As above, the benefits of year round use and employment have been considered within the report.
3 Barnwell Road, Cambridge	The proposal would not be harmful to the surrounding area, instead it would be discrete. This would support employment security.	It has been established within the report the proposal would visually harm the surrounding area and would not be a discrete addition. Instead it would dwarf the surrounding buildings. Officers recognise that the proposal could offer better employment security to new and existing staff members.
64 Cam Causeway, Cambridge	The roof covering is only marginally more intrusive than the parasols, a secure option is better.	Officers considered the proposal to be extremely intrusive both the skyline and surrounding area. Whilst, Officers do consider that a permanent solution would have merits over temporary parasols, this proposal is not considered to be an acceptable design solution.
17 Lovell Road, Cambridge	The roof top is a unique spot in the city, there isn't similar locations, permanent employment should be supported.	The roof terrace is accepted to be a unique attractive within the city and Officers do see merit in the year round use of it including employment. However it is the case, that this scheme would result in visual and heritage harm that would not be outweighed by the benefits.
1 Talls Lane, Fenstanton, Huntingdon	I support the proposal, I don't see the impact to Jesus Green or St John's Chapel. It creates	The proposal would be visible from both Jesus Green and alongside St Johns College Chapel as is highlighted in the verified views that have been

	new permeant job opportunities.	submitted as part of the application. The proposal would be a prominent addition to the skyline that would detract from these historic assets. The employment benefits are noted and weighed in the report.
35 Shirley Road, Histon	I support the proposal and would be disappointed if the Council go against residents wishes. The permanent jobs would should be supported.	The employment and economic benefits have been recognised as public benefits of the scheme, however it is not considered that these would outweigh the significant visual and heritage harm that would result from the proposal
11 Rawlyn Close, Cambridge	The proposal is not visible from Jesus Green, only from the entrance, it is glass and lightweight, it is important for jobs and would be more sustainable to keep people at one venue.	The proposal would be visible from Jesus Green and other views around the city. The proposal is constructed through a steel and glass frame, however this would be far from lightweight, it would be significant in bulks and mass. The employment benefits have been recognised as part of the proposal. In terms of sustainability the proposal is within the city centre, in a sustainable location so is easily accessible in reference to other venues around the city, there would be limited sustainability benefits.
9 Cranfield Place, Somersham	The proposal would not result in visual harm.	In consultation with the specialist Conservation and Urban Design Officers, the proposal would be considered to result in visual harm to the surrounding area and skyline of the city.

7 Wagstaff Close, Cambridge	The proposal gives employment benefits	The employment benefits have been noted as part of the application, and are accepted as a public benefit.
Suite 1, 2nd Floor, 2 Quayside, Cambridge, CB5 8AB	The proposal would offer the opportunity for business events and mitigate uncertainty for these due to weather.	The applicant has not provided information regarding events that are held on the rooftop, and so officers can give this weight as a public benefit. The benefits of using the rooftop year round in acknowledged in the report.
(Neo Hillyer) UNKNOWN	The proposal has employment benefits	The employment benefits have been noted as part of the application, and are accepted as a public benefit.
(Alonso Romero) UNKNOWN	The proposal has employment benefits.	The employment benefits have been noted as part of the application, and are accepted as a public benefit.
63 Verulam Way, Arbury	Students work here, there is support for the proposal.	The employment benefits and local support have been considered within the report as part of the assessment.
Comments in Objection		
8 Landsdowne Road, Cambridge	The proposal will be in insult to the Cambridge skyline, which is a crucial point of growth	Officers agree that the proposal would fail to preserve or enhance the Cambridge Skyline, which as existing is formed of delicate and historic features.
29 Beaufort Place, Thompson's Lane, Cambridge	The varsity building already dominates the area and roof line. The proposal will make it more dominate at day time and night with by reflecting sun and light. This is overdevelopment.	Officers considered that the proposal will produce a dominating feature to the skyline. The details of how it would be lit have not be submitted as part of the application, so lighting details would need to be understood through a condition on the

		<p>application. As the exact detail of the finish of the glass is not know the reflective properties are not yet understood, the appearance and glare of the glass could be submitted by a relevant condition. The proposal is considered to be excessive in height and overall size and volume.</p>
<p>22 Beaufort Place, Thompson Lane, Cambridge</p>	<p>The building is already overly tall from multiple view points. The proposal would not respect the historic skyline, it would be higher than the quayside and visible from Magdalene Bridge and Jesus Green. The hotel anticipates that the canopy could produce a 24 hour day and year round use, the additional activity would be intrusive to the street and residential areas. The proposal would increase visitors and traffic.</p>	<p>The submitted viewpoints and Officer photographs demonstrate that the proposal would be visible from various important view points around the city centre. These include historically important points, that would impact the Conservation, Listed Buildings and Buildings of Local Interest.</p> <p>The applicant does not suggest that the proposal would be used 24 hours a day, it is used as part of the restaurant use and therefore would be operated as such.</p> <p>Officers agree that the proposal would be an intrusion into the street scene, however the impacts of resident occupiers is likely to be limited from an amenity point of view given the existing use of the building and its siting.</p> <p>The traffic volumes are not likely to increase significantly as a result on the proposal, there is no parking for visitors and the restaurant and other uses</p>

		in the building already operate year-round.
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10.73 Planning Balance

- 10.74 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 10.75 The proposal fails to comply with the requirements of the Cambridge Local Plan (2018) policies 55, 56, 58, 60, 61 and 62 and the NPPF (2021). The proposal results in less than substantial harm of a moderate to high level to designated heritage assets. The limited public benefits of the scheme are not considered to outweigh this harm. Furthermore, the proposal would also harm the setting of non-designated heritage assets which make a positive contribution to the character of the conservation area. The harm to these non-designated heritage assets adds weight to the Council's concerns regarding the appearance of the structure in what is a sensitive historic setting, including the Cambridge skyline.
- 10.76 Whilst the proposal would see some increase in employment, improvements to the hotel's restaurant facilities and potential tourism spend, these benefits are considered to carry limited weight in the overall planning balance.
- 10.77 The applicant has been given multiple opportunities to make meaningful amendments to the application, however, has failed to make any amendments to the scheme, instead choosing to submit further information which has only reinforced concerns regarding the visual and heritage impacts of the proposal.
- 10.78 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

10.79 Recommendation

10.80 **Refuse** for the following reasons:

1. Policy 60 of the Cambridge Local Plan 2018 requires that any proposals for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form must demonstrate that the proposal would result in a high-quality addition to the Cambridge Skyline, that complements the character of the surrounding area. The proposed

development is considered to result in a poor quality, insensitive addition to the Cambridge skyline that would aggressively contrast with the existing delicate and historic features through its excessive scale, bulk, and poor quality appearance. As such, the proposed development fails to contribute positively to its surroundings and the Cambridge Skyline and is therefore contrary to the National Planning Policy Framework and Cambridge Local Plan (2018) policies 55, 56, 58, , 60 and the NPPF (2021).

2. The National Planning Policy Framework and policies 61 and 62 of the Cambridge Local Plan 2018 aim to ensure that heritage assets of the city are conserved in a manner appropriate to their significance, including their setting. By virtue of the scale, bulk and poor quality appearance, the proposal would result in less than substantial harm to character and appearance of the Central Conservation Area and the setting of Grade I and Grade II listed buildings. Furthermore, it would also harm the setting of buildings of local interest, which make a positive contribution to the character of the Central Conservation Area. The harm to these designated heritage assets is not outweighed by the limited public benefits and the proposal would also harm the setting of non-designated heritage assets, to the detriment of the character of the area. As such, the proposal fails to preserve or enhance the character and appearance of the Central Conservation Area or the setting of listed buildings contrary to the provisions of the Planning (LBCA) Act 1990, the National Planning Policy Framework and Cambridge Local Plan (2018) policies 61 and 62.

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Agenda Item 6



Planning Committee Date	02.11.2022
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/01504/FUL
Site	196 Green End Road
Ward / Parish	East Chesterton
Proposal	Demolition of Nos 196 and 198 Green End Road and construction of 9no. Apartments (8no 1bed flats and 1no. studio flat) along with ground floor commercial space and associated parking
Applicant	Mr S Dudley
Presenting Officer	Nick Yager
Reason Reported to Committee	Third party representations contrary to Officer's Recommendation.
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Communal Amenity Space2. Design and Context3. Cycle Storage
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The proposal seeks planning permission for demolition of Nos 196 and 198 Green End Road and construction of 9no. Apartments (8no 1bed flats and 1no. studio flat) along with ground floor commercial space and associated parking.
- 1.2 The application site has benefited from planning permission under reference number 20/02791/FUL. Whereby planning permission was granted for the demolition of no. 196 and No. 198 Green End Road and construction of 7no. Apartments (5no. 2bed, 1 3bed and 1no 1bed) and commercial space. The permission was granted on the 10.02.2021 and therefore currently extant.
- 1.3 The resubmitted proposal has incorporated 9 apartments (8no 1 bed flats and 1no. studio flat) rather than previously 7 apartments (5no. 2bed, 1 3bed and 1no 1bed).
- 1.4 The resubmitted proposal fails to contain a communal amenity space for the occupiers, the design of the proposal leads to harm to the character and context of the area and the proposal fails to provide adequate cycle storage. It is considered the proposal is not in accordance with the Cambridge Local Plan 2018 policies 50, 55, 56, 57, 58, 59, 80 and 82 and the NPPF.
- 1.5 This application was due to be heard at planning committee on the 05.10.2022. However, due to time constraints of the meeting the application was deferred.
- 1.6 Officers recommend that the Planning Committee refuse the application.

2.0 Site Description and Context

None-relevant	x	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The application site comprises of 196 and 198 Green End Road and associated land, located in the ward of East Chesterton. The site sits on the corner of Green

End Road which intersects with Scotland Road to the west. Although the surrounding area is primarily residential in character, it is located adjacent to an off-licence to the immediate northeast of the site and is opposite Chesterton Methodist Church.

- 2.2 Green End Road has limited parking, with with-flow cycle lanes on both sides of the road. The site falls within a Neighbourhood Centre. There are no other relevant site constraints

3.0 The Proposal

- 3.1 The proposal seeks planning permission for demolition of Nos 196 and 198 Green End Road and construction of 9no. Apartments (8no 1bed flats and 1no. studio flat) along with ground floor commercial space and associated parking. The commercial space would have a gross internal floor space of 88.8 square meters. The proposal would have in storage and cycle storage located upon the northern rear elevation. All units contain private amenity space however, the scheme does not contain a communal amenity space. All 9 units can be accessed by a lift.
- 3.2 The scheme has been amended by minor alterations in order to address comments by the urban design officer. A re-consultation with the urban design officer then followed. A further, amended floor plan was received showing the Studio Flat to have a single bedspace.
- 3.3 The previously submitted application 20/02791/FUL was brought to Planning Committee on 3rd of February 2021. Whereby it was granted planning permission subject to conditions.

4.0 Relevant Site History

Reference	Description	Outcome
20/02791/FUL	Demolition of no. 196 and No. 198 Green End Road and construction of 7no. Apartments (5no. 2bed, 1 3bed and 1no 1bed) and commercial space.	Granted
19/1516/FUL	Demolition of no. 196 and No. 198 Green End Road and construction of 7no. Apartments (4No. 1 Bedroom and 3No. 2 Bedroom) and commercial space.	Withdrawn
15/0395/FUL	Proposed demolition of 2x flats and development of site to form 1x Cycle	Withdrawn

	shop and 2x2 bed apartments, 3x1 bed apartments and 1x studio	
08/0802/FUL	Change of use from one dwelling house to two flats including existing external staircase	Withdrawn
05/0728/FUL	Proposed extension and alterations to create 2 No. 1bed flats and showroom and UPVC Products	Refused
C/03/1158	Proposed extension and alterations to create 2No.1 bedroom first floor flats and ground floor glass/mirror retail unit in association with adjacent glass manufacturing unit	Refused
C/03/0704	Erection of single storey extension to create retail unit (class A1).	Refused
C/02/0316	Demolition of existing garage and erection of stand alone replacement garage. Erection of two storey side and rear extension and enlargement of roof	Refused

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 42: Connecting new developments to digital infrastructure

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting Garden land and subdivision of dwelling plots

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm

Policy 64: Shopfronts, signage and shop security measures

Policy 65: Visual pollution

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 72: Development and change of use in district, local and
neighbourhood centres

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009

Other Guidance

Arboricultural Strategy (2004)
Cambridge Landscape and Character Assessment (2003 Cambridge City Nature Conservation Strategy (2006)
Cambridge City Wildlife Sites Register (2005)
Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)
Strategic Flood Risk Assessment (2005)
Cambridge and Milton Surface Water Management Plan (2011)
Cycle Parking Guide for New Residential Developments (2010)
Air Quality in Cambridge – Developers Guide (2008)

6.0 Consultations

Environmental Health Officer

No objection subject to the conditions.

Standard Conditions

- Construction/ demolition hours
- Demolition/construction collections deliveries
- Piling
- Dust condition

Bespoke Conditions

- Alternative ventilation scheme
- Artificial lighting
- A1 Hours of Opening
- A1 Collections and Deliveries
- EV charging

6.1 Access Officer

I am very pleased with this proposal, much better than the one it replaced.

6.2 County Highways Development Management

No objection subject to conditions;

- Pedestrian visibility
- Falls and levels
- Existing vehicular access
- Contractors parking plan

6.3 Sustainable Drainage Officer

The application is acceptable subject to conditions;

- Surface water drainage
- Foul drainage

6.4 Urban Design

04.05.2022

The overall design in terms of elevations and materials is considered acceptable in design terms. However, we have raised some concerns/queries in relation to the functional design, including access to private amenity, natural ventilation, boundary treatment and shopfront treatment.

08.08.2022

The urban designs team have reviewed the revised drawings and the proposed resolve the previous concerns.

6.5 Landscape Officer

Plans are generally acceptable, but some amendments to the landscape layout could improve the scheme. Amendments suggested on the Disabled Car Parking Space, Hard Landscape and Soft Landscape.

Conditions suggested;

- Soft Landscaping works details
- Hard landscaping
- Landscape Maintenance Plan

6.6 Policy Officer

Policy 50 deals with all the private amenity areas only accessible to residents, either private to the dwelling or to the development such as a rooftop area. In this case, just because all the dwellings are flats it doesn't mean to say it shouldn't provide a communal private area available to whole development, it just means that it is unlikely to be of a form that involves children's play space, however it could be a rooftop space.

If the site is in a densely populated area, then there will already be significant pressure on local spaces and should be a consideration of the site's impact by not maximising on-site communal spaces.

7.0 Third Party Representations

7.1 Support representations have been received from the following addresses;

- 202 Green End Road
- 200 Green End Road
- 141 Scotland Road
- 204 Green End Road

- Support of the proposal which does not have the large roof terrace. Removal of the roof terrace is a bonus as removes any chance of noise nuisance.

- A space designed for hosing communal activities (i.e parties) is surely going to level a great level of nuisance and antisocial behaviour.

- The current site in a state of disrepair for a while and a new scheme will make the area more attractive.

- The redesigns elevations present a much more compatible and subtle look than the previously approved scheme, which was bulk and heavy in appearance. New design is refined and will sit well in street since.

- Better scheme for the site.

- Matters relating to anti-social behaviour in the area.

8.0 Member Representations

No member representations

8.1 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

9.0 Assessment

9.1 Principle of Development

9.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the

urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with policy 3.

- 9.3 Policy 72 aims to promote and retain an appropriate mix and balance of uses for the day-to-day needs of local people. The application site is within a defined neighbourhood centre and proposes commercial shop usage on ground floor level. Policy 72 sets out acceptable ground floor level uses for development within designated Neighbourhood Centres, which includes shops (A1 use). Therefore, the principle of A1 (now class E) use at ground floor level is considered to be acceptable.

The principle of the development is acceptable and in accordance with policies 3 and 72 of the Cambridge Local Plan (2018).

9.4 Design, Layout, Scale and Landscaping

- 9.5 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 9.6 The proposal would sit on the corner of a primarily residential area and in a prominent position. It would have a curved form facing the corner of Green End Road extending out to the close to the corner of the bend in the road. The application incorporates a number of balconies and a recessed upper floor. The surrounding residential dwelling generally are two stories in height, of a semi-detached or detached nature with pitched roof forms.
- 9.7 The proposal is a maximum of 3 storeys (approximately 9m) at the corner of Green End Road and then scale down to 2 storeys (approximately 6.2m) adjacent to the No.200 Green End Road. The upper floor is set back, and due to a flat roof form means that the overall height is lower than the adjacent ridge height of the Nisa Local Shop. The Urban Design Officer confirmed that they considered the scale and massing of the proposal to be configured appropriately and the overall curved corned and articulated form further reduced the perceived scale and massing of the proposal. The building line to the north-west picks up on that of the Nisa Local Shop at 192 Green End Road. The building line for the lower 2 storey section to the south-west steps in to be consistent with No.200 Green End Road

- 9.8 The Urban Designs Officer then asked for some concerns/queries in relation to the functional design, including access to private amenity natural, ventilation boundary treatment and shopfront treat. Amended plans were provided by the applicant in order to address these matter and then urban designs officer was re-consulted. The Urban Designs confirmed that the amended plans adequately addressed these concerns.
- 9.9 The proposed materials palette, as shown on the drawing elevations and within the DAS (pg.25) are considered acceptable in design terms and can be approved by way of a Materials Condition if the application was recommended for an approval.
- 9.10 Although Urban Designs have commented in support of the scheme. Planning Officers have raised concerns with regards to the upper storey. This application site is located on the corner of highly visibly plot, and the proposal is asking a lot from the site as the size of the site is within a reasonably tight area. The previous application accommodated a parapet wall which helped to reduce the visual upper floor prominence of the proposal in the wider context and street scene. The resubmitted scheme does not contain this element. The third upper storey therefore appears as an overly dominating and prominent addition when viewed within the street scene. The third storey appears as elongated and prominent to a scale that is harmful. Although the third upper storey is set back this is only at 0.9 meters along the corner and 2.0 metres in the areas of the balconies. The increase of the parapet wall in order to conceal the upper floor could help to improve the design and context however, in this instance this has not been provided.
- 9.11 Third party comments have been received that the redesigned elevations present much more compatible and subtle look that the previous approved scheme. However, it is considered by officer's that the upper floor presents a dominant form that is not acceptable within its surrounding context.
- 9.12 It is therefore considered by officers that the upper third storey would lead to an overly dominating roof form within the design and context. The proposal would therefore not lead to a high-quality design that would not contribute positively to the surroundings. The proposal is not considered to be compliant with Cambridge Local Plan (2018) policies, 55, 56, 57, 58 and 59 and the NPPF.
- 9.13 Carbon Reduction and Sustainable Design**
- 9.14 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

- 9.15 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 9.16 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 9.17 If the application was being recommended for approval, conditions regarding water efficiency and renewable would have been required. The proposal therefore complies with Cambridge Local Plan 2018 policy 28 and 29.

9.18 Biodiversity

- 9.19 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 9.20 Noting the nature of the site it is not considered the proposal would lead to harm upon the biodiversity of the area. The application does not contain any biodiversity information. Conditions would be applied to the proposal to secure green roofs of the flats and biodiversity net gain if the proposal was recommended for approval.
- 9.21 Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

9.22 Water Management and Flood Risk

- 9.23 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 9.24 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

9.25 The Council's Sustainable Drainage Engineer has advised that the application is acceptable subject to conditions of surface water drainage and foul drainage conditions.

9.26 It is considered subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

9.27 Highway Safety and Transport Impacts

9.28 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

9.29 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.30 The Highway Authority was consulted on as part of the application and does not consider there would be any adverse impact upon highway safety subject to the suggested conditions of pedestrian visibility, falls and levels, existing vehicular access, and contractors parking plan. The proposal would therefore be compliant with policies 81 and 82 of the Cambridge Local Plan (2018) and the NPPF's advice.

9.31 Refuse Arrangements

9.32 Two covered bin storage areas have been integrated into the building footprint and accessed from Green End Road serving both residential and commercial units. The storage areas appear to be segregated between residential and commercial. A condition requiring details of waste collection arrangements would be required if the application was recommended for approval.

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

9.34 Cycle and Car Parking Provision

9.35 Cycle Parking

9.36 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport.

Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

9.37 The application proposes 8no. visitor stands which are located upon the front entrance near the Commercial Shop Space. The application also proposes a cycle storage area located to the rear side of the application site. The application proposes 12. No cycle parking spaces for residents and 4 cycle parking spaces for the commercial unit. The application site meets the required cycled space standards set under Appendix L. The cycle storage would be accessed by a form of roller shutters with a locking mechanism which officers are concerned would be impractical for day-to-day use. The cycle storage does meet the required cycle dimension standards set within the Cycle Parking Guide for New Residential Developments (2010). However, concerns are raised by Officer's on the nature of the storage. The cycle storage could potentially be broken into and this part of the site is not well-overlooked. The roller shutter doors face upon the footpath that could be accessed by non-residents. The previous extant scheme contained an internal cycle storage area accessed via an entrance door. This scheme has a roller shutter roller spanning a proportion of the rear elevation. It is therefore considered the current proposal does not contain a level of cycle storage that is considered appropriate. Further, concerns are raised that the cycle storage nature could be of a cramped nature. Lastly, the previous scheme contained a fold down bike maintenance work top for repairs which this application does not.

9.38 The application therefore raises concerns with regards to cycle storage and therefore not in accordance with policy 80 and 82 of the Cambridges Local Plan 2018.

9.39 *Car parking*

9.40 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically

enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.

- 9.41 The application site does not fall within the Controlled Parking Zone. The development would provide two car parking spaces for the shop as well as three spaces for residents at the southwest corner of the site, which are adequate dimensions. The proposal has one disabled car parking space to the northeast of the site.
- 9.42 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future. Conditions would be applied on EV charging if the application was recommended for approval.
- 9.43 The proposal would be in accordance with Cambridge Local Plan 2018 policy 82.

9.44 Amenity

- 9.45 Policy 35, 50, 52 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 9.46 Neighbouring Properties
- 9.47 *200 Green End Road*
- 9.48 To the southeast of the site is 200 Green End Road, which would be the property most affected by the proposal. The building line of the proposal would be set back from the common boundary with no.200 by approx. 1.01 and the existing side of elevation of no.200 is set back approximately 3.16m from the common boundary. 198 Green End Road as existing meets the common boundary with No.200. The proposal at second floor which is nearest the shared boundary would not exceed the height of No.200. Is it therefore considered that the proposal would not lead to significant overbearing impacts to the occupiers of No. 200. Further, the application is of a similar scale and size to the previous application. The previous application contained shadow studies which confirmed that there would be limited overshadowing to No. 200 as a result. There are no windows proposed on the south elevation. The proposed rear fenestration is located away from the boundary of No.200 so that it would lead to significant overlooking impacts of the amenity area of this property.

9.49 *Wider Area*

The front and northern side elevation faces upon Green End Road due to separation by distance there will be no harm to the neighbouring amenity. The rear elevation faces upon the Nisa shop, outbuilding and yard area. By virtue of the nature of the area it is not considered the proposal would lead to significant harm by overlooking.

9.50 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.

9.51 *Future Occupants*

9.52 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).

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

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m²)	Proposed size of unit (m²)	Difference in size(m²)
1	1	2	1	50	51.8	1.8
2	1	2	1	50	50.1	0.1
3	1	2	1	50	50.1	0.1
4	1	2	1	50	50.1	0.1
5	1	2	1	50	51.4	1.4
6	1	2	1	50	50.1	0.1
7	1	2	1	50	63.6	13.6
8	1	2	1	50	53.2	3.2
9	1	1	1	37	37.1	0.1

9.52 All of the proposed units comply with the size requirements for internal space standards under Policy 50 of the Local Plan.

9.54 *Amenity Space*

9.55 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 which should be of a shape, size and location to allow effective and practical use of the intended occupiers.

- 9.56 All of the proposed flat units have a direct access to an area of private amenity space located upon the southern and northern side of the proposal. The private amenity space appears to be of sufficient space to accommodate table and chairs. The application does not contain a communal outdoor amenity space. The previous application 20/02791/FUL contained a second-floor shared roof terrace communal amenity space. This was requested by officer's due to the small size of the proposed private amenity spaces for the future occupiers.
- 9.57 Para 6.35 of the Local Plan states; 'One-bedroom dwellings would not be expected to provide space for children to play, due to the lower likelihood of children occupying these units. Dwellings with more than one bedroom would need to take space for children to play into account. In addition to private amenity space, developments with flats will need to provide high-quality shared amenity areas on site to meet the needs of residents, including play space for children'.
- 9.58 The Policy Officer was consulted on the application and stated Policy 50 deals with all the private amenity areas only accessible to residents, either private to the dwelling or to the development such as a rooftop area. In this case, just because all the dwellings are flats it doesn't mean to say it shouldn't provide a communal private area available to whole development, it just means that it is unlikely to be of a form that involves children's play space however it could a rooftop space. If the site is in a densely populated area, then there will already be significant pressure on local spaces and should be a consideration of the site's impact by not maximising on-site communal spaces.
- 9.59 The application site will lead to a form of densely populated arrangement with the potential of 9 flats and the potential of up to 17 occupiers. This could create significant pressure on the local public spaces within the area by the application site not maximising its on-site communal spaces.
- 9.60 It is acknowledged that there are two public amenity areas located at approx. 200 and 277 metres of the application site along Scotland Road and Green End Road. However, it is considered that the application should still provide sufficient outdoor amenity space of high quality that future occupiers could easily and readily enjoy, and this would take local pressure off the public amenity spaces which in any event provide a type of open space that is not at all private or primarily for the benefits of the future residents. In this respect the application before members is a 'poor cousin' of its predecessor on the site. The private amenity balcony areas are of a small scale and relatively exposed to the relatively busy road upon which the site sits. A terraced communal amenity area, set above and partially behind the facade would help to significantly improve the amenity of future occupiers and the site has the capacity to provide this. The flat roofed area could accommodate a green roof. However, in this instance, the need to provide the occupiers with sufficient outdoor amenity outweighs this.

Further, the top roof above the second floor could still contain a green roof which would ensure biodiversity net gain is achieved. The proposal therefore fails to provide a high quality and sufficient shared amenity space that policy 50 requires.

9.61 Third party comments have been received in relation to the scheme as neighbouring residents prefer this scheme without the roof top terrace communal area. This is acknowledged; however, the application site does not contain any overlooking impacts. The last application contained obscured glazing condition upon this terraced area to ensure this. Further, previously a parapet wall on the upper floor level was constructed at 1.1m high with an 0.7 strip of the obscure glazing, giving a height of 1.8 to ensure overlooking would not occur. It is also further, noted that the applicant site has benefited from an extant permission whereby the roof terrace has been approved. Comments regarding the noise and disturbance of the roof terrace are noted to neighbouring residents particularly no 200. However, the site is located on a busy corner and the hard-standing belonging to 196 Green End Road is often use for car parking and other associated activities. Further, a condition of obscure glazing would help to mitigate this if the application was recommended for approval.

9.62 The need for sufficient communal outdoor space is considered necessary in this instance. The application site does not maximise its potential on site and this therefore is a reason for refusal. The application is therefore not in accordance with Policy 50 of the Cambridge City Local Plan 2018.

9.63 *Accessible homes*

9.64 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2). The Access Officer was consulted on the application and stated that the proposal was acceptable and was better than the previous it replaced in terms of access. The proposal is therefore considered to comply with the requirements of Part M4 (2) of the Buildings Regulations and Policy 51.

9.65 *Construction and Environmental Impacts*

9.66 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.

9.67 The Council's Environmental Health team have assessed the application and recommended and confirmed the application is acceptable subject to construction/ demolition hours, demolition construction collection deliveries, piling and dust. Further, the Environmental Health also suggested conditions of alternative ventilation scheme, artificial lighting, A1 hours of opening, A1 collections and deliveries and EV charging. The application is therefore considered to be in accordance with 35 of the Local Plan.

9.68 **Landscaping**

9.69 The landscaping officer was consulted on the application and stated that the proposal is acceptable but suggested some amendments. The Landscape Officer suggested amendments to the Disabled Car Parking Space stating the access should be from Green End Road from the north-east rather than the using the adjacent track. This is not considered to be reasonable noting the previous extant approval has a similar arrangement to this proposal. The Landscape Officer suggested the conditions of Soft Landscaping, Hard Landscaping and Landscape Maintenance Plan, which would be applied reasonable if the application was recommended for approval.

9.70 **Third Party Representations**

9.71 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third Party Comment	Officer Response
The site is current state of disrepair for a while and a new scheme will make the area more attractive	This is noted by officers. However, for the concerns raised above due to the design, lack of communal space for the occupiers and cycle storage. It is noted the proposed will redevelopment previously development brownfield land. However, in this instance this does not overcome the material harm to amenity and the conflict with Local Plan policy as previous explained above.
Comments received in relation to the scheme presents a better scheme for the site	Officers have concerns raised in relation to the proposal. Therefore, on balance it is not considered to be suitable application and therefore recommended for refusal.

Anti- Social Behaviour of the Area	Matters relating to anti-social behaviour of the area are matters for the police and outside of the planning system.
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9.72 Planning Balance

- 9.73 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 9.74 The development proposal has been considered against the relevant Local Plan Policies the objectives of the National Planning Policy Framework and the government’s agenda for growth.
- 9.75 The proposal would make a small contribution to the local economy including the provision of construction jobs and some additional local spend. Further, the proposal would contribute to a higher density of accommodation within the area and development of a previously developed and partially brownfield site. Whilst these are benefits of the scheme, they are not considered to outweigh the harm as identified above. The development will lead to material harm to the amenity of the future occupiers by failing to provide appropriate amenity space for future residents and conflicts with the local plan.
- 9.76 It also raises concerns with regard to its design and its impact on the character and context of the area and does not provide appropriate cycle storage. The proposal is contrary to policies 50, 55, 56, 57, 58, 59, 80 and 82 and the NPPF.
- 9.77 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

9.78 Recommendation

9.79 **Refuse** for the following reasons:

1. The proposal fails to provide appropriate communal amenity space, does not maximise its potential for on-site communal space and as such future occupiers would have a poor level of on-site amenity space in what is a densely populated part of the City. The application is therefore not in accordance with Policy 50 of the Cambridge City Local Plan 2018.

2. The proposal would create an upper third storey that would have an overly dominating appearance and roof form within the surrounding character and context of the area. The proposal would therefore not lead to a high-quality design that would not contribute positively to the surroundings. The proposal is not considered to be compliant with Cambridge Local Plan (2018) policies, 55, 56, 57, 58 and 59 and the NPPF.

3. The proposal fails to provide adequate cycle storage to a sufficient standard. The roller shutter doors face upon a footpath that could be accessed by non-residents. This scheme has a roller shutter roller spanning a proportion of the rear elevation which is likely to be impractical for use and could lead to theft given that this part of the site is poorly surveyed. It is therefore considered the current proposal does not contain cycle storage that is considered appropriate. The application is therefore not in accordance with the requirement of appendix L of the Cambridge Local Plan 2018 and policy 82 of the Cambridge Local Plan.



Planning Committee	5 th October 2022
Date	
Report to	Cambridge City Council Planning Committee
Lead Officer	Joanna Davies
Reference	22/0669/TTPO
Site	76 De Freville Avenue
Ward / Parish	West Chesterton
Proposal	T1 – Acacia : Dismantle to near ground level and replant with Liquidamber Worplesdon. T3 Birch : Reduce height by 2m.
Applicant	Canopy Tree Specialists on behalf of 76 De Freville Avenue
Presenting Officer	Joanna Davies
Reason Reported to Committee	Third party representations and Cllr objections
Key Issues	Justification for the removal of a TPOd tree Justification for remedial works to a TPOd tree
Recommendation	APPROVE removal of T1 subject to conditions REFUSE crown reduction of T3

1.0 Executive Summary

- 1.1 This tree work application was previously brought before committee on 7th September 2022. At that time committee agreed to defer the decision until third party commissioned reports could be fully considered.
- 1.2 The application seeks permission for the removal of a False acacia (T1) and the crown reduction by 2m of a Silver birch (T3). Both trees are located in the rear garden of the 76 De Freville Avenue.
- 1.3 Officers are satisfied that there is sound arboricultural justification for the removal of T1 given the decay located in the lower canopy and the associated risk of structural failure. Replacement planting is proposed to mitigate in the long-term the loss of amenity.
- 1.4 Officers are not satisfied that there is sound justification for a crown reduction of T3.
- 1.5 Officers recommend that the Planning Committee approve the removal of T1 subject to replacement planting and refuse the crown reduction of T3.

2.0 Site Description and Context

Conservation Area	X	Tree Preservation Order	X
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- 2.1 T1 and T3 are located in the rear garden of 76 De Freville Avenue. Both trees can be viewed from a public perspective through the gap between 76 and 78 De Freville Avenue and through gaps between houses on Belvoir Road. They contribute significantly to the verdant character of the conservation area but the wider impact, as perceived by the public, is limited due to the presence of surrounding houses and additional trees.

3.0 The Proposal

- 3.1 T1- Acacia : Dismantle to near ground level. Eco plug stump to prevent regrowth. Re plant with (Liquidambar Worplesdon) on left side of the garden further down the garden away from the properties. The reason for dismantle is the pollard heads look to be quite decayed near the top. There is also a V shaped union near ground level, because of this the client is worried about it failing as it is overhanging the neighbour's property and is very close to their property.
- 3.2 T3- Silver birch : Reduce height by approximately 2m to secondary growth points. Reduce lateral branches by approximately 2-2.5m to secondary growth points, to a more compact size and shape. Reducing the amount of overhang to neighbours on right boundary. Remove any dead wood.

3.3 In April 2022 section 211 Notice 22/0475/TTCA was received, which proposed the following works. Front garden - 1 Cypress: Dismantle to near ground level. Rear garden- 2 Cypress: Dismantle to ground level. 3 Silver birch: Dismantle to ground level. 4 Spruce : Dismantle to near ground level. 5 Dead apple : Fell to ground level. 6 Acacia: Dismantle to ground level.

3.4 Insufficient justification was given and some of the removals would have had a significant impact on amenity. A TPO was served therefore to protect trees including both the False acacia and Silver birch that are the subject of this application.

4.0 Policy

4.1 National

Town and Country Planning Act 1990 Part VIII Chapter I and Town and Country Planning (Tree Preservation)(England) Regulations 2012.

4.2 Other

De Freville conservation area
Citywide Tree strategy

5.0 Consultations

5.1 Ward Councillors and near neighbours were consulted on the application and a Site Notice was issued for display.

6.0 Representations

6.1 Representations have been received from residents in De Freville Avenue, Humberstone Road and Belvoir Road. These are available to view in full via Public Access. In addition, third parties have commissioned reports on the condition of T1. These are also available via Public Access and commented on below. Cllr Jocelyne Scutt, Cllr Sam Carling and Cllr Richard Swift objected to the removal of T1 and requested a deferral to allow assessment of third party commissioned reports and a site visit, which was carried out on 20th September.

6.2 The below tables objections and officer responses.

Third Party Comment	Officer Response
No good reason for removal, trees appear healthy with nothing “wrong” with them	It is agreed that T3 is showing no signs of significant defect. T1 is showing good vitality but closer inspection reveals decay and bark necrosis, which is compromising the tree’s structural integrity and significantly increasing the risk of branch failure. Given the location of

	T1 the risk of harm and/or damage resulting from limb failure is significant
Threat/nuisance concerns not shared by affected neighbours	Following inspection, officers are satisfied that the structural condition of T1 is sufficiently compromised to pose a threat and that is sufficient reason to grant consent for the tree's removal.
Replacement by non native species reprehensible	False acacia trees are not native to the UK. With changes in climate resulting in prolonged periods of drought and flooding successful urban forestry requires a diverse range of species and those that thrive in our changing climate are often not native
Not all residents consulted so how can decision be taken	There is no legal requirement to consult on tree works applications but consultation was carried out in accordance with council policy
The trees are important for wildlife, climate change and their removal would be contrary to policy	The removal of trees with significant defects resulting in an unacceptable risk of harm/damage from failure is not contrary to any national or local policy. Trees are living organisms susceptible to age, pests and diseases. The contribution they make to amenity, wildlife and landscape character is everchanging. The loss of individual trees is inevitable but with appropriate replacement planting to safeguard future populations justified removals need not result in a negative impact on the overall contribution any individual makes to the city's tree population
The tree should not be removed when its size can be managed	It is the upper canopy of T1 that makes the greatest contribution to visual amenity. Decay is located relatively low in the crown, just above the primary bifurcation. The reduction required to make the tree "safe" would significantly reduce its visual prominence. Furthermore, the removal of regrowth would need to be repeated regularly to manage the risk of failure, so restricting the tree's future amenity value. A replacement tree however could be allowed to grow with very limited remedial work.

- 6.3 A third party has submitted two reports prepared to support the tree's retention. The first is an email prepared by Neil Gale PhD from Aberystwyth. It is not clear when the tree was inspected by Dr Gale but no outward sign predicting bough failure or anything that would raise concern for safety issue were noted during his assessment.

- 6.4 The above is contrary to the defects noted during a site visit of 14th July 2022. Please see paragraph 8.11 for details.
- 6.5 The second report was prepared by Acacia Tree Surgery Ltd, who carried out a site visit from 74 De Freville Avenue. This report cites decay at the points to which the tree was previously reduced and advises that the tree be reduced to form a smaller compact crown to alleviate pressure on old pruning points.
- 6.6 The above confirms the defects noted during the officer site visit of 14th July 2022. Please see paragraph 8.11 for details.

7.0 Member Representations

- 7.1 The application was previously brought before committee on 7th September when members voted to defer the decision to allow assessment of third party commissioned reports.

8.0 Assessment

8.1 Planning Considerations

- 8.2 Amenity - Does the tree make a significant contribution to the character and appearance of the area.
- 8.3 Condition/Nuisance – Are the works proposed excepted from the requirement to apply for permission in accordance with regulations 14 and 15 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012.
- 8.4 Justification for Tree Works - Are there sound practical and/or arboricultural reasons for the works proposed?

8.5 Principle of Works

- 8.6 T1 and T3 contribute significantly to the verdant character of the conservation area but the wider impact, as perceived by the public, is limited due to the presence of surrounding houses and additional trees.
- 8.7 The removal of T1 will be sufficiently detrimental to amenity to warrant sound justification.
- 8.8 The crown reduction of T3 will be sufficiently detrimental to tree health and amenity value to warrant sound justification.
- 8.9 The long-term contribution the collection of trees within 76 De Freville Avenue makes to the verdant character of the conservation area can be safeguarded with replacement planting, if T1 is removed.

- 8.10 The risks associated with confirmed decay in T1 are at present not considered to be imminent therefore the works proposed are not excepted from the requirement to apply for permission.
- 8.11 Information provided with the application was subjective and lacked detail. An officer site visit was carried on 14th July 2022. The tree was previously reduced to a height of approximately 6m. The reduction resulted in large diameter pruning wounds. Decay is visible at the points of reduction with a cavity and bark necrosis formed below on the northernmost limb. The regrowth above these weak points is substantial and the risk of failure, significant. Please see photos at appendix 3.
- 8.12 Crown reduction to reduce the risk of failure to an acceptable level would need to be below the decay. Such a reduction would materially reduce the tree's public amenity value and the need for repeated removal of regrowth would ensure that the reduction in amenity value would be permanent. The tree is located approximately 4m from the rear elevation of number 76. At its current height much of the canopy is at a height that does not conflict with adjacent houses or use of the garden. A crown reduction will lower the canopy and increase conflict with neighbouring structures. As is typical of the species a heavy reduction could result in prolific thorny epicormic growth. Removal of the tree allows replacement planting to be enforced so preserving long-term amenity.
- 8.13 **Planning Conditions**
- 8.14 Members attention is drawn to the following conditions that form part of the recommendation:

Condition no.	Detail
1	<p>No works to any trees shall be carried out until the LPA has received and approved in writing the full details of replacement planting. Details are to include number of replacements, species, size, location and approximate date of planting.</p> <p>Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity</p>
2	<p>Trees will be planted in accordance with the approved planting proposal. If, within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed or die another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.</p> <p>Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity</p>

8.15 Planning Balance

- 8.16 Government guidance states that in considering an application the local planning authority should assess the impact of the proposal on the amenity of the area and whether the proposal is justified. Policy 2 of Cambridge City Council Citywide Tree Strategy sets out the criteria against which amenity is considered.
- 8.17 In certain circumstances, compensation may be payable by the local planning authority for loss or damage which results from the authority refusing consent or granting consent with conditions.
- 8.18 On balance officers believe that the risk of harm and/or damage associated with a refusal outweighs the negative impact the removal of T1 will have on the verdant character of the conservation area.
- 8.19 However, there is insufficient justification to support the crown reduction of T3, which would also be detrimental to the verdant character of the conservation area.
- 8.20 Replacement planting is required to safeguard the long-term contribution the site makes to amenity.

9.0 Recommendation

9.1 **Approve** removal of T1 subject to:

- The planning conditions as set out above.

9.2 **Refuse** the crown reduction of T3 for the following reasons:

9.3 There is insufficient justification for the works to T3 in the manner proposed and these works would be detrimental to tree health and amenity contribution and therefore to the character and appearance of the area. The Council recognises the need for periodic works to some trees to maintain a reasonable relationship between trees and property and would be minded to approve considered tree work proposals made for sound arboricultural and/or practical reasons.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- [Tree strategy - Cambridge City Council](#)
- [Simple Search \(greatercambridgeplanning.org\)](#) 22/0669/TTPO, including application submissions, photos and third party representations.

- TPO 0020 (2022) – contact Joanna Davies

Appendix 1 Tree Location

Appendix 2 View of trees from De Freville Avenue

Appendix 3 Reduction points and decay

Appendix 1

Tree Location



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Appendix 2

T1 from De Freville Avenue



T1 and T3 from De Freville Avenue



Appendix 3

Photo 1



Large red arrows show flat top of reduction points.

Blue circle is a decay column

Small pink arrows indicate large diameter wood above decay.

Appendix 3

Photo 2



Large red arrows show flat top of reduction points.

Blue circle is an area of necrosis

Small pink arrows indicate large diameter wood above decay.

Appendix 3

Photo 3



Red line indicates reduction below decay.

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Planning Committee Date	2 nd November 2022
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	21/00809/FUL
Site	Cambridge Snooker and Pool Centre, Coldhams Road, Cambridge, CB1 3EW
Ward / Parish	Romsey
Proposal	Erection of a new linked warehouse for flexible use (Use Class E(g)(iii), Use Class B2 & Use Class B8), an extension to the rear/side of the existing building, demolition of the existing dwellinghouse and creation of new access to the site, car and cycle parking; Conversion of Snooker and Pool Centre (Use Class E) into flexible Use Classes (E(g)(iii), Use Class B2 & Use Class B8) and associated works
Applicant	Mr Ekber Aslan
Presenting Officer	Dean Scrivener
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Principle of Development2. Design/Scale of development
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

1.1 The application seeks full planning permission for the following:

- Demolition of the existing dwelling house
- Change of use of the existing snooker and pool centre (Use Class E) to a flexible Use Class including Use Class E(g)(iii), Use Class B2 and Use Class B8, as well as including a rear/side extension to the building
- Erection of a new warehouse building to accommodate Use Class E(g)(iii), Use Class B2 and Use Class B8
- Creation of a new access to the site
- New car parking/cycle parking layout and associated development

1.2 The site contains a residential dwellinghouse which appears to be abandoned and is surrounded by hardstanding. The existing snooker and pool centre is no longer in use and has not been in operation since 2019. Given the redundant nature of the site, as well as its location being set within Coldhams Road Industrial Estate, officers consider the proposed development would be a more appropriate use on this site and is more in keeping with that of neighbouring premises.

1.3 There is an alternative snooker and pool club in Cambridge to accommodate the loss of the Snooker and Pool Centre in this location, for which existing members can use.

1.4 The design and scale of the new warehouse building is in keeping with the character and appearance of the area and is acceptable.

1.5 The proposal would result in the loss of a residential dwelling within the site however given the context of the site and the primary industrial use of the surrounding buildings, the loss of a residential dwelling is acceptable.

1.6 Following a change to the description of development proposed, a re-consultation period has been undertaken for 21 days. No further comments have been received.

1.7 Officers recommend that the Planning Committee approve the application, subject to conditions which are attached to the end of this report.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	X
Listed Building		Flood Zone 1, 2, 3	X

Building of Local Interest		Green Belt	X
Historic Park and Garden		Protected Open Space	X
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The site is located within a designated commercial and industrial site and is currently occupied by a Snooker and Pool Club and a two storey dwelling (Orchard Cottage), set within a large car park. The site is accessed via Coldhams Road.
- 2.2 The neighbouring development contains industrial uses and comprises single storey buildings which adopt a mix of brick and timber materials and resemble a typical industrial use style.
- 2.3 Adjacent to the rear of the site, lies Coldham's Common which is designated as Green Belt, Protected Open Space and a Local Nature Reserve.
- 2.4 Immediately to the rear of the site, lies a brook which is within designated Flood Zones 2 and 3 (Moderate – High Flood Risk), which slightly encroaches into the rear of the site.
- 2.5 A railway line is situated to the north west of the site, on the opposite side of Coldhams Road.

3.0 The Proposal

- 3.1 As summarised above, the application proposes the following elements of development:
- Demolition of the existing dwelling house
 - Change of use of the existing snooker and pool centre (Use Class E) to a flexible Use Class including Use Class E(g)(iii), Use Class B2 and Use Class B8, as well as including a rear/side extension to the building
 - Erection of a new warehouse building to accommodate Use Class E(g)(iii), Use Class B2 and Use Class B8
 - Creation of a new access to the site
 - New car parking/cycle parking layout and associated development
- 3.2 The existing footprint of the snooker and pool club would largely remain the same, with the main changes being internal only. There would be some minor extensions along the rear (north) elevation of the existing building to accommodate a kitchen, toilet and office facilities. This building

would be sub divided into Unit 1, Unit 2 and Unit 3 and would accommodate Use Class E(g)(iii), Use Class B2 and Use Class B8.

- 3.3 The new warehouse building would be situated to the rear of the site and be set to the south of the existing building. This is labelled as Unit 5 and would also comprise a Use Class E(g)(iii), Use Class B2 and Use Class B8.
- 3.4 The existing dwelling would be demolished and replaced with a new car park area, comprising 37 car parking spaces with a one-way system. As part of this new layout, a new access will be created alongside the existing access. There are also 44 cycle parking spaces proposed along the front of the site.

4.0 Relevant Site History

- 4.1 No relevant site history

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 4: The Cambridge Green Belt

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 34: Light pollution control
Policy 35: Human health and quality of life
Policy 36: Air quality, odour and dust
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 58: Altering and extending existing buildings
Policy 59: Designing landscape and the public realm
Policy 67: Protection of Open Space
Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 73: Community, sports and leisure facilities
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Landscape in New Developments SPD – Adopted March 2010

6.0 Consultations

6.1 County Highways Development Management

6.2 No objections as Coldhams Lane is a private road and not adopted. The County's Transport Assessment Team will need to be consulted.

6.3 County Transport Assessment Team

6.4 No objections. The proposed use is not considered to result in an increase in trips associated with the proposed development and would not cause an unacceptable impact on the local highway network.

6.5 Environmental Health

6.6 No objections subject to a condition restricting construction hours and an informative regarding the detection of any unexpected, contaminated land.

6.7 Cambridgeshire Fire and Rescue Team

6.8 No objections subject to a condition requesting the provision of fire hydrants

6.9 Anglia Water

- 6.10 No objections subject to conditions requesting a foul water and surface water management strategy.
- 6.11 **Network Rail**
- 6.12 No objections subject to informatives regarding the safe operation of the railway line
- 6.13 **Access Officer**
- 6.14 No objections subject to double doors needing to be powered or have one leaf at least 900mm. All toilet sets need to have one unisex wheelchair accessible toilet and the mezzanine needs lift access.
- 6.15 **Drainage Officer**
- 6.16 No comments have been submitted as the application needs a Flood Risk Assessment to be submitted due to the rear boundary of the site lying within an area of high surface water and flood risk, as indicated on the EA's records.
- 6.17 **Environment Agency**
- 6.18 No objections
- 6.19 **Ecology Officer**
- 6.20 No objections subject to conditions requesting a Biodiversity Net Gain being demonstrated on site and ecological enhancements, such as bird and bat boxes.

7.0 Third Party Representations

- 7.1 24 representations have been received.
- 7.2 All representations received have raised objections on the following grounds:
- No alternative snooker clubs in Cambridge for existing members to use
 - Cambridge Snooker Centre is a much needed public asset which hosts a range of snooker competitions and is still readily used
 - The closure of the snooker club would be detrimental and valued just as much as playing field is for outdoor sports
 - The pandemic is the reason why the snooker club is not used as much anymore

- The loss of the snooker club would result in a loss of diverse network of players across the county
- Nowhere else would provide a safe place for young snooker players to learn and become professional
- More funding should be provided to help bring back the snooker centre into full use
- The snooker centre has been used for over 20 years and should remain in use as its been an important community asset
- The proposal is contrary to Policy 73 of the Local Plan which seeks to protect community assets and if they are to be lost, the applicant needs to demonstrate the loss with a robust district wide needs assessment
- Too many snooker clubs are closing down and soon there won't be any left for people to get into snooker

8.0 Member Representations

- 8.1 One representation has been received from Cllr Baigent requesting the application to be presented to the Planning Committee, should the application be refused by Officers.

9.0 Local Groups / Petition

- 9.1 N/A
- 9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

10.0 Assessment

10.1 Principle of Development

Demolition of Existing Dwellinghouse

- 10.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need.
- 10.3 There is an existing residential dwelling located within the middle of the site, called Orchard Cottage. This dwelling appears to be abandoned and is to be demolished as part of the proposal. Although Policy 3 of the Local Plan seeks to retain and increase housing provision, Officers consider that given the location of the site being within an industrial area, the level of amenity is poor for the occupants (if any) of this dwelling and is an inappropriate use on this site. Some of the windows are boarded up and it

seems to be abandoned. Therefore, the principle of losing the dwelling is not considered to be detrimental in this instance and is acceptable.

Proposed Uses

- 10.4 The existing use of a Snooker and Pool Centre falls within Use Class E. The proposal intends to change the use of this building to accommodate more industrial uses, which fall within the Use Classes E(g) (iii), B2 and B8. For clarification, Use Class E(g)(iii) is classed as (light) industrial processes (i.e. being an industrial use, which can be carried out in any residential area without detriment to the amenity of that area); Use Class B2 is classed as General industrial; and Use Class B8 is classed as Storage and Distribution. In addition, the new warehouse building to the rear of the site would also accommodate Use Class E(g)(iii), Use Class B2 and Use Class B8.
- 10.5 Given the location of the site being set within an industrial estate which comprises similar uses to that proposed here, the proposed industrial use and associated uses are considered to be more acceptable than the existing snooker and pool centre and residential dwelling. As such, Officers consider the proposed use to be acceptable in principle.

Loss of the Snooker and Pool Centre

- 10.6 Members will note that a snooker club use falls within the wider use class category E (as set out in the description of development) and therefore more generally a change of use in these circumstances to other class E uses, including E(g) light industrial, is not required as no development is deemed to have occurred. However, in this specific case the history for the snooker club and Condition 5 of permission C/87/0327 states that the premises shall be used only as a snooker club and for no other purposes. As such, planning permission is expressly required and policy 73 is engaged.
- 10.7 Policy 73 of the Cambridge Local Plan 2018 states that the loss of a facility or site that was last in use as a community, sports or leisure facility will only be permitted if it is demonstrated that:
- i. the facility/site can be replaced within the new development or relocated to at least its existing scale, range, quality and accessibility for its users. For leisure uses, it should satisfy peak period need; or
 - j. the facility/site is no longer needed
- 10.8 In providing evidence that a facility/site is no longer needed, the guidance in Appendix K of the Local Plan should be adhered to.

- 10.9 Furthermore, the supporting text of Policy 73 under paragraph 8.10 refers to Table 8.3 which lists a number of facilities which fall within the scope of a leisure category. Snooker/pool halls are listed within this table and is therefore classed as a leisure facility.
- 10.10 All of the representations received on the application have raised objections to the loss of the snooker and pool centre, as it has provided a community use for a number of years. The main theme amongst the objections received refer to the loss as being significant and that there are no other snooker clubs within Cambridge which would be able to provide the variety of snooker championships and attract the diverse range of players which this snooker club attracts. It also noted that following a re-consultation for 21 days, no additional comments have been received from third parties.
- 10.11 The applicant has submitted marketing information which demonstrates that the snooker club was advertised as being available to let in January 2020. This was undertaken by Eddisons and provides information about the building, its use, rent per annum and lease terms. This was carried out over a course of 1.25 years between 2nd October 2019 and 5th February 2021. There is an email dated 1st July 2021 from Eddisons which confirms there was very little interest from prospective purchasers, especially from snooker club operators.
- 10.12 There are comments raised amongst the objections received, referring to the pandemic impacting the use and the longevity of the snooker club, causing the permanent closure. Officers understand the snooker club is no longer in use and hasn't been since the middle of 2019. Officers acknowledge that the marketing exercise was undertaken during the pandemic which may have influenced the results of the exercise however, the operation of the club did cease prior to the pandemic. Following a site visit and discussion with the applicant (owner), the premises has not been in operation for a significant amount of time and does not give any assurances that the club is still a viable use.
- 10.13 The objections raised are noted, the snooker club was in operation for a number of years and was one of very few snooker clubs to operate within Cambridge. Despite this, the applicant has demonstrated that the snooker club is no longer viable through a marketing exercise.
- 10.14 Paragraph K.8 of Appendix K of the Local Plan outlines requirements for which marketing exercises should adhere to ensure their validity. It should be noted that these are guidelines only and are 'generic requirements' for which applicants should follow.
- 10.15 The marketing information submitted provides the following:

- The company name of who carried out has been supplied within the information (Eddisons) (accords with part a)
 - The marketing exercise was carried out for 1.25 years and therefore at least 12 months (accords with part b)
 - The site has been marketed as a snooker club which is the existing use (accords with part c)
 - The marketing information demonstrates that the site was marketed with the use of appropriate signage, advertisements in local press, estate agents and in general contains evidence of all sales literature (accords with part d)
 - Details of approaches and offers have been listed and reasons for why the prospective purchases decided not to let the building have been detailed in the email dated 1st July 2021 (accords with part e)
 - The attempt to sell the site details all of the aspects of the site and does not focus on any one specific part (accords with part f)
- 10.16 In the view of officers, the applicant has provided marketing information in accordance with the guidance as set out under Appendix K of the Local Plan and, given the snooker club is no longer in use and has ceased in operation since the middle of 2019, despite the pandemic, officers consider the loss of the snooker club to not be a detrimental loss of a community facility in this instance. As such, the principle of development is in accordance with Policy 73 of the Local Plan and is acceptable.
- 10.17 **Design, Layout, Scale and Landscaping**
- 10.18 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 10.19 Units 1, 2 and 3 will be formed as a result of internal works with modest additions along the rear elevation (north) of the existing building. These changes will not significantly alter the external appearance or scale of the building and are therefore acceptable.
- 10.20 The new building (Unit 5) would be located to the rear of the site, set hard up against the eastern boundary. It would comprise a footprint of 465.8m² and a height of 7.3m which would match the existing ridge height of the existing building and therefore would be in keeping with the scale of development already on the site. The materials would comprise cladding and brickwork with UPVC windows which are adopted on other neighbouring buildings within the industrial estate and are therefore acceptable.
- 10.21 The overall layout of the development would adopt a one way system around a central car parking area. This would be a suitable layout and would maintain sufficient space for access into each of the buildings for future users and is acceptable.

- 10.22 A mature tree belt runs along the rear boundary of the site, which acts as a buffer to Coldhams Common to the east. These trees are to be retained as part of the proposals which is welcomed. However, officers consider it appropriate to impose a condition requesting details of all hard and soft landscaping details to ensure the proposal is in keeping with the area and that the maximum amount of soft landscaping is utilised.
- 10.23 Overall, the proposed development is considered to create an appropriate form of development within this location and would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.
- 10.24 **Carbon Reduction and Sustainable Design**
- 10.25 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.
- 10.26 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 10.27 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 10.28 The application is not supported by any renewable energy statement or information demonstrating the development will achieve the desired BREEAM excellence for carbon emissions and therefore Officers have recommended a condition requesting a BREEAM Design Stage Certificate within 6 months of the commencement of development. Another condition is also recommended requesting a BRE issued post Construction Certificate to ensure the building is constructed to an acceptable level in sustainability terms.
- 10.29 Subject to these conditions, the proposal is in accordance with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 10.30 **Biodiversity**
- 10.31 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity

following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

- 10.32 The site is located adjacent to a Nature Reserve located to the east. The applicant has submitted a Preliminary Ecology Appraisal which concludes that the proposed works would not result in any harm upon local species within the area. The findings also confirm that the buildings are not suitable for bat roosts.
- 10.33 The Ecology Officer has been consulted on the application and is satisfied with the findings of the ecology report however no Biodiversity Net Gain (BNG) baseline assessment has been undertaken, which is now a requirement for all development of this type of scale. As such, Officers consider conditions requesting BNG measures and specifications, as well as ecological enhancements such as birds and bat boxes, are necessary and reasonable to ensure the development provides a BNG and enhances biodiversity within the locality.
- 10.34 As such, Officers are satisfied that the proposed development would not result in adverse harm to protected habitats and species subject to conditions and is therefore compliant with Policy 70 of the Cambridge Local Plan (2018) and the Biodiversity SPD.
- 10.35 **Water Management and Flood Risk**
- 10.36 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 10.37 Most of the site is located within Flood Zone 1 and is therefore considered at a low risk of flooding. However, the rear boundary of the site is located within Flood Zones 2 and 3 which have higher risks of flooding.
- 10.38 The Drainage Officer has commented and has requested a Flood Risk Assessment to be provided for the proposed new building, to ensure this aspect of the development would not result in any flood risk. However, the Environment Agency (EA) have been consulted on the application and have raised no objections.
- 10.39 Given the proposed development is classed as 'less vulnerable', officers are of the view that the proposed development would not be liable to flood risk. This is supported by the EA who have referred the applicant to their standard advice which details advice regarding the adoption of flood

resilient measures and should follow current Government Guidance. These will be added as informatives to any planning permission granted.

10.40 Anglia Water have also been consulted on the application and have raised no objections to the proposal, subject to conditions requesting schemes for foul water and surface water management, which are considered necessary and reasonable in this instance and are recommended.

10.41 As such, the applicants have suitably addressed the issues of water management and flood risk and therefore the application is in accordance with Local Plan policies 31 and 32 and NPPF advice.

10.42 **Highway Safety and Transport Impacts**

10.43 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

10.44 Paragraph 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.45 The Local Highway Authority have been consulted on the application and have raised no objections as Coldhams Road is not adopted and therefore the proposal will not result in any significant impact upon the safe and effective operation of the adopted highway. They have recommended that the County's Transport Assessment Team are consulted.

10.46 The Transport Assessment Team have raised no objections to the proposal as the proposed use would not result in any significant additional traffic volumes compared to the existing use.

10.47 As such, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

10.48 **Cycle and Car Parking Provision**

10.49 Cycle Parking

10.50 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for offices is 1 space per 30m² Gross Floor Area and for general industry is 1 space for every 3 members of staff. A total of 44 cycle parking spaces are proposed which also includes some visitor parking space which is purely on merit as stated under

Appendix L. The proposed cycle parking would be located to the front of the site which would be easily accessible for future users to use. As such, the number of cycle spaces provided is in accordance with the standards set out within Appendix L.

10.51 Officers have recommended a condition to secure details of the cycle parking to ensure it is secure and lockable, in accordance with Policy 82 of the Local Plan.

10.52 Car Parking

10.53 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. The site is located outside of the Controlled Parking Zone and therefore the standards state that 1 space per 40m² Gross Floor Area is suitable for this type of development. The total floor areas proposed is 1476m² and therefore the number of car parking spaces required is 37, which is proposed. As such, the total number of car parking spaces is in accordance with the standards as set out under Appendix L.

10.54 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for every two car parking spaces in non residential developments, and at least one fast EV charging point for every 1000m² floor space, if a rapid charge point is technically impossible due to grid supply constraints which evidence must be provided for.

10.55 The Environmental Health Officer has been consulted on the application and has not recommended any conditions to ensure the car park is installed with EVC points. Officers therefore consider a condition is necessary to ensure that a sufficient number of dedicated EVC points are installed within the site, prior to occupation.

10.56 As such, subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

10.57 **Amenity**

10.58 Policy 35, 50, 53 and 58 seek to preserve the amenity of neighbouring and future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

10.59 Given the location of the site being within an industrial site where there are no neighbouring residential properties within the immediate locality, the proposed development is not considered to result in any significant impact in terms of neighbour amenity.

- 10.60 The proposed use is considered to be an acceptable use within this location and is of a scale which is in keeping with the existing uses of neighbouring premises.
- 10.61 Construction and Environmental Impacts
- 10.62 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of neighbouring premises. These conditions are considered reasonable and necessary to impose.
- 10.63 As such, the proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) Policy 35.
- 10.64 **Green Belt**
- 10.65 The land situated to the east of the site is designated as Green Belt land. Given the proposed development would be wholly within the site and not within the Green Belt, the proposal is not considered to have any significant impact upon the openness of the Green Belt and is acceptable in terms of Policy 4 of the Local Plan.
- 10.66 **Protected Open Space**
- 10.67 The land situated to the east of the site is also designated as Protected Open Space (POS). Given the proposed development would be wholly within the site and not within the POS, the proposal is not considered to have any significant impact upon the special character and amenity of the POS and is acceptable in terms of Policy 67 of the Local Plan.
- 10.68 **Other Matters**
- 10.69 The comments raised by the Access Officer are noted however given the proposed use would not be residential use, the proposal does not need to comply with Building Regulations under M(4)2 and therefore an informative will be added to ask the applicant to make sure the building is suitable for all users.
- 10.70 **Planning Balance**
- 10.71 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise

(section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

10.72 The proposal will provide a use which is more acceptable within this location and is of a scale which is in keeping with the neighbouring uses. It is acknowledged that this would lead to the loss of a community facility, however, the evidence provided confirms this facility is no longer viable and has been permanently shut for the last few years. On balance, officers consider the proposal to be acceptable.

10.73 **Recommendation**

10.74 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

11.0 **Planning 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 above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage (Cambridge Local Plan 2018, policies 32 and 33).

4) No development above ground level, other than demolition, shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any

part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

Reason: To ensure appropriate surface water drainage and to prevent the increased risk of flooding. (Cambridge Local Plan 2018 policies 31 and 32).

- 5) No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
 - b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;
If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.
 - c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.
 - d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

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

- 6) No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will

be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;
- iii) Identification of the existing habitats and their condition on-site and within receptor site(s);
- iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 7) Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

- 8) The development hereby approved shall not be occupied until a BRE issued post Construction Certificate has been submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. If such a rating is replaced by

a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

- 9) No development above ground level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

- 10) The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

- 11) Prior to the use of the development hereby approved, no permanent connection to the electricity distribution network shall be established until a dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that at least one active electric vehicle charging point for every two car parking spaces and at least one fast charging point are provided.

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)

12) No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

Informatives:

- 1) To satisfy and discharge Environmental Health recommended conditions (including those related to construction / demolition, operational artificial lighting, contaminated land, noise / sound, air quality (including Electric Vehicle Charging) and odours / fumes / smoke, any impact assessment and mitigation as required, should be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, (2020). Due regard should also be given to relevant and current up to date Government / national and industry British Standards, Codes of Practice and best practice technical guidance.
- 2) Before the existing property is demolished, a Demolition Notice will be required from the Building Control section of the council's planning

department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.

- 3) The construction activities that are permitted within the extended hours of operation should be limited to those activities which cause the least noise and will not give rise to excessive noise, disturbance, vibration or dust.

Other regulatory regimes which may affect construction working remain in force and are not affected by this change. Applicants should be mindful of their responsibilities with regards to health and safety, the environment, and the local community, separate to the planning considerations. This includes control of working hours under sections 60 and 61 of the Control of Pollution Act 1974. It could be a criminal offence if extended working hours are implemented without first seeking permission through this route, where applicable.

In the usual way, communities may contact their local authority and register concerns over excessive noise, vibration, odour, light or dust. The local authority has a duty to investigate complaints and is required to take enforcement action under the relevant legislation.

- 4) If unexpected land contamination is encountered during the development works, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of an Intrusive Site Investigation Report and a Remediation Strategy specific to the newly discovered contamination. The Remediation Strategy shall be implemented in full.

- 5) The developer should be aware of their responsibilities in ensuring that their proposal does not:
- Encroach onto the Network Rail land
 - Affect the safety, operation or integrity of the company's railway and its infrastructure
 - Undermine its support zone
 - Damage the company's infrastructure
 - Place additional load on cuttings
 - Adversely affect any railway land or structure
 - Over-sail or encroach upon the air-space of any Network Rail land
 - Cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future
- 6) The applicant is referred to the Environment Agency's standard advice for development which is classed as 'less vulnerable' at Enquiries_EastAnglia@environment-agency.gov.uk. This is to establish finished floor levels and consider the need for any additional flood resilient measures.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

Agenda Item 9



Planning Committee Date	2 November 2022
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/00440/FUL
Site	Land at Tedder Way
Proposal	Erection of a 4bed dwelling including landscaping and parking.
Applicant	Ms Natalie Bailey
Presenting Officer	Mike Allen
Reason Reported to Committee	The application site is owned by the Cambridge City Council and Cambridge City Council are the applicants of this planning application.
Member Site Visit Date	N/A
Key Issues	Character and Appearance of the Area Residential Amenity Car Parking Provision
Recommendation	APPROVE subject to conditions.

1.0 **Executive Summary**

- 1.1 The application seeks planning permission for the construction of a single storey 4 bedroomed wheelchair adapted bungalow for a family who are currently being supported by SEND Specialist Housing Advice Service at Cambridgeshire County Council.
- 1.2 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 **Site Description and Context**

None-relevant	X	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The application site currently comprises of an area of hardstanding which has neglected vegetation upon the northern, western and southern boundaries of the application site.
- 2.2 The application site is within a Flood Zone 1, is not within a Conservation Area or within the vicinity of a tree which is protected by a Tree Preservation Orders.

3.0 **The Proposal**

- 3.1 This planning application seeks planning permission for the construction of a single storey 4 bedroomed wheelchair adapted bungalow for a family who are currently being supported by SEND Specialist Housing Advice Service at Cambridgeshire County Council.

4.0 **Relevant Site History**

Reference	Description	Outcome
17/0324/FUL	Erection of 2no. 2 bed 4 person affordable houses with	Application Withdrawn.

	associated landscaping, parking spaces and rear gardens.	
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5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use.

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 35: Human health and quality of life

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm

Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009
Cycle Parking Guide for New Residential Developments (2010)

6.0 **Consultations**

6.1 **Drainage – No Objection**

The Drainage Officer has raised no objections to the proposed development subject to planning conditions being attached to any planning approval the Local Authority issues.

6.2 **Highways – No Objection**

The Highway Officer has raised no objections to the proposed development subject to planning conditions being attached to any planning approval the Local Authority issues.

6.3 **Environmental Health – No Objection**

The Environmental Health Officer has raised no objections to the proposed development subject to planning conditions being attached to any planning approval the Local Authority issues.

6.4 **Landscape Architects – No response received.**

7.0 **Third Party Representations**

7.1 In total six neighbouring occupiers submitted objections in relation to the proposed development. From the objections received the planning related objections are summarised below:

- An increased risk of the local area flooding as a result of the proposal.
- A negative impact upon the local wildlife.
- Concerns have been raised surrounding the ownership of the application site.
- The north eastern corner of the proposal overlaps rear access to garage.
- External materials of the proposal do not match neighbouring dwellings.
- The proposed garden size is too small for the proposed bungalow.
- The footprint of the proposed dwelling is too large for the site.

- Negative impact upon parking within the local area.
- The proposal will be overlooked by No. 4 Tedder Way.
 - A negative noise impact associated to the future occupiers entering and exiting the site via a motor vehicle.

8.0 Member Representations

8.1 Not applicable.

9.0 Local Groups / Petition

9.1 Not applicable.

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

10.0 Assessment

Principle of Development

10.1 The proposal seeks to create a single storey 4 bedroomed wheelchair adapted bungalow for a family who are currently being supported by SEND Specialist Housing Advice Service at Cambridgeshire County Council. Policy 57 states that high quality new buildings will be supported where several criteria have been met. Policy 47 supports the provision of specialist housing. Given that the proposal has been designed to a high standard, that adequate provision for amenity space has been provided for the future occupiers of the new dwelling and that officers consider amenity impacts and the other criteria of these policies can be satisfied, it is considered that the proposal would be compliant with policies 47 and 57 and therefore the principle of the development is acceptable in this instance.

Design and Context

10.2 The application site currently comprises of an area of hardstanding which has neglected vegetation upon the northern, western and southern boundaries of the application site. The application site itself is located to the north western area of Tedder Way which is a residential street.

10.2 As a result of the proposal it would see the introduction of a 4 bedroomed bungalow upon Tedder Way for a family who are currently being supported by SEND Specialist Housing Advice Service at Cambridgeshire County Council. It is acknowledged that there are no bungalows currently located upon Tedder Way. However, the need to provided disabled accommodation by Cambridge City Council within the City is required, hence the submission of this planning apparition.

10.4 At present Tedder Way benefits from two storey dwellings with a variety of different designs. The proposed bungalow will be sited to the north western

area of Tedder Way which is considered to be an appropriate location for a bungalow. This is because the bungalow itself will be tucked away and would not result in a significant change to the character and appearance of Tedder Way when entering the street via Hurrell Road.

- 10.5 In terms of the existing dwellings upon Tedder Way, it was evident from the site visit that was conducted that the street has been developed over time. This has resulted in the dwellings upon Tedder Way benefiting from a variety of different materials used for their external appearance. Whereby, more modern materials have been used in the construction for the residential dwellings that are located to the northern area of Tedder Way which are in the vicinity of the application site.
- 10.6 Given that there is no set theme in terms of materials to be used within the external appearance of the dwellings upon Tedder Way, it is considered that the proposed materials that are to be used for the new bungalow would not detract from the character and appearance of the area as there is no set theme. On this basis, it is considered that the proposed external materials for the new dwelling are acceptable in this instance.
- 10.7 It is acknowledged that the bungalow will have a significantly larger footprint compared to the rear private amenity space which has been provided for the future occupiers of the bungalow. However, the applicant has demonstrated that the future occupiers of the proposal will be wheelchair users with children and therefore do not need a large rear garden which has been discussed further in this report. Thus, as a result of the proposal it is considered that the application will not be overdeveloped, whereby the needs of the future occupiers of the new bungalow are given more weight in this instance. As such, the proposal would not cause harm upon the character and appearance of the area in this sense.
- 10.8 Overall, it is considered that the introduction of a new bungalow in its location would not cause unacceptable harm upon the character of the local area and would comply with Policies 55, 56 and 57 of the Cambridge Local Plan and Section 12 of the NPPF.

10.9 Carbon Reduction and Sustainable Design

- 10.10 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.
- 10.11 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day.

- 10.12 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 10.13 The application is supported by a Design and Access Statement which sets out the proposal to install Solar Panels and an External Air Source Heat Pump. In addition, the proposal will also include the installation of an efficient heating system to reduce the reliance on fossil fuels and the installation of efficient water equipment to reduce water consumption. 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. Subject to the conditions being added it is considered the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

10.14 Neighboring Amenity

- 10.15 Given the overall siting, scale, bulk and design of the proposal and its relationship with its immediate neighbouring dwellings, it is considered that the proposal will not cause any harmful implications in terms of loss of light, outlook or privacy, nor would it be overbearing upon these immediate neighbouring dwelling or any other neighbouring dwelling within the local area. Given the above, it is considered that the proposal would not cause a harmful impact upon neighbouring amenity, in accordance with Policies 56 & 57 of the Cambridge Local Plan.

10.16 Amenity for Future Occupiers

- 10.17 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 which should be of a shape, size and location to allow effective and practical use of the intended occupiers.
- 10.18 It is acknowledged that the proposed bungalow would offer limited rear garden private amenity space. However, given that the future occupiers of the proposed bungalow are wheelchair users with children, it has been demonstrated within the supporting information that a large garden will not be required for the future occupiers of the dwelling given the difficulties the future occupiers would have in maintaining a large garden. Even though the proposed rear garden private amenity space is limited in size, it would still offer enough space for planting and a small area of lawn to give its future occupiers the opportunity for sensory experiences or some play equipment if desired.

10.19 Given the above, on balance it is considered that the proposed rear garden private amenity space would be more suited for the future occupiers of the proposal and is therefore acceptable in this sense. Given the above, it is considered that the proposal on balance is compliant with Policy 50 of the Cambridge Local Plan. In terms of the proposed rear garden for the new dwelling a neighboring occupier has raised an objection on the grounds that the new rear garden will be completely overlooked by No. 4 Tedder Way. It is acknowledged that No. 4 will have increased viewpoints of the new dwelling's rear garden which is not uncommon in residential areas. However, the parts of the proposed garden that No. 4 will have increased viewpoints of are not considered to be the future occupiers of the new bungalows immediate rear private garden amenity space. For this reason, it is considered that No.4 will not cause an unacceptable loss of privacy upon the future occupiers of the proposed bungalow.

10.20 Policy 50 of the Cambridge Local Plan (2018) also requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).

Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
4	6	1	99	157.30	+58.3

10.21 Given the above, it is considered that the proposal would provide sufficient gross internal floor areas and storage required for a one storey four bed roomed bungalow. As such, the proposal meets the minimum required internal floor space as set out in the national space standards and is acceptable for the future occupiers of the dwelling in this instance.

10.22 Car Parking and Highway Safety

10.23 The application site is not located within a controlled parking zone and therefore must provide a minimum of one parking space for the proposed dwelling. From the plans that have been submitted it is evident that two parking spaces have been accommodated upon the application site. For this reason, the proposal would not compromise the existing car parking arrangements or lead to any highway safety concerns within the local area. The proposal is therefore compliant with Policies 81 & 82 of the Cambridge Local Plan. To further support this view the Highway Officer has raised no objections to the proposed development.

10.24 Cycle Parking

10.25 From the plans that have been submitted there has been an area designated for the provision of cycle parking spaces upon the application site. There is limited information on this matter and therefore a planning condition will be attached to this planning decision to provide further details

of the cycle storage on site, this condition will require the details prior to occupation of the new dwelling.

10.26 Refuse Arrangement

10.27 From the plans that have been submitted an area to the south elevation of the proposed bungalow has been designated for the storage of waste bins. It is considered that this allocated area is appropriate for the storage of waste bins upon the application site in accordance with Policy 57 of the Cambridge Local Plan.

10.28 Biodiversity

10.29 Within the submission of this planning application the applicant has failed to submit a biodiversity statement. On this basis, a planning condition will be attached to this planning decision to ensure the applicant provides a scheme of ecological enhancement for the application site before any above ground level works begin.

10.30 Permitted Development Rights

10.31 To ensure the proposed rear private amenity space for the new dwelling is retained for its future occupiers, Class A and E of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 will be completely removed for the new dwelling. This is considered to be reasonable in order to prevent the application site becoming overdeveloped and having a detrimental impact upon the amenity of the future occupiers of the proposal.

10.32 Drainage

10.33 It is evident from the Environment Agency's website that the application site would not be in an area which is considered to be within a flood risk area from rivers and the seas. However, the application site is location within a flood risk area from surface water. Given the above and that the proposal is only for one dwelling which is sited within a residential area, it is considered that the proposed dwelling is likely to not cause a detrimental impact upon the drainage within the local area. To ensure the proposed development does not cause a detrimental impact upon the local drainage or flood risk within the local area, planning conditions will be attached to this planning decision for the applicant to demonstrate that the proposal would have sustainable drainage.

10.34 Trees

10.35 The proposal would not be located within the vicinity of any tree which is covered by a Tree Preservation Order. In addition, the proposal is set an adequate separation distance away from any tree within the vicinity of the application site. For these reasons it is considered the proposed

development as whole would not cause a detrimental impact upon any tree within the local area.

10.36 Third Party Representations

10.37 A neighbouring occupier has raised concerns that the proposal will increase the risk of the local area flooding. This objection has been addressed within the main body of this report.

10.38 A neighbouring occupier has raised concerns that the proposal will cause a negative impact upon the local wildlife. This objection has been addressed within the main body of this report.

10.39 Neighbouring occupiers have raised concerns surrounding whether Cambridge City Council actually own the application site. The applicant has signed Certificate A of the application form to state that Cambridge City Council own the land associated to the red outline boundary of the application site. In addition, no information has been presented by these neighbouring occupiers who have raised land ownership concerns and therefore it is considered that this objection does not warrant a reason to refuse this planning application and instead is a civil matter between these parties.

10.40 A neighbouring occupier has raised concerns that the north eastern corner of the proposal will overlap the rear access to their garage. It is acknowledged that part of the proposal roof will overhang the new access for No. 30's rear garage but this would not prevent a motor vehicle entering the garage. To further support this view the Highway Officer has not raised an objection to this aspect of the development and therefore this concern does not warrant a refuse to refuse this planning application in this instance.

10.41 A neighbouring occupier has raised concerns that the proposal will cause a negative impact within the local area associated to the future occupiers entering and exiting the site via a motor vehicle. The proposal is for one dwellinghouse within a residential area and therefore it is considered that there would not be a significant increase in traffic to and from the site to warrant the refusal of this planning application in terms of noise resulting from a motor vehicle. To further support this view the Highway Officer has raised no objections to the proposal on this matter.

10.42 Planning Balance

10.43 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

10.44 The proposed development adequately respects neighbouring occupiers in terms of overlooking, overshadowing, visual dominance and noise and disturbance. The proposal would be in keeping with the character of the

area and would not cause an unacceptable impact upon any tree within the vicinity of the application site. Furthermore, the proposal would provide a high quality and living environment for its future occupants.

10.45 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval, subject to conditions.

10.46 **Recommendation**

APPROVE subject to planning conditions.

11.0 Planning Conditions

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

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

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

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

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

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area, in accordance with Policies 55, 56 and 57 of the Cambridge Local Plan.

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

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

5. No above ground works shall take place 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.

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.

6. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principle areas of concern that should be addressed are:

- i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

7. The development, hereby permitted, shall not be constructed so that its fall 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.

8. The proposed drive hereby permitted shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: In the interests of highway safety.

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

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

10. No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

11. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

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

12. In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved statement.

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

13. If suspected contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and the suspected 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 20018 Policy 33.

14. 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 modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF, 2019) paragraphs 105, 110, 170 and 181, Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

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

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

16. No development above ground level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

17. No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, the Statement shall include:

- a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and
- b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

The proposed renewable or low carbon energy technologies and associated mitigation shall be fully implemented in accordance with the measures set out in the Statement prior to the occupation of any approved dwelling(s).

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 the Greater Cambridge Sustainable Design and Construction SPD 2020).

18. 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).

19. 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 and E of Part 1 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: To prevent the application site from becoming overdeveloped and to protect the rear amenity space for the future occupiers of the development (Section 12 of the NPPF).

Informatives

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.
2. 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 satisfactorily and any defects remedied to ensure that the noise levels do not increase over time.



Planning Committee Date	02.11.2022
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/02200/FUL
Site	Land To The Rear Of 109 Milton Road
Ward / Parish	West Chesterton
Proposal	Single Storey dwelling with associated parking.
Applicant	Mr Brian Scally
Presenting Officer	Phoebe Carter
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ul style="list-style-type: none">-Neighbouring occupiers in terms of overlooking, overshadowing, visual dominance and disturbance.-Character of the area.
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for a single storey dwelling with associated parking.
- 1.2 Officers recommend that the Planning Committee Approve the application subject to conditions

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Local Centre	x	Flood Zone 1, 2, 3	

- 2.1 The application site is a back-land area off the northern side of Milton Road, to the rear of 109 Milton Road. The site is comprised of a ground floor shop unit, currently in use as a beauty parlour, with a flat on the first floor. The site is accessed on the south west by a driveway.
- 2.2 To the north east of the site is the other half of the semi-detached property. No. 111 and 111A Milton Road are comprised of a shop unit at ground floor, currently a carpet shop which has expanded to fill the entire plot at single storey with warehousing building, and a residential flat at first floor.
- 2.3 To the south and west of the site are residential properties and to the north is Ellis House, a residential care facility.
- 2.4 The site is currently within the curtilage of the shop premises at number 109 Milton Road. To the rear of the site is an empty rear amenity space. The existing number property forms the southern half of a semi-detached two storey building. The entire ground floor of the existing number 109 is used for retail and storage premises. The first floor of number 109 is comprised of a residential flat, which is accessed from a rear external metal staircase. The current garden does not appear to be in use from the flat or shop.
- 2.5 The site falls within a local centre as designated by the Cambridge Local Plan 2018. The site falls outside of the controlled parking zone. The site is not within a Conservation Area. The local centre is a row of semi-detached buildings designed with shops to the ground floor and residential accommodation at the first floor. There is cycle and car parking to the front of all the commercial units and access to the rear of the properties to the rear of the units.
- 2.6 **The Proposal**
- 2.7 The application seeks planning permission for a single storey dwelling with associated parking.

2.8 The existing building is formed of a retail use with car and cycle parking to the front of the development

2.9 An amendment has been received reducing the size of the dwelling to ensure outdoor amenity area for the existing flat is retained and further consultations have been carried out as appropriate.

2.10 **Relevant Site History**

2.11 No relevant site history.

3.0 Policy

3.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

3.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential developm

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 50: Residential space standards
Policy 51: Accessible homes
Policy 52: Protecting garden land and subdivision of dwelling plots
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 59: Designing landscape and the public realm
Policy 64: Shopfronts, signage and shop security measures
Policy 72: Development and change of use in district, local and
neighbourhood centres
Policy 82: Parking management

3.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010

4.0 Consultations

4.1 County Highways Development Management

4.2 The development proposed is acceptable subject to the imposition of the conditions regarding a traffic management plan.

4.3 Sustainable Drainage Officer

4.4 The development proposed is acceptable subject to the imposition of the conditions regarding surface and foul water drainage schemes.

4.5 Environmental Health

4.6 Additional Noise Impact Assessment required. If the information is submitted the development proposed is acceptable subject to the imposition of the conditions regarding plant noise, construction hours, construction/deliveries, piling and contaminated and EV charging. Additionally informatives are recommended regarding plant noise.

5.0 Third Party Representations

5.1 2 representations have been received.

5.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Overdevelopment
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)

- Car parking and parking stress
- Right of way
- Loss of biodiversity

5.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

6.0 Assessment

6.1 Principle of Development

6.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with policy 3.

6.3 Policy 52 requires proposals for the subdivision of existing residential curtilages to be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

6.4 The site was previously garden land for the commercial unit at the ground floor and flat above at No. 109 Milton Road. Policy 52 of the Cambridge Local Plan (2018) states that: Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:

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

6.5 It is considered that the proposal complies with the above five criteria and the reasons for this are set out in the relevant sections of this report.

6.6 The application site falls within Arbury Road/Milton Road Local Centre. Policy 72 outlines the uses acceptable in Local, District and Neighbourhood Centres and permits the change of use to centre uses provided the vitality, viability and diversity of the centre is maintained or enhanced. Policy 72 continues to state inappropriate uses in designated centres at ground floor, which comprise former B1 (office), B2 (light industrial), B8 (storage and distribution), C2 (residential institutions), C3 (dwellinghouses), C4 (houses of multiple occupation) and other 'sui generis' uses.

6.7 The principle of the development is acceptable and in accordance with policies 3, 52 and 72.

6.8 Design, Layout, Scale and Landscaping

6.9 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

6.10 The Local Centre has a defined character of commercial units at the ground floor and residential apartments to the first floor. The rear of these plots used to have long rear gardens however the character of these units has changed, unlike the surrounding residential gardens, with the plots being redeveloped into additional housing and development to the rear at several of the plots whilst retaining the existing commercial units and residential first floors. The principle of back-land development behind the local centre has been established and therefore housing in this location is considered acceptable and in accordance with Policy 3 and 72 of the Local Plan.

6.11 The proposal would be to demolish the existing garages on the site and replace with a significantly larger dwelling. The proposed dwelling is single storey and set back approximately 22 metres from the front elevation of the shop fronting Milton Road and is predominantly set back behind the existing unit and would have minimal visibility from street scene.

6.12 The proposal is a single storey dwelling which is 2.7 metres high at the eaves and has a monopitch roof projecting to 4.1 metres in height adjacent to the boundary with No. 111 Milton Road which minimises the impact on adjacent dwellings. The materials are considered acceptable subject to a condition. Whilst the development would have a significant footprint on the site it is not considered to be overdevelopment of the site due to the retention of private amenity and would not be out of context with the surrounding pattern of development to the rear of the shop units. The scale of development is considered appropriate. The scale of the proposed dwelling would be subservient to the adjacent dwellings and would not dominate them or the street-scene.

6.13 The proposed materials of bricks, render and a green roof. Whilst the palette of materials in the surrounding area is mixed a condition would be

attached requiring the materials to be used as set out within the plans, in the interest of visual amenity.

- 6.14 A condition would be attached to any consent granted requiring submission of a hard and soft landscaping scheme, to ensure that the details are appropriate to the character of the area, in the interests of visual amenity.
- 6.15 The access to the proposed dwelling would be using the existing access drive to set to the south west of Number 109 Milton Road. The proposal is considered acceptable access to both the existing flat and proposed dwelling.
- 6.16 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

6.17 Carbon Reduction and Sustainable Design

- 6.18 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.
- 6.19 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day.
- 6.20 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 6.21 The application is supported by a Design and Access Statement and plans which sets out the proposal to install Solar Panels and an External Air Source Heat Pump location shown indicatively on the block plan and on the roof plan. 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. Subject to the conditions being added it is considered the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

6.22 Biodiversity

6.23 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

6.24 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a biodiversity checklist. The checklist sets out that there would be no direct impact on priority habitats. Enhancements can be made to the final development by incorporating features of ecological interest including bird and bat boxes, hedgehog holes in fencing and soft landscaping. Subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

6.25 Water Management and Flood Risk

6.26 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

6.27 The site does not fall within a Flood Zone or an area of Surface Water Flooding and no known flood risk issues on site. As this is a minor development, whilst the proposals have not indicated a detailed surface water or foul water scheme it would be acceptable to obtain this information by way of condition. Subject to conditions regarding surface water drainage and foul drainage the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

6.28 Highway Safety and Transport Impacts

6.29 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

6.30 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.31 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal subject to conditions.
- 6.32 Conditions have been recommended regarding a Traffic Management Plan. Officers consider this reasonable considering the impact to Milton Road at the current time under the Greater Cambridge Partnership and the proposal crossing over pedestrian, car and cycle parking relating to the Local Centre. Due to the siting to the rear and a turning circle a car would be able to access and egress the site in a forward gear and therefore it is not considered to be of harm to pedestrians accessing the site.
- 6.33 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

6.34 Cycle and Car Parking Provision

6.35 Cycle Parking

6.36 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

6.37 Sufficient cycle parking has been provided for the flat and proposed dwelling. The cycle parking for both the dwellings and shop unit. The dwellings unit is set next to the entrance of the dwelling. The existing flat and shop does not have cycle parking storage to the rear garden so the proposed units will be gaining secure cycle parking. Whilst no shelters have been shown on the plans this detail can be conditioned to ensure that the proposal meets the requirement of Policy 82.

6.38 Car and cycle parking parking

6.39 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a

District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.

- 6.40 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 6.41 The three bedroom dwelling has been allocated a single car parking space whereas the proposed flat has no parking allocation. Given the sustainable location of the proposal, with access to bus routes and within cyclable distance to the railway station and town this is considered sufficient and accords to policy. An electric car charging point has been shown on the plan however this can be conditioned as part of the application to ensure it is a fast charger.
- 6.42 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

6.43 Amenity

- 6.44 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 6.45 Neighbouring Properties
- 6.46 Impact on No. 6 Highworth Avenue
- 6.47 No. 6 Highworth Avenue is set to the south west of the proposed dwelling. The rear garden is approx.43 metres in length. Given the separation between the proposed dwelling and the single storey nature of the proposal it is not considered to give rise to a significantly harmful level of overlooking, overbearing impact or loss of light impact on the adjacent dwelling.
- 6.48 Impact on Ellis House
- 6.49 Ellis House is a three storey residential care home situated to the north of the dwelling. The boundary backs onto an area of residential amenity of the care home. The three storey element of the care home is set a minimum of 25 metres from the boundary and would be at least 30 metres from the rear elevation of the dwelling. Considering the separation of the buildings, despite the difference in height, it is not considered to lead to a harmful level

of overlooking, loss of light or overbearing impact on the residential amenity of the properties.

6.50 Impact on Chesterton Carpets, 111 Milton Road

6.51 Chesterton Carpets, No. 111 Milton Road, has developed the entire rear garden with sheds and warehousing buildings in relation to the business on the ground floor. The buildings are a combination of single and two storey buildings. Whilst the highest point of the roof, 4.15 metres, is set against this boundary it is not considered to give rise to any harmful neighbour amenity.

6.52 Comments have been submitted regarding a right of way over the land behind the existing garages. This is a civil matter and therefore has not been assessed within the report.

6.53 Concerns have also been raised regarding impact to loss of light to the office window and flat windows. As the proposal is single storey and set off the rear elevation of the existing pair of semi-detached properties it is not considered to give rise to a harmful loss of light or overbearing impact.

6.54 Impact to first floor flats at 109 Milton Road and 111 Milton Road

6.55 The first floor of the semi-detached units form two residential flats. The proposed dwelling is set 7 metres off the first floor bay window of the flat above 109 Milton Road. The flat above 111 Milton Road is off set from the proposed dwelling plot. Given the degree of separation it is not considered that the proposal would lead to a harmful level of inter-overlooking between the dwellings. Due to the single storey nature of the proposal it is not considered to lead to a loss of light or overbearing impact.

6.56 Future Occupants

6.57 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government’s Technical Housing Standards – Nationally Described Space Standards (2015).

6.58 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	1	95	112	+17

6.59 Garden Size(s) 53.9sq metres

6.60 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 which should be of a shape, size and location to allow effective and practical use of the intended occupiers.

- 6.61 Due to the constraints of the site, and to protect neighbour amenity, Officers would recommend removing PD rights for Classes A, B, C and E to prevent further extensions along the boundary and additional windows or alterations to the roof space to create dormers.
- 6.62 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible. The Design and Access Statement submitted states the proposal would comply with these standards and therefore, Officers consider that the layout and configuration enables inclusive access and future proofing.
- 6.63 Construction and Environmental Impacts
- 6.64 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours and piling to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 6.65 In addition contamination conditions have been recommended. The application site formed part of the former brick and tiles works operating in the area between approximately 1885 and 1904. A previous application (14/0890/FUL) for the erection of four flats in close proximity of the site and within the former brick and tile works required a contaminated land investigation and remediation strategy. The aforementioned application form concentrations of hydrocarbons which required mitigation. Therefore it is considered reasonable and necessary to impose contamination conditions on the application if the development is granted.

Noise

- 6.66 The Council's Environmental Health team have assessed the application and recommended that a Noise Assessment was required due to the plant on side elevation of the host building. The plant is situated approximately 15 metres from the front elevation of the proposed dwelling. It is noted that the existing neighbours are situated approximately 8 metres to the west of the existing plant and on the first floor above the unit. Officers consider it acceptable to recommend that a condition is added regarding a pre-commencement noise survey and subsequent mitigation in line with the findings of the report. As the plant unit is within the applicants control and red line plan mitigation to the plant unit is possible.
- 6.67 In addition Environmental Health Officers have recommended a condition and informatives regarding plant noise insulation to the proposed units which Officers considered acceptable to add to any permission granted.

6.68 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 57 and 58.

6.69 Third Party Representations

6.70 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third Party Comment	Officer Response
Overdevelopment	See Paragraph
Biodiversity	See Paragraph
Parking	See Paragraph
Party walls	This is a civil matter between different landowners in which the local planning authority has no role. The Party Wall Act 1996 governs the process by which party walls and associated disputes are handled.
Covenants	A planning permission would not override covenants and private rights. These are civil matters between different landowners and not a material planning consideration.
Maintenance	The proposed dwelling is set 0.4metres off the boundary with No. 111 Milton Road. Concerns have been raised regarding the proposed maintenance of the dwelling and extensions to No. 111 Milton Road. Where Officers note that the spacing between the properties is limited the maintenance of the boundaries is a civil issue which cannot be assessed as part of the application.
Ownership	No conclusive evidence has been put to the Council to demonstrate that the applicant does not own all the land within the application site. The applicant(s) have confirmed that the correct certificate of ownership has been served. In addition, Officers are satisfied that there would still be sufficient space on the plot for the cycle and car parking space if the contested land is not part of the site.

6.71 Other Matters

6.72 Bins

6.73 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The bins are stored to the side of the proposed dwelling. Whilst the proposed drag distance is over the recommended distance in the RECAP Waste Management Guidance it is not considered reasonable to refuse the proposal based on this distance as there are other locations the bins could be located.

6.74 Planning Balance

6.75 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

6.76 The proposed development adequately respects neighbouring occupiers in terms of overlooking, overshadowing, visual dominance and noise and disturbance. The proposal would be in keeping with the character of the area, would provide a high quality, accessible, living environment for future occupants and would help meet affordable housing need.

6.77 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval.

6.78 Recommendation

6.79 **Approve** subject to:

6.80 The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

7.0 Planning Conditions

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

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

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

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

- 3 The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details specified within Application Form and Design and Access Statement unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principal areas of concern that should be addressed are:

- i) Movement and control of muck away lorries
- ii) Contractor parking; providing 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, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

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

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

- 6 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

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

- 7 No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

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

- 8 No development above ground level shall commence until a noise assessment and any noise insulation/mitigation scheme if required has been submitted to and approved in writing by the local planning authority. The noise assessment/insulation scheme shall have regard to the external and internal noise levels recommended in British standard 8223:2014 Guidance on sound insulation and noise reduction for buildings and shall include details of:

- (i) the acoustic/noise insulation performance specification of the external building envelope of the residential units having regard to the building fabric, glazing and ventilation;
- (ii) mitigation to reduce the level of noise experienced externally and internally Where submitted, the scheme shall be carried out as approved before the use is commenced or the development is occupied and shall be retained as such.

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

- 9 In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites.

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

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

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

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

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality (Cambridge Local Plan 2018 policies 36 and 82 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 11 No development (or phase of), or any investigations required to assess the contamination of the site, shall commence until a Phase 1 Desk Top Study and a Phase 2 Site Investigation Strategy have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are identified and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors as well as to controlled waters, property and ecological systems (Cambridge Local Plan 2018 policy 33).

- 12 No development (or phase of) shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

(a) A Phase 2 Intrusive Site Investigation Report based upon the findings of the approved Phase 1 Desk Top Study.

(b) A Phase 3 Remediation Strategy based upon the findings of the approved Phase 2 Intrusive Site Investigation Report.

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

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

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

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

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

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

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

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

- 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;
 - 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) Full details of the maintenance/adoption of the surface water drainage system;
 - g) Measures taken to prevent pollution of the receiving groundwater and/or surface water
 - h) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available.
- The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

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

- 17 No development above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage (Cambridge Local Plan 2018, policies 32 and 33).

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

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

b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme; If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

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

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

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

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

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

- 20 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 (including gaps for hedgehogs) to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details 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).

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

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

22 The development, hereby permitted, shall not be used or occupied until, carbon reduction measures have been implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in 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.

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

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

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

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

24 No development above ground level shall commence until a scheme for the provision of nest boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box numbers, specification and their location. No dwelling shall be occupied until nest boxes have been provided for that property in accordance with the approved scheme.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

25 No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;
- iii) Identification of the existing habitats and their condition on-site and within receptor site(s);
- iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

26 The bin and bike stores associated with the proposed development shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure provision of facilities for future occupiers (Cambridge Local Plan, 2018 policies 48, 82).

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

Reason: In the interests of protecting residential amenity.

28 Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity.

29 Notwithstanding the provisions of Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the erection or construction of a porch outside the external door of the dwelling house(s) shall not be allowed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity.

30 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwelling house(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

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

31 The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

