



Cambridge City Council Planning

Date: Wednesday, 7 December 2022

Time: 10.00 am

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

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

Agenda

Timings are included for guidance only and cannot be guaranteed

1 Order of Agenda

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

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

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

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

2 Apologies

3 Declarations of Interest

4 Minutes

(Pages 7 - 34)

Part 1: Minor/Other Planning Applications

5 22/02969/FUL 73 Newmarket Road - 10am

(Pages 35 - 70)

6 22/02761/HFUL 45 Barrow Road - 10:45am

(Pages 71 - 84)

7 18/2013/FUL 78 Arbury Road - 11:30am (Pages 85 - 96)

Part 2: General and Enforcement Items

8 GCSP Planning Compliance Policy Report - (Pages 97 -
12:15pm 124)

9 Site Visit Policy City Report - 1pm (Pages 125 -
132)

10 Appeals Overview 2021-2022 - 1:45pm (Pages 133 -
156)

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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- Website: <http://democracy.cambridge.gov.uk>
- Email: democratic.services@cambridge.gov.uk
- Phone: 01223 457000

This Meeting will be live streamed to the Council's YouTube page. You can watch proceedings on the livestream or attend the meeting in person.

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

5 October 2022

10.00 am - 6.20 pm

Present:

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

Councillors Gawthrop Wood and Smart left after the vote on item 22/112/Plan.

Officers:

Interim Development and Planning Compliance Manager: Toby Williams

Area Manager (East): Jane Rodens

Principal Planner: Ganesh Gnanamoorthy

Principal Planner: Tom Gray

Senior Planner: Sumaya Nakamya

Senior Planner: Alice Young

Legal Adviser: Keith Barber

Committee Manager: Sarah Steed

Meeting Producer: Chris Connor

FOR THE INFORMATION OF THE COUNCIL**22/105/PlanApologies**

No apologies were received.

22/106/PlanDeclarations of Interest

| Name | Item | Interest |
|--------------------|-----------------------------------|--|
| Councillor Baigent | All | Personal: member of Cambridge Cycling Campaign. |
| Councillor Collis | 22/109/Plan | Personal: was a resident of Aragon Close but had no discussion with residents. |
| Councillor Porrer | 22/108/Plan and 22/109/Plan | Personal: had participated as a Member of the Housing Scrutiny Committee when |

| | | |
|--|-------------|---|
| | | these development proposals were brought through that Committee for approval. |
| Councillor Porrer | 22/114/Plan | Personal: the application was from a business in their Ward but had no discussions with Applicant about the application. Had received emails from students about it but had forwarded those on to the other Ward Councillor colleagues to respond to. |
| Councillor Gawthrope Wood | 22/108/Plan | Personal: was a resident of Arbury. |
| Councillor Gawthrope Wood | 22/109/Plan | Personal: was a Ward Councillor but discretion unfettered. |
| Councillor Gawthrope Wood and Councillor Smart | 22/113/Plan | Prejudicial: both councillors would leave the Council Chamber and not take part in the debate or the decision making. |
| Councillor Bennett | 22/111/Plan | Personal: long term member of CAMRA. |

22/107/PlanMinutes

The minutes of the meeting held on 7 September 2022 were approved as a correct record and signed by the Chair.

22/108/Plan22-01995-FUL Aylesborough Close

The Committee received an application for full planning permission.

The application sought approval for the demolition of existing buildings and hardstanding, the erection of 70 new homes, car parking, landscaping, bin and bike stores, substation and associated works.

The Principal Planner updated their report by amending the recommendation set out in the Officer's report and requested delegated authority to draft additional conditions relating to stopping up of the highway and for the construction of a new pavement.

The Committee received a representation in objection to the application from a resident of Aylesborough Close.

The representation covered the following issues:

- i. Block B would face their property and be a dominant building.
- ii. Expressed concerns about overlooking from windows facing their property.
- iii. Expressed concerns about parking.
- iv. New residents would add to existing parking pressures and was aware a neighbour had applied for a disabled parking bay.
- v. One of their trees was proposed to be taken down as part of the application.
- vi. The new buildings would be close to their property; there was no road between their property and the new proposed new buildings.

Jake Smith, Project Manager for the Housing Development Agency addressed the Committee in support of the application.

As part of Member debate the following additional conditions / informatives were requested and voted on by Members:

- i. a condition to secure the remove of PD rights regarding satellite dishes and aerials, this was carried by 5 votes in favour, 3 votes against and 1 abstention.
- ii. a condition securing individual water meters, this was carried by 8 votes in favour to 1 vote against.
- iii. Informatives securing external postboxes, the commissioning of passivhaus standard, e-spur for cycle storage and car club spaces which were supported 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 prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 to secure the planning obligations referenced in paragraphs 10.105 of the Officer's report with delegated authority granted to Officers for minor amendments to the reported Heads of Terms;
- ii. the planning conditions set out in the Officer's report;
- iii. the following additional conditions, with delegated authority to Officers to draft the conditions in consultation with the Chair, Vice Chair and Spokes:
 - a. highway conditions regarding stopping up of the highway and the construction of a new pavement;
 - b. the removal of permitted development rights regarding aerials and satellite dishes; and
 - c. one which will contain individual flat owners' water consumption to within local plan policy objectives;
- iv. informatives included on the planning permission in respect of:
 - a. e-spurs for cycle storage;
 - b. passivhaus certification standard;
 - c. external post boxes;
 - d. car club spaces.

22/109/Plan22-00583-FUL Aragon and Sackville Close

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garages and hardstanding, the erection of 14no houses (7 at Aragon Close and 7 at Sackville Close) together with car parking, green space, landscaping, bin and bike stores and associated infrastructure.

The Committee received a representation in objection to the application from a resident of Aragon Close.

The representation covered the following issues:

- i. The development would result in a net loss of parking spaces for the area. Consideration had not been given to the parking space being lost by the loss of the garages themselves.

- ii. Officers had advised that the garages which were due to be demolished were not used - but this was not the case.
- iii. It was suggested that the open space was not used - but this was not the case and was used daily in the summer by local children.
- iv. Expressed concern about the loss of open space.
- v. Noted that the biodiversity report stated that the development would deliver a net gain in biodiversity. However, a healthy tree was taken down about which the community was not informed.
- vi. The application should be rejected.

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

As part of Member debate the following additional informatives were approved, unanimously:

- i. the provision of individual water meters; and
- ii. Passivhaus certification standard

The Committee:

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

- i. the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 to secure the planning obligations referenced in paragraphs 10.112 of the Officer's report with delegated authority granted to Officers for minor amendments to the reported Heads of Terms;
- ii. the planning conditions set out in the Officer's report; and
- iii. informatives included on the planning permission in respect of:
 - a. provision of individual water meters; and
 - b. Passivhaus certification standard.

22/110/Plan22-00922-FUL Perse Upper School Hills Road

The Committee received an application for full planning permission.

The application sought approval for construction of a new sports centre to include a swimming pool, sports hall, climbing wall, entrance lobby, changing

village and plant and storage areas, together with associated car and cycle parking, infrastructure and landscaping.

The Planner updated their report by referring to (i) the amendments contained in the Amendment Sheet and (ii) revised wording of condition 3 to read “The use of the indoor facilities hereby approved shall not commence unless and until a completed Community Use Agreement has been entered into with the local planning authority by the owner of the development and its operator”.

Alison Shakespeare (Bursar of the Perse School) 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 as updated by the amendments contained within the Amendment Sheet;
- ii. the revised text of condition 3 reading ‘The use of the indoor facilities hereby approved shall not commence unless and until a completed Community Use Agreement has been entered into with the local planning authority by the owner of the development and its operator’;
- iii. an amendment to condition 16 to include reference to single occupancy car use; and
- iv. an informative to the permission regarding disabled access.

22/111/Plan21-05549-FUL Emperor 21 Hills Rd

The Committee received an application for full planning permission.

The application sought approval for the retention of building frontage facade and the introduction of a mixed use development comprising basement and ground floor public house and an office/business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of existing buildings.

It was noted that the application was in Market Ward, not in Petersfield Ward as stated in the Officer’s report.

The Planner updated their report by referring to the matters included within the Amendment Sheet.

The Committee received three representations in objection to the application.

The representations covered the following issues:

- i. expressed concerns about the daylight/sunlight assessment;
- ii. expressed concerns about overlooking;
- iii. felt if the development went ahead they would be forced to live their lives in either public or in darkness;
- iv. expressed concerns about air source heat pumps;
- v. no provision for off-street parking facility meant that illegal and dangerous parking would result;
- vi. appreciated the Planning Officer's site visit;
- vii. Cambridge Place was a cul-de-sac where pedestrians and cyclists shared the passageway;
- viii. offices for up to 100 people would generate more traffic and add to existing demand to park on double yellow lines;
- ix. noted the covid pandemic had shown the importance of outdoor space and noted that fewer pubs had pub gardens;
- x. this application would see the loss of the entire pub garden;
- xi. noted that no accommodation had been allocated to the licensee; and
- xii. the dining area was located in the basement.

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

Councillor Gilderdale (Market Ward Councillor) addressed the Committee about the application:

- i. Did not think that the application was planning policy compliant.
- ii. Expressed concern on highway safety grounds that there would be significant impact on Cambridge Place, St Paul's Place and Hills Road.
- iii. Noted a loss of parking spaces for the pub, which could be used for servicing. Referred to Planning Policy 81 paragraph 9.23. Also commented that the loss of parking for the pub meant that anyone needing a car for accessibility reasons would not be able to park. Referred to Planning Policies 58 and 56(k).
- iv. Expressed concern around the viability of the pub and referred to Planning Policy 76d.

- v. Noted residents had raised concerns about noise from the pub and that this may become worse with the loss of the pub garden. Requested sound proofing if the pub was rebuilt.
- vi. Expressed concern regarding the loss of light for Dazeley House residents and the broader impact on local residents.
- vii. Noted air source heat pumps were proposed to be situated on the roof and thought adverse noise impacts could be minimised if these were integrated internally within the building.
- viii. Expressed concern that there was no construction management plan.
- ix. Questioned how the building would be constructed without impacting on residents; the roads were not suitable and there were no parking spaces.

A vote was taken on the Officer's recommendation for approval of the application which was lost by 2 votes in favour to 4 against and 3 abstentions.

The Committee expressed concerns regarding the development which were summarised by the Interim Development and Planning Compliance Manager to include:

- i. impact on residential amenity including light and enclosure;
- ii. impact on servicing and highway safety;
- iii. impact on the viability of the pub including the loss of the pub garden and cellarge;
- iv. impact of the size and the massing of the development;
- v. cycle parking.

The Committee:

Resolved (unanimously) to refuse the application contrary to the Officer recommendation for the following reasons giving Officers delegated authority to draft complete reasons for refusal in consultation with the Chair and Vice-Chair and Spokes specifically relative to:

- i. the impact on residential amenity including light and enclosure;
- ii. the impact on servicing and highway safety;
- iii. the impact on the viability of the pub including the loss of its pub garden and cellarge;
- iv. the impact of the size and the massing of the development; and
- v. cycle parking.

22/112/Plan21-01065-FUL Sandy Lane

The Committee received an application for full planning permission.

The application sought planning permission for 26 dwellings with a mix of four 4-bed and twenty-two 5-bed and an offer of 9 affordable housing units delivered on an adjacent site.

The application was presently with the Planning Inspectorate on appeal against non-determination which meant that the local planning authority no longer had any power to determine it. The Officer's report sought Members' endorsement of a minded-to position for a refusal decision. Subject to Members' endorsement, Officers would then have approval to submit a Statement of Case to the Planning Inspectorate recommending the application be dismissed on the grounds specified therein.

The Committee received two representations in objection to the application.

The representations covered the following issues:

- i. a photograph of Sandy Lane was displayed for Members to see;
- ii. felt Sandy Lane was unsuitable for construction vehicles to drive up and down;
- iii. felt access to the site should be from Elizabeth Way;
- iv. raised concerns regarding car parking if the development went forward noting some residents would not park underground and some property owners would have more than one car and felt that the number of visitors had been underestimated;
- v. noted objections which raised concerns about housing density.
- vi. raised concerns about the impact on De Freville Avenue and Sandy Lane if the development went ahead. There would be lots of movements on these streets from bicycles, e-bikes, cargo bikes, pedestrians and cars;
- vii. noted in the past that a dust bin lorry and fire engine were unable to gain access as the road was partially blocked;
- viii. noted visibility was poor when exiting Sandy Lane into De Freville Avenue;
- ix. noted the Highways Authority would not adopt Sandy Lane;
- x. wanted a traffic management order to regulate Sandy Lane as if it was adopted; and
- xi. asked the Committee and the Planning Inspector to consider the traffic access and safety issues in Sandy Lane.

The Interim Development and Planning Compliance Manager advised that paragraph 10.166 of the Officer's report be amended to read 'Delegated authority is granted to Officers to negotiate and complete a s106 Agreement under the Town and Country Planning Act 1990 in line with the Heads of Terms in paragraph 10.133 of this report in the event that one is required as part of the appeal process'.

The Committee:

Resolved (unanimously) to endorse the Officer's minded to refuse position for the reasons set out in the Officer's report subject to:

- i. an amendment to reason for refusal 2 to include a reference to air source heat pumps;
- ii. an amendment to reason for refusal 4 to include a reference to gated communities and social cohesion;
- iii. an amendment to reasons for refusal 2 and 4 regarding stepped access;
- iv. the amendment to paragraph 10.166 of the Officer's report as recommended by the Interim Development and Planning Compliance Manager; and
- v. delegated authority to Officers to draft the amendments detailed above and to include reference to the appropriate NPPF policies.

22/113/Plan19-1453-FUL Sha Jalal Mosque

Councillor Gawthrope Wood and the Chair Councillor Smart withdrew from the meeting for this item and did not participate in the discussion or decision making for the item.

Councillor D.Baigent as Vice-Chair, chaired the Committee for the determination of this application.

The Committee received an application for full planning permission.

The application sought approval for:

- (1) a two-storey extension with single storey projecting bay for a Mimbar pulpit;
- (2) an increase in the total number of occupants permitted at any one time for the community use of the ground floor of the premises on:
 - (i) Saturday to Thursday between 09:00 hrs and 23:00 hrs with up to a maximum of 29 occupants;
 - (ii) Friday between 09:00 hrs and 12:00 hrs with up to a maximum of 29 occupants and;

- (iii) on Friday between 12:00 hrs to 16:00 hrs with up to a maximum of 37 occupants and;
- (iv) on Friday between 16:00 hrs and 23:00 hrs with up to a maximum of 29 occupants.
- (3) (i) The community use on the ground floor of the premises between 09:00 hrs and 23:00 hrs Monday to Sunday inclusive;
- (ii) A 30 minute opening for morning prayer between 02:50 hrs and 07:00 hrs, Monday to Sunday inclusive, with up to a maximum of 29 occupants; and
- (iii) during the period of Ramadan only, between 23:30 hrs and 02:30 hrs the following day, for up to 2 hours, Monday to Sunday inclusive, with up to a maximum of 37 occupants.

The Committee received two representations in objection to the application from residents of Darwin Drive.

The representations covered the following issues:

- i. represented themselves and 25 other people / 17 properties within the vicinity of the application site;
- ii. a petition had been submitted objecting to the application;
- iii. objected to the increased hours of use and the number of people attending as this would adversely impact the residents nearby;
- iv. noise and disturbance would be caused during the night;
- v. noted that different versions of the planning application had been submitted but the impact assessment by officers had not changed;
- vi. in 2011, the North Area Committee rejected the application on the grounds that it would adversely affect residential amenity;
- vii. the application would increase the size, scale and intensity of use of the site and cause unacceptable noise at night;
- viii. requested that due weight was given to the professional opinion of those advising the Committee and reasons be given if Members disagreed;
- ix. referred to NPPF paragraph 180 and Cambridge Local Plan Policy 35 and said the same rules should apply to all community rooms in the area;
- x. considered planning permission granted on a trial basis would place the onus on residents to prove disturbance which was tricky to do;
- xi. noted that an Environmental Health consultation response from August 2022 stated that the application could have potential significant adverse noise impacts. The World Health Organisation detailed what these impacts might be; and
- xii. expressed concerns about breaches of planning conditions.

A representative of the Applicant addressed the Committee in support of the application.

The Interim Development Management and Planning Compliance Manager advised the Committee that following the judicial review of its Committee decision on 1 December 2021, the Court subsequently quashed the Council's decision to grant planning permission hence the Committee must now consider the application afresh as now presented. The description of the planning application had been amended to include reference to Ramadan and to more accurately reflect what the applicant was seeking.

Following Member discussion around a temporary permission being granted for part 3(iii) of the application proposal, the Interim Development Management and Planning Compliance Manager commented that in their opinion a temporary permission with regard to part (3)(iii) of the Applicant's proposal would be unreasonable given the integral nature that part (3)(iii) has with the use of the building nevertheless, that there was some flexibility regarding a temporary permission for part 3(ii) of the proposal.

Members voted on the Officer's recommendation to refuse the application for the reason set out in the Officer's report. There were no votes cast in favour but a unanimous vote against accepting the Officer recommendation.

Officers asked Members to provide reasons for supporting approval of the application contrary to the Officer recommendation which were given as follows.

- i. Did not oppose the extension the use of the building had been on-going for some 20 years.
- ii. Approval would enable Ramadan to be held/ celebrated enabling the building to be used for its purpose; it was an important provision for the community.
- iii. Considered the increased hours and people as set out in the Applicant's proposal 3(ii) should be conditioned for a year to ensure that the Management Plan was robust and being met.
- iv. Considered the issues regarding noise overnight could be managed through robust conditions and through a time limited permission.
- v. Wanted a robust noise management plan particularly for noise arising from those arriving and exiting the building.
- vi. The potential noise from the site during the morning, the afternoon and the evening time, would be no more than that created by people talking in the street or vehicle noise similar to background noise.

- vii. Considered Ramadan was a short period and an important community festival. Christmas celebration and student May Balls were not dissimilar.
- viii. Expressed concern with the early morning hours [02.50-07.00] and requested a temporary permission and a noise management plan, which included the need for monitoring decibel readings.

At this point the Legal Officer reminded Members they were in a neutral position and whilst they had voted against accepting the Officer recommendation they had made no other resolution. He referred Members to the advice which had been provided by the Council's Environmental Health Officer reminding Members of the last two sentences of the Officer's reason for refusal which stated: 'The application site is in a residential area consequently the use of the site and the building is not considered appropriate for any further intensification of their use. The mitigation measures being proposed to overcome harm are not considered appropriate or sufficiently robust to overcome the identified to the amenity of the neighbouring properties'.

Members indicated that they were minded to approve the application. The Planning Officer shared a proposed list of draft conditions on the television screens within the Council Chamber and talked Members through them.

Time Limit

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).

Plans

2 The development hereby permitted shall be carried out in accordance with the below approved plans:

- 107 (02)
- 01 A Site Location Plan

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.

Materials

3 The materials to be used in the external construction of the development, hereby permitted, shall match the existing building in type, colour and texture.

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

Opening Hours and Occupancy

Pre-extension – Standard opening hours and maximum number of occupants

4 Prior to the completion of the two-storey extension hereby permitted the ground floor of the premises: (i) shall not be occupied by more than 20 people at any one time; and (ii) shall only be in use between the hours of 09.00 and 21.00 Monday to Sunday and 09.00 and 22.30 Monday to Sunday throughout the months of June and July.

Reason: To ensure that there is no intensification in the use of the building in order to safeguard the amenity of adjacent residential properties (Cambridge Local Plan 2018, Policy 73).

Post-extension – Standard opening hours and maximum number of occupants

5 Following the completion of the two-storey extension hereby permitted, and subject to parts 6, 7 and 8, the ground floor of the premises: (i) shall not be occupied by more than 29 people at any one time; and (ii) shall only be in use between the hours of 09.00 and 23.00 hours Monday to Sunday.

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

Post – Extension – Friday prayer maximum number of occupants

6 Following the completion of the two-storey extension hereby permitted, on Fridays between the hours of 12:00 and 16:00 the ground floor of the premises shall not be occupied by more than 37 people at any one time.

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

Post Extension – Early morning opening (if to be temporary for 1 year)

7A The ground floor of the premises shall only be in operation between the hours of 2.50am – 7.00am for 30 minutes Monday – Sunday for a temporary

period of 1 year only from the date of the completion of the extension after which the use between these hours shall cease.

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

Post Extension – Ramadan Time-Limit

8 Following the completion of the two-storey extension hereby permitted, the ground floor of the premises shall be permitted to be in use during the period of Ramadan only for a maximum of 120 minutes between the hours of 23:30 and 02:30 the following day, Monday to Sunday inclusive. During this time the ground floor shall be occupied by no more than 37 people at any one time.

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

Noise report

9 During the operation of the community facilities on the ground floor the recommended mitigation measures detailed in the Noise Report (2184_FP01.0 V2 and 2184_AC_2.0) shall be put into and remain in place.

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

Transport Statement

10 During the operation of the community facilities on the ground floor the mitigation measures detailed in the Transport Statement (1710-34/TS/01 Rev A) shall be put into and remain in place.

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

Management Plan

11 Prior to the completion of the permitted extension, the Management Plan of the Community facility shall be updated in line with the recommendations of the Transport Statement, Supporting Statement and Noise Reports and agreed by the Local Planning Authority in writing. The agreed Management Plan shall be put into and remain in place following use of the extension.

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

Cycle Parking

12 Prior to any works above slab level of the permitted extension, details of the cycle parking shall be submitted to and agreed in writing by the Local Planning Authority. The agreed cycle parking shall be retained and maintained for the community use.

Reason To protect the amenity of adjoining residential properties (Cambridge Local Plan 2018 Policy 82).

Limitations of the Flats

13 The occupation of the first floor residential flat hereby permitted shall be limited to persons directly associated with the group or management of the community facility.

Reason: To protect residential amenity (Cambridge Local Plan 2018 policy 35).

Rear Garden

14 The rear garden shall be used solely in conjunction with, and ancillary to, the residential flat hereby permitted and shall not be used, occupied or let for any purpose other than for private residential purposes.

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

Community Use

15 The community use hereby permitted relates solely to the ground floor of the building. The upper floor and rear gardens shall not be used for any purpose other than private residential use.

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

Hard and Soft Landscaping

16 Prior to the use of the permitted extension details of a hard and soft landscaping scheme (excluding the private residential garden associated with the first floor residential unit) shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) car parking layouts, hard surfacing materials; signs, lighting
- b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

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

Traffic Management Plan

17 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 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)

First Floor Side Window

18 The development, hereby permitted, shall not be occupied until the proposed first floor study window in the south west elevation of the development has, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity and shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: To prevent overlooking of the adjoining properties (Cambridge Local Plan 2018 policies 55, 57/58).

Members voted unanimously to amend proposed condition 8 to express the maximum occupancy at both before and after construction of the extension during the Ramadan period.

The Committee:

Resolved (unanimously) to grant planning permission subject to the above conditions with an amendment to condition 8 to express the maximum occupancy at both before and after construction of the extension during the Ramadan period.

22/114/Plan22-0778-FUL Varsity Hotel and Spa

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.

22/115/Plan22-01504-FUL 196 Green End Road, Cambridge

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.

22/116/PlanTree Works 76 De Freville Avenue

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.

22/117/PlanEnforcement Report October 2022

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

The meeting ended at 6.20 pm

CHAIR

Public Document Pack

Planning

Plan/1

Wednesday, 2 November 2022

PLANNING

2 November 2022

10.00 am - 3.30 pm

Present:

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

Also present: Councillor Gilderdale (virtually) and Councillor Bird (physically)

Officers:

Interim Development and Planning Compliance Manager: Toby Williams

Principal Planner: Dean Scrivener

Senior Planner: Michael Allen

Senior Planner: Phoebe Carter

Senior Planner: Charlotte Peet

Senior Planner: Nick Yager

Arboricultural Officer: Joanna Davies

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Meeting Producer: Sarah Steed

FOR THE INFORMATION OF THE COUNCIL

22/118/PlanApologies

Apologies were received from Councillor Collis.

22/119/PlanDeclarations of Interest

| Name | Item | Interest |
|--------------------|-------------|--|
| Councillor Baigent | All | Personal: Member of Cambridge Cycling Campaign. |
| Councillor Porrer | 22/121/Plan | Personal: Contacted by ARU students (where she works) about this application. Discretion unfettered. |

| | | |
|---------------------------|-------------|--|
| Councillor Baigent | 22/124/Plan | Personal: Had been involved in the application to help bring it forward to committee (general discussions with Planning Officer and Applicant). Discretion unfettered. |
| Councillor Gawthrope Wood | 22/125/Plan | Personal: Lives near Tedders Way. Discretion unfettered. |
| Councillor Smart | 22/125/Plan | Personal: Contacted by residents concerning this application. Discretion unfettered. |

22/120/PlanMinutes

The minutes of the meetings held on 6 July and 3 August 2022 were approved as a correct record and signed by the Chair.

22/121/Plan22-00778-FUL The Varsity Hotel, Thompson's Lane

Councillor Baigent was not present in 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 installation of a new all weather lightweight retractable roof canopy and associated works.

The Committee received a representation in objection to the application from a resident of Beaufort Place:

- i. Referred to Local Plan guidance about tall buildings and their impact on the skyline.
- ii. The proposal would have a negative impact on the skyline and views in the city.
- iii. Agreed with the Officer's recommendation to refuse the application and the reasons for doing so.

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

- i. When residents of the Thompsons Lane enclave pass the Varsity Hotel (the only unbollarded route) they expected to find vehicles parked near

or on the kerb or people gathering outside the door. These often required avoidance, and sometimes stopping and waiting, by drivers or pedestrians. Greater use of the roof terrace would increase arrivals, departures and deliveries and thus the likelihood of delays.

- ii. The two upper levels of the Varsity Hotel were out of keeping with the buildings in the local area in terms of their height and materials. The roof terrace was visible from many points including the five approaches to the hotel.
- iii. At night, well-lit objects caught the eye, making them difficult to ignore. Increased use of the roof terrace, particularly with lights at night, would make it even more of a dominant and discordant feature of the area.
- iv. A canopy would increase the structural height and also the incongruity of the building with its surroundings. A comparison could be made with the canopy of the Hyatt Eddington, but the Hyatt building is far more in keeping in height and style with the buildings around it.

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

Councillor Gilderdale (Market Ward Councillor) addressed the Committee about the application:

- i. How would the roof be used? Would the canopy generally be open or closed? How would this affect the look of the building?
- ii. Would the roof canopy be similar to the one on the lower floor eg in position and usage?
- iii. As summers got hotter having a canopy could help people avoid problems such as heat stroke.
- iv. Would the proposal lead to a better building design environmentally for example by reducing the need for heaters on the roof by having a canopy and therefore lowering electricity bills?

The Committee Manager read out the following points on behalf of Councillor Ashton (Mayor and Cherry Hinton Ward Councillor):

- i. Normally in these cases he left it to the ward councillors to input their concerns and residents' feelings but in this case felt it was right for him to put the views from an impartial person.

- ii. Councillors would have been fully versed from both the Council's Planning Team as to the reasons for their recommendation for rejection of the application and the applicant's reason for approval.
- iii. This application could be allowed as the Applicant has demonstrated via responses to the planning officers' questions the reasons why they were within planning regulations to let this go ahead.
- iv. Councillors did not look at numbers (in support or objection) for planning but a considerable number were in support and only a very small number against.
- v. One reason for turning down the application was height and mass, yet Park Street redevelopment was actually taller and had more mass.
- vi. Queried if the Council applied the same rules in its approach to Park Street and The Varsity applications, it would seem quite unfair if two buildings so close to each other had different rules applied.
- vii. This was the third application the Applicant had brought to Committee. The previous two were turned down, went to appeal and then the Inspector ruled in favour of the Applicant.
- viii. Asked the Committee to think long and hard about how to vote on this matter.
- ix. Could see that if Members voted to refuse the application, the Applicant could choose the right to go to Appeal.
- x. Councillor Ashton fully understood the difficulties and choices that had to be made having sat on Planning Committee. Planning Law tried to make this easier by setting down guidelines.
- xi. As Members were well aware, guidelines were open to interpretation. Inconsistencies regarding height and mass between similar buildings could arise if the same rule was not applied to them both.

Councillor Porrer proposed an amendment to the Officer's reason for refusal regarding the impact of light on the skyline. The Interim Development and Planning Compliance Manager suggested amending reason for refusal 2 (as shown in bold text):

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, **potential night time lighting impacts** 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.

This amendment was **carried by 7 votes to 0 – unanimous of those present.**

The Committee:

Resolved (by 4 votes to 1 with 2 abstentions) to refuse the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to the amendment set out above.

22/122/Plan22-01504-FUL 196 Green End Road

Councillor Baigent joined the Committee.

The Committee received an application for full planning permission.

The application sought approval for demolition of 196 and 198 Green End Road and the construction of 9 Apartments (8 no 1 bed flats and 1 no. studio flat) along with ground floor commercial space and associated parking.

The Committee Manager read a statement on behalf Green End Road residents (as supplied by the Agent) which addressed the Committee in support of the application.

Councillor Bird (East Chesterton Ward Councillor) addressed the Committee about the application:

- i. The area proposed for development had been derelict for years which led to residents' concerns about anti-social behaviour and drug dealing.
- ii. A separate planning permission was granted in 2021 but the Applicant had not proceeded with it. Local residents, including near neighbours, had raised no objections.
- iii. Consultees had raised no objections.

- iv. The development would improve the area. Particularly as more housing was needed in the ward.
- v. There were five open spaces nearby, so there were amenities in the area available to potential residents.

The Committee:

Resolved (by 6 votes to 2) to refuse the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report.

22/123/Plan22-0669-TTPO Report Tree Works 76 De Freville Avenue

The Committee received an application for:

- i. T1 – Acacia : Dismantle to near ground level and replant with Liquidamber Worplesdon.
- ii. T3 Birch - Reduce height by 2m.

Recommendation:

- i. APPROVE removal of T1 subject to conditions.
- ii. REFUSE crown reduction of T3.

The Committee received a representation in objection to the application from a resident of De Freville Avenue:

- i. The value of the T1 tree outweighed the risk of "failure" (dying). It was better to keep the existing tree rather than replace it with a younger one that may not survive.
- ii. There was no evidence to prove T1 needed to be felled due to a safety risk because of decay.
- iii. Suggested pruning T1 every four to five years instead of pollarding it was a more appropriate method to mitigate any possible decay.
- iv. T1 could be seen from various locations. A replacement sapling would not provide the same amenity value for some years.

Councillors asked for the minutes to record that they would like a Tree Preservation Order to be imposed on T1 in future.

The Committee:

Unanimously resolved to accept the officer recommendation and grant consent for the tree works proposed.

22/124/Plan21-00809-FUL Cambridge Snooker and Pool Centre

Councillor Dryden left the Committee before this item was considered and did not return.

The Committee received an application for full planning permission.

The application sought approval for the 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 the 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.

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

Councillor Gawthrope Wood proposed an amendment to the Officer's recommendation that sustainable building standards (eg photovoltaic panels) informative could be applied.

This amendment was **carried by 7 votes to 0 – unanimous of those present.**

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. A condition to require a Travel Management Plan.
- ii. An access informative.

The amendments were **carried by 7 votes to 0 – unanimous of those present.**

The Committee:

Resolved (by 7 votes to 0 – unanimous of those present) 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 condition:
 - a. Travel Management Plan;
- iii. informatives included on the planning permission in respect of:

- a. access arrangements;
- b. photovoltaic panels and their use.

22/125/Plan22-00440-FUL Land at Tedder Way

The Committee received an application for full planning permission.

The application sought approval for the erection of a 4bed dwelling including landscaping and parking.

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

Councillor Porrer proposed an amendment to the Officer's recommendation that bike storage should have capacity for adapted bikes such as cargo bikes.

This amendment was **carried by 7 votes to 0 – unanimous of those present.**

Councillor Thornburrow proposed an amendment to the Officer's recommendation that the landscape condition could cover bin and bike storage.

This amendment was **carried by 7 votes to 0 – unanimous of those present.**

The Committee:

Resolved (by 7 votes to 0 – unanimous of those present) 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:
 - a. revision to Condition 15 to include reference to adaptable bike storage;
 - b. a new hard and soft landscape condition to cover bin and bike signage and locations.

22/126/Plan22-02200-FUL 109 Milton Road

The Committee received an application for full planning permission.

The application sought approval for a single storey dwelling with associated parking.

The Senior Planner updated her report by referring to an amendment to Condition 27 in her presentation.

The Committee:

Resolved (by 6 votes to 0 with 1 abstention) to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer including the amendment to Condition 27.

The meeting ended at 3.30 pm

CHAIR

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| | |
|-------------------------------------|---|
| Planning Committee Date | 7 December 2022 |
| Report to | Cambridge City Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 22/02969/FUL |
| Site | 73 Newmarket Road, Cambridge |
| Ward / Parish | Market |
| Proposal | Mixed use development comprising a ground floor commercial unit (Class E) with nine residential units on the upper floors along with associated infrastructure following demolition of existing buildings. |
| Applicant | Tulis Properties Ltd |
| Presenting Officer | Katie Christodoulides |
| Reason Reported to Committee | Third party representations contrary to the Officer Recommendation |
| Member Site Visit Date | N/A |
| Key Issues | <ol style="list-style-type: none">1. Principle of Development2. Design and Character of Area3. Heritage Impact4. Neighbour Amenity5. Highway Safety and Parking Provision |
| Recommendation | APPROVE subject to conditions |

1.0 Executive Summary

- 1.1 The application seeks a mixed use development comprising a ground floor commercial unit (Class E) with nine residential units on the upper floors along with associated infrastructure following demolition of the existing buildings.
- 1.2 The application follows the extant planning application (18/0887/FUL) which was approved at Planning Committee for the proposed mixed use development, comprising part demolition of the existing building (with the retention of the front and side elevations and erection of 9no. apartments and commercial/restaurant/public house (A1, A2, A3, A4, A5 and B1 flexible use) with associated works.
- 1.3 This proposal seeks the demolition of all the existing buildings on site and a mixed use development on the ground floor comprising of Class E uses with nine residential units on the upper floors.
- 1.4 The proposal accords with the Local Plan 2018 as the design and scale would not have an adverse impact on the character of the surrounding area and the Conservation Area. The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring properties and would provide a high quality living environment for future occupiers.
- 1.5 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

| | | | |
|---|---|-------------------------|---|
| None-relevant | | Tree Preservation Order | x |
| Conservation Area | x | 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 | x |
| Local Neighbourhood and District Centre | | Article 4 Direction | |

- 2.1 The site is situated on the northern side of Newmarket Road and is occupied by a two storey building that is currently vacant and was previously used as an Indian restaurant since 2014. The existing building fronts the back edge of the pavement to Newmarket Road. To the rear of the building is an area of hardstanding. The rear boundary is defined by a 2.5 metre high brick wall which also extends along the western boundary and part of the eastern boundary. The western boundary wall is hidden behind a piece of public art which extends along the entire length of the boundary.

- 2.2 The site is located within an area of mixed uses such as residential apartments, offices and other commercial uses. To the west of the site is the main entrance and access into Kingsley Walk which contains blocks of apartments with car parking at ground level. On the other side of the main entrance is Brooke Court which is an apartment block. Newton Court which is an apartment block is located adjacent to the northern boundary of the site. To the east is a three storey office building (Nos.77-81 Newmarket Road) which is set back from the front elevation of No.73. Opposite the site; south of Newmarket Road, are office buildings and other commercial uses with car parking within the frontage
- 2.3 The site lies within the Riverside and Stourbridge Common Conservation Area (2012) and a Controlled Parking Zone. There is a tree which is subject to a Tree Preservation Order close to the eastern boundary of the site. There are no listed buildings or other heritage assets within close proximity of the application site.

3.0 The Proposal

- 3.1 The proposal is for the mixed use development comprising a ground floor commercial unit (Class E) with nine residential units on the upper floors along with associated infrastructure following demolition of existing buildings.
- 3.2 The proposal would include visitor cycle parking spaces to the front, with residential and commercial cycle storage to the side and rear and a refuse storage area to the side. To the rear of the site would lie a planted area with grass and a paved area. To the side of the commercial unit would lie a paved area.
- 3.3 Additional information has been submitted as part of the application to address the comments and request for information from the Sustainability Officer. Further consultation has been undertaken with the Sustainability Officer.
- 3.4 There is an extant permission on the site for proposed mixed use development, comprising part demolition of the existing building (with the retention of the front and side elevations and erection of 7 studio units and 2 x 2 bedroom units and Commercial/Restaurant/Public House (A1, A2, A3, A4, A5 and B1 in the alternative) flexible use, with associated works (approved by members at Planning Committee under application reference (18/0887/FUL).

4.0 Relevant Site History

| Reference | Description | Outcome |
|------------------|---|----------------|
| 18/0887/FUL | Proposed mixed Use Development, comprising part demolition of the existing building (with the retention of the front and side elevations and erection of 9no. Apartments and Commercial/Restaurant/Public | Approved |

House (A1, A2, A3, A4, A5 and B1 flexible use) with associated works.

16/0720/FUL

Proposed Residential Development of 6No. Studio Apartments, Kitchen Extension to Existing Restaurant and associated Works including demolition of existing single storey structures.

Approved

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)

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 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 40: Development and expansion of business space

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 61: Conservation and enhancement of historic environment
Policy 62: Local heritage assets
and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 71: Trees
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

5.5 **Other Guidance**

Arboricultural Strategy (2004)

Cambridge and Milton Surface Water Management Plan (2011)

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment
(November 2010)

Cambridge City Council Waste and Recycling Guide: For Developers. Cycle
Parking Guide for New Residential Developments (2010)

Riverside and Stourbridge Common conservation area

6.0 **Consultations**

6.1 **County Highways Development Management – No Objections.**

6.2 Recommends conditions in regard to:

- Traffic Management Plan.
- Demolition and construction vehicles hours.
- Redundant vehicular crossing be removed.
- Reductant rain water channel be removed.

- Informatives in regard to no works to the highway, no water on the highway and no foundation on the highway.

Guidance was then provided on the information required for the Traffic Management Plan (TMP).

6.3 Sustainable Drainage Officer – No Objections.

6.4 The site can drain adequately and a suitable surface water drainage strategy for the site can be delivered. Recommends conditions in regard to:

- Submission of a surface water drainage scheme.
- Details of foul water drainage works.

6.5 Anglian Water – No comments received.

6.6 Urban Design – No Objections.

6.7 The proposals are successful in creating a contextually appropriate building, by virtue of a careful consideration of scale and massing, urban grain and the interface within the street frontage. Recommends conditions in regard to:

- Materials.
- Sample Panel.
- Details of roof top plant and equipment.

6.8 Access Officer - No Objections.

The small number of flats are served by a lift. They would need to meet the relevant Building Regulations. In the cycle parking it would be good to have room for some outside cycles and perhaps a mobility scooter charging point.

6.9 Conservation Officer – Objection.

6.10 The property contributes to the Riverside and Stourbridge Common Conservation Area due to its attractive Arts and Craft form, materials and detailing, and historic community use. The scale and appearance reflects the historic development and fine urban grain of the site and wider area at the time it was built.

6.11 The loss of the building would fail to preserve the character and appearance of the Conservation Area due to the loss of a positively contributing building. The proposed replacement building lacks the positive architectural characteristics and historical associations of the existing building and wider Conservation Area and is therefore not considered to preserve or enhance its character and appearance.

- 6.12 The proposal would fail to preserve or enhance the character or appearance of the Conservation Area. The loss of the existing building and its redevelopment as a proposal would result in moderate less than substantial harm to the designated heritage asset.
- 6.13 The proposal would not comply with Local Plan Policies 58, 61, 63 and 76 and paragraphs 194, 195, 199, 200 and 202 of the National Planning Policy Framework.
- 6.14 **Senior Sustainability Officer – No Objections**
- 6.15 The floor space for the commercial unit is relatively small, making BREEAM accreditation challenging. Nevertheless, a number of measures are being implemented including achieving maximum BREEAM credits for water efficiency and targeting 11 BREEAM credits associated with energy use through the implementation of fabric and energy efficiency improvements, with consideration also being given to the use of heat pumps. These measures alongside the measures being implemented for the residential aspect of the scheme are supported. Recommends conditions for the commercial element in regard to:
- Carbon reduction measures for non residential.
 - Water efficiency specification for non residential.
- 6.16 Previous comments: the residential aspects of the scheme are welcomed from a sustainability construction perspective, further information is required before the scheme can be supported. Recommends conditions for the residential element in regard to:
- Carbon reduction statement for residential.
 - Water efficiency specification for residential.
 - Informative in regard to the proposal meeting Parts O and F of Building Regulations.
- 6.17 **Tree Officer – No Objections.**
- The loss of trees on site have no material impact on amenity. The relationship between adjacent trees of high amenity and buildings is improved by the setback in the southeast corner of the site. The adjacent London Plane will need to be protected from construction activity. Recommends conditions in regard:
- Submission of an Arboricultural Method Statement and Tree Protection Plan.
 - Tree Protection Methodology implemented throughout and protection retained.
- 6.18 **Environmental Health – No Objections.**

6.19 Recommends conditions in regard to:

- Construction hours.
- Collection during construction.
- Piling.
- Dust condition.
- Plant noise insulation.
- Alternative Ventilation Scheme.
- Odour filtration and extraction.
- Noise insulation scheme.
- Hours of opening of commercial premises.
- Use of commercial waste receptacles.
- Deliveries and collections.
- Lighting.
- Informatives in regard to demolition and construction dust.

6.20 **Police Architectural Liaison Officer – No Objections.**

6.21 Recommends the applicant considers submitting a Secure by Design residential 2019 application and commercial 2015 application.

6.22 **Ecology Officer- No Objections**

6.23 The PEA has been reviewed and can confirm the stated low BNG baseline. The proposed BNG net gain is based on realistic future condition of the sedum roof and grassland and therefore the increase in BNG is accepted. Opportunities to further enhance the green roofs with introduction of deadwood features and variation in topography would further enhance the proposals for biodiversity and the BNG score, but the current scheme exceeds the requirement of the NPPF and Local plan policies. The proposed installation of swift boxes is supported, numbers to be determined by reference to commercial floor area and the Biodiversity SPD guidance. The specification, number and location should be provided on a plan for approval or secured via condition.

7.0 Third Party Representations

7.1 Ten representations have been received objecting to the proposal from 1 Darwin House, Nos. 1 & 28 Keynes House, Kingsley Walk, 2 Kingsley Walk, Nos. 12 & 25 Marlowe House, Kingsley Walk, Nos. 20 & 33 Brooke House, Kingsley Walk and Nos. 18 & 46 Newton Court, Kingsley Walk. Those objecting have raised cited the following reasons:

Visual Amenity:

- Existing building is beautiful and in a Conservation Area.

- Loss of an attractive, human-scale, historic, Arts and Craft style building that brings welcome diversity of appearance to this section of Newmarket Road.
- New design is not in keeping with the design and appearance of the area.
- The appearance of the proposed building is that of a tall brutalist edifice squeezed into too small a space between the existing buildings.
- The proposal would blot out the existing softer lines of the adjacent Cambridge Riverside development and dominate the street scene.
- The proposal needs to be toned down to blend with the surrounding environment.
- High apartment block on the western elevation would appear overly severe and massive.
- Massing is as tall as Brooke House without any articulation by balconies and setbacks.
- New building large for the size of the plot area.
- Proposal is higher than the extant proposal being 4 storey's to Newmarket Road and Kingsley Walk.

Residential Amenity:

- Height will affect residents in Brooke House.
- Overshadowing Brooke House and privacy of building and using balconies.
- Those residents on south side of Newton Court will lose their view south towards Newmarket Road and be shaded.
- Loss of privacy, windows facing directly from new development.

Highway Safety and parking:

- Highway safety to Newmarket Road from delivery vans stopping outside.
- Inadequate lack of parking would cause problems on Kingsley Walk.
- Parking provision for residents in the long term being at risk.
- Design out of scale, does not preserve greenery, propose a viable parking solution and would negatively impact road safety on Newmarket Road roundabout.
- Concern regarding construction traffic taking up nearby roads and restricting neighbours movements.
- Concern regarding air pollution from construction vehicles.
- No space to safely load and unload deliveries to the site.
- Concerns regarding the demolition and construction phase.
- Questions the plans for safe movement of pedestrians and cyclists.
- Questions where lorries will park to load and unload causing disruption to Newmarket Road.
- Request that the Authority set down and enforce restrictions during the construction phase and longer term for Kingsley Walk.
- Concerns regarding flexible Class E use.

Trees and Landscaping:

- Loss of trees and green space

Other Matters:

- Increase in population density in the area at a busy entrance to a large development that serves 90 existing homes.
- Close to whale wall.
- Damage to nearby artwork (Whale Wall).
- Demolition and construction affect quality of life and health of residents and young children.
- Proposal will not address the existing problem of housing families on lower income.
- Proposal does not seem to benefit the community at large.
- Unusual floor plan with pinch point would not suit many of the uses permitted in Class E, questions if commercially viable and lettable.

7.2 Five representations have been received in support of the proposal from 57 Catherine Street, 169 East Road, 54 Grenville Road, 70 Newmarket Road and 74 Newmarket Road. Those in support have cited the following reasons:

- Improved scheme with modern design preferred to retaining existing building.
- The proposal is modern and attractive and in keeping with the regenerated architecture currently visible on either side.
- Previous scheme will give a poor contribution to the street scene.
- The proposal is better than the busy design of the approved scheme.
- Old restaurant is an eyesore and does not contribute to street.
- Existing building is out of character with area and if kept would add nothing visually or historically.
- Building is clearly not listed or a building of local interest.
- Brickwork of the existing is poorly carried out repairs and the windows are door are 1970 mass produced wooden supply and the supports have subsided and given way.
- The new building will be constructed to reduce energy consumption and living costs for occupiers.
- Proposed design is really interesting and will be visually pleasing.
- The modern block is sympathetically designed and will provide a positive contribution to the rhyme of architecture.
- Reference to demolition of similar aged buildings on Silver Street which were far better condition than this one.
- Removal of parking on site is safer.
- Many pay and display parking bays available for visitors of the residential flats and commercial ground floor.
- Existing building will not sit well or contribute positively in the area given the new modern development in the area.

- The approved scheme will result in small oppressive rooms which do not meet modern living and working.
- The approved scheme will make it impossible for wheelchair access.
- Retaining the existing building and bringing it to modern day standards is full of practical and unforeseen problems.
- The proposal will set a precedent for other buildings planned for the area to meet high standards in design and appearance.
- The new design will be a positive and refreshing contribution to the street.
- The existing building required maintenance due to regular instability of the structure and was costly.

8.0 Member Representations

No member representatives received.

9.0 Local Groups / Petition

9.1 Cambridge Past, Present and Future have made a representation objecting to the application on the following grounds:

- Object to the loss of the building contrary to Policy 61 of the Local Plan.
- No.73 Newmarket Road is a small island of history within this sea of bland redevelopment in an otherwise historically important street. The building needs to be preserved and not replaced with more uninspiring development.
- The loss and redevelopment of this site will be historically and visually harmful contrary to Policy 61 of the Local Plan.
- Support the views of the Conservation Officer who raises the importance of the building reflecting the historical use of the site as a public house, the visually positive relationship of the building due to its human, domestic scale and the attractive architectural detailing.
- Building covered by Policy 76 on protection of public houses.
- Do not consider the design of the replacement building is appropriate for the Conservation Area.
- The proposal is for a bulky building which will result in the loss of human scale, detracting from the Conservation Area.

9.2 Cambridge Riverside (Midsummer Common) Residents Management Company Ltd have made a representation objecting to the application on the following grounds:

- The new design has substantially changed the impact by doubling the height of the existing 73 Newmarket Road.
- Impact on access to Cambridge Riverside.
- Reduction of light to Newton Court and affect outlook of apartments from Newton Court (south) and Brooke House (east).
- Parking on Kingsley Walk.

- Demolition of building impact on pedestrians, cyclists and vehicles from Kingsley Walk.
- Class E use and impact from parking or waiting cars.
- Food business -odour and hours of use.
- Noise and vibration from plant to ventilate building.

9.3 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.

10.0 Assessment

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

1. Principle of Development
2. Design, Layout, Scale and Landscaping
3. Heritage Assets
4. Trees
5. Carbon Reduction and Sustainable Design
6. Biodiversity
7. Water Management and Flood Risk
8. Highway Safety and Transport Impacts
9. Cycle and Car Parking Provision
10. Residential Amenity

10.1 Principle of Development

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. Previous planning applications for the site were granted under planning approvals (16/0720/FUL) for 6 residential units and (18/0887/FUL) for 7 studio units and 2 x 2 bedroom units. Given the above, the site is considered appropriate for residential development.

10.3 The existing site and its building are currently vacant but was previously used as an Indian restaurant (Class E use) with a garden area to the rear which was not used in connection with the restaurant. The garden area was used as a storage area and enclosed by a 2.5 metre high brick wall. The application seeks consent for the ground floor of the new building to comprise of a commercial unit (Class E use-Commercial, Business and Service). In respect of the proposed use, given that the last use was for a restaurant which falls within Class E use, and as of 1st September 2020 use classes A1, A2, A3, B1, D1 (clinics, health centres, creches, day nurseries and day centres) and D2 were subsumed into the new use class (Class E), the previous and proposed use of the site falls within the same use class and would not be classed as development in land use planning terms. Notwithstanding this, there are a

number of office use developments surrounding the site and the proposal would not be considered inappropriate or out of character with the surrounding area. The proposed ground floor commercial use would be considered acceptable in principle, subject to other material planning considerations discussed below.

- 10.4 Representatives have raised concern regarding the loss of the pub use from the site. The last use of the site was for a restaurant (E(b) use class), in which the application states this use has been happening on site since 2014. It is not exactly known when the building was last used as a public house but this is estimated to be around 2012 when it was trading as the Bird in Hand. Given the last use of the site was for a restaurant which falls within Class E use, the loss of the public house (Sui Generis) is not a material planning consideration.
- 10.5 The principle of the development is acceptable and in accordance with policy 3 of the Local Plan 2018.
- 10.6 **Design, Layout, Scale and Landscaping**
- 10.7 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.
- 10.8 The application site consists of an existing two storey building which was used as an Indian restaurant and is now vacant. To the rear is a garden area which was not used in connection with the restaurant. It is used as a storage area and enclosed by a 2.5 metre high brick wall. The western boundary is screened by an existing artwork (Whale Wall) as part of the Kingsley Walk development, which is set off the boundary. The site is surrounded on two sides by 4 to 5 storey modern apartment blocks on the northern and western side (Brooke House and Newton Court), and a three storey office building (No.77-81 Newmarket Road) on the eastern side, which leads to a two storey tyre business adjacent to the roundabout. The existing two storey domestic scale building on the site is dwarfed by the surrounding built form.
- 10.9 The proposed scale of development would be four storey's comprising of a ground floor commercial unit and residential units on the upper three floors. The height of the overall building would be approximately 12.8 metres. Given the Kingsley Walk development consists of 4 and 5 storey blocks of flats, the proposed scale and height of development is considered appropriate. The Urban Design Officer supports the proposal and in their comments state that the 'proposed massing of the scheme creates a series of volumes that respond well to the constraints of the site. The angled segments that have been 'cut away' help to create a finer proportion to each elevation, with a more slender and vertical appearance to the front façade'.
- 10.10 The Urban Design Officer in their comments state that the 'design of the proposed building is successful in creating a contextually appropriate building,

by virtue of a careful consideration of scale and massing, urban grain and the interface within the street frontage'. The design is modern in appearance but is designed to reference and incorporate proportions and details which responds to the character of the area and Conservation Area. The detailing of brickwork to the ground floor with the vertical louvre detail wrapping around the upper floors with openings and variations which relates to the finer grain context helping to round the building. The proposed design of the development, subject to conditions in regard to submission of the materials and the detailing for a sample panel and plant equipment is considered appropriate.

- 10.11 Overall, the proposed development is a high-quality design, with the height, scale, bulk and form contributing positively to its surroundings. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.
- 10.12 **Heritage Assets**
- 10.13 The application site falls within the Riverside and Stourbridge Common Conservation Area. The application is not listed or a Building of Local Interest (BLI) nor is within the setting of a listed building.
- 10.14 Section 66 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 10.15 Paragraph 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 significance of a heritage asset should require clear and convincing justification.
- 10.16 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.
- 10.17 The property forming No.73 Newmarket Road is the former Bird in Hand public house and dates to the 1920s. The current building replaced an earlier pub building which may have dated to the 17th century or earlier. The building is two storeys and has a pleasing appearance and a domestic scale and fine grain, which is more apparent in the buildings and dwellings at the end of Newmarket Road to the west, than the buildings immediately surrounding the site. The buildings immediately surrounding the site on the north, east and west are modern in appearance and comprise of 4 or 5 storey's.

- 10.18 The Conservation Officer has commented that the building contributes to the Conservation Area due to its attractive Arts and Craft form, materials and detailing, and historic community use. The scale and appearance of the building reflects the historic development and fine urban grain of the site and wider area at the time it was built. The building has a positive relationship to the street due to its human, domestic scale and attractive architectural detailing.
- 10.19 The Conservation Officer objects to the proposal and states that it cannot be supported as the loss of the building would fail to preserve the character and appearance of the Conservation Area due to the loss of a positively contributing building and the proposed replacement building lacks the positive architectural characteristic and historical associations of the existing building and wider Conservation Area. Therefore, the proposal would be harmful to the Conservation Area's significance as a designated heritage asset and would not preserve or enhance the Conservation Areas character or appearance. The Conservation Officer details that the loss of the existing building and its redevelopment as proposed would result in moderate less than substantial harm to the designated heritage asset.
- 10.20 The National Planning Policy Framework paragraph 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 scheme including, where appropriate, securing its optimum viable use'. The public benefits of the scheme include the redevelopment of a site which is currently vacant and not in use. The proposal will retain a commercial use on the site providing a limited amount of new employment opportunities, alongside the provision of 8 one bedroom units and 1 two bedroom unit, which will help meet housing need in a highly sustainable location.
- 10.21 The Conservation Officer comments that the previously approved scheme under application (18/0887/FUL) demonstrated that a redevelopment of the site which retains the historic building and a community use at ground floor is feasible. Paragraph 8.8 of the Planning Committee Report for (18/0887/FUL) states that 'Given that the main frontage and side elevation is being retained as existing it is considered by officers that the impact of the proposal will not result in detrimental harm to the appearance or character of the Conservation Area'.
- 10.22 This proposal seeks the demolition of the whole of the building and redevelopment, which is what is being considered under this application. The Conservation Officers comments are noted and they acknowledge that 'some buildings on Newmarket Road near the site have been redevelopment since the late-20th century'. The Conservation Officer in their comments makes reference to the nearby historic terraces at 25-37 and 20-30 Newmarket Road, the 19th-century BLI at 43 Newmarket Road, the historic terraced houses on Auckland Road and east of the roundabout. All which the

Conservation Officer states reflect the same historic form, scale, urban grain and materiality of the site in question. However, when considering the immediate context of the site and its area which is of modern buildings at a large height, scale and mass, together with the existing building which has limited detailing and an Arts and Craft form, the loss of the building for a high quality replacement is not considered by officers to be an in principle issue. In this case, harm would arise through the loss of the building within the Conservation Area but this needs to and can be balanced against the merits of the replacement building (which needs to be of high quality) and the public benefits that would arise.

10.23 This is an on-balance recommendation and the loss of the building needs special consideration in reflection of the Conservation Officer's advice and the legislative framework. However, by virtue of its scale, massing and design and the public benefits that would arise, officers are satisfied that the harm caused through the loss of the existing building and its associated significance (as set out by the Conservation Officer) can be mitigated. In particular, this is in consideration of the immediate context of the site, the high-quality replacement – supported by Urban Design - and partially unique design and the public benefits that would arise. The proposal thus accords with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

10.24 **Trees**

10.25 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Paragraph 131 of the NPPF seeks for existing trees to be retained wherever possible.

10.26 There is a plane tree outside of the site, which is subject to a tree protection order located to the south east of the application site. The Council's Tree Officer has raised no objection subject to conditions to ensure protection of the tree from construction activity.

10.27 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

10.28 **Carbon Reduction and Sustainable Design**

10.29 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.

10.30 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.

- 10.31 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.
- 10.32 The application has been subject to formal consultation with the Council's Sustainability Officer who requested further information in terms of the design being assessed against the requirements of Part O (Overheating) of the Building Regulations
- 10.33 Additional information was provided in which a Sustainability and Internal Water Use Efficiency Statement were submitted. For the commercial element of the proposal, the proposal will achieve maximum BREEAM credits for water efficiency and target 11 BREEAM credits associated with energy use through the implementation of fabric and energy efficiency improvements with consideration for the use of heat pumps. For the residential element, the proposal will provide low water use appliances with low capacity/dual flush WC cisterns, shower heads and taps with low flow rates. All dwellings will be designed to achieve a standard of water use of no more than 110 litres per person per day. The proposal design will follow the Fabric First approach and The Future Homes Standard to improve the performance of the building and reduce energy demand. The scheme will provide all-electric heating and hot water with no gas on site. Each dwelling will be provided with an MVHR and internal heat recovery ventilation system. PV panels will be implemented to supplement dwelling energy usage to achieve Future Homes standard Target CO2 Emission Rates. The Sustainability Officer has raised no objection to the proposal in regard to the residential and commercial elements subject to conditions relating to carbon reduction technologies and water efficiency for the residential and commercial elements and an informative in regard to Building Regulations.
- 10.34 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance and compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 10.35 **Biodiversity**
- 10.36 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.

- 10.37 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment which sets out that the site has an overall baseline value of 0.04 habitat units and the proposal would result in an increase in an on-site biodiversity net gain of 45%.
- 10.38 The existing site has a small garden area. The proposal would include new sedum green roofs and a small area of modified grassland with a small tree to be planted.
- 10.39 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal, subject a condition in regard to bird boxes.
- 10.40 In consultation with the Council's Ecology Officer, 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).
- 10.41 **Water Management and Flood Risk**
- 10.42 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.
- 10.43 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 10.44 The Drainage Engineer has commented that the submitted information demonstrates that the site can drain adequately and a suitable surface water drainage strategy can be delivered subject to the recommended condition.
- 10.45 It is considered that subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.
- 10.46 **Highway Safety and Transport Impacts**
- 10.47 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.
- 10.48 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.

10.49 The Local Highway Authority were consulted as part of the application and do not consider there would be any adverse impact upon highway safety subject to suggested conditions of a Traffic Management Plan, the redundant vehicular crossing be removed and the footway returned to a full face kerb, the redundant rain water channel crossing the footway being removed and footway resurfaced and informatives. The proposal would therefore be compliant with Policies 81 and 82 of the Cambridge Local Plan (2018) and the National Planning Policy Framework.

10.50 **Cycle and Car Parking Provision**

10.51 Cycle Parking

10.52 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.

10.53 The proposal would provide four visitor cycle spaces to the front of the entrance for the commercial unit with a further six cycle spaces within a secure, covered and lockable cycle store for the commercial unit adjacent to the rear entrance of the commercial unit. Ten cycle spaces are proposed for the residential units within a secure and lockable store and sited adjacent to the entrance to the residential stairwell. The proposal would accord with cycle parking requirements.

10.54 The Access Officer in their comments recommended within the cycle parking that there should be room for some outside cycles and a charging point for a mobility scooter. The applicant has confirmed that a charging point would be possible however an enlarged cycle store would result in the reduction of the commercial unit. It is considered that the cycle parking provision is acceptable.

10.55 Car parking

10.56 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. 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.

- 10.57 No car parking will be provided as part of the development and the development will be promoted as a car free development given the sustainable location of the site and sustainable modes of transport to the site.
- 10.58 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.
- 10.59 **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 Impact on the amenity of neighbouring properties

Brooke House, Kingsley Walk

- 10.62 A number of residential properties lie within Brooke House, Kingsley Walk which lies to the west (side) of the site with Kingsley Walk and the mural wall art separating this neighbouring residential block of flats and the site. A number of neighbours have raised objections on the grounds of height, size, scale, overshadowing, loss of privacy, overlooking, noise and disturbance.
- 10.63 Within the side (east) elevation of Brooke House, Kingsley Walk lies a number of windows and balconies which face towards the site. It is acknowledged that the proposal would result in noise and disturbance during the construction work and an increase to the area as a result of the proposal however it is considered that this can be adequately mitigated through appropriate conditions.
- 10.64 The proposed height of the building would be 12.8 metres above ground level with the top floor being 9 metres above ground level. The existing building measures approximately 9 metres in height. The proposed building would be larger in footprint than the existing with the proposal coming out further to the side and rear boundaries than the existing. Given the design of the building with the vertical fins to restrict views from habitable rooms, angled position and careful siting of windows, the proposal is not considered to result in significant loss of privacy or overlooking to this adjacent neighbouring block of flats.
- 10.65 The proposed building would be sited approximately 19 metres from Brooke House, with the roadway serving Kingsley Way being in between the site and

the neighbouring block of flats. Given this, the proposal is considered to be sited a significant distance to not result in significant harm in terms of the proposed height, size and scale resulting in being overbearing or overshadowing.

Newton Court and Brunswick House

- 10.66 To the north (rear) of the site lie residential properties within Newton Court and Brunswick House Kingsley Walk. Concern has been raised from these neighbouring properties in regard to overshadowing, loss of privacy to the building and balconies and residents on the south side of Newton Court losing their view south towards Newmarket Road.
- 10.67 The application has been accompanied by a Daylight and Sunlight Assessment. This assessment demonstrates that the potential for overshadowing and interlocking to the neighbouring properties windows and balconies meets the BRE guidance recommendations. Calculations were undertaken using the Vertical Sky Component (VSC) for daylight impacts and Annual and Winter Probable Sunlight Hours (AWPSH) for sunlight impacts and the effect on the VSC is within the 80% guidance. A more detailed No Sky Line (NSL) test run for the one room which is served by a window that did not meet the VSC test and the results show that the room that is served retains well in excess of 80% of current daylight levels. The impacts are considered acceptable and within the BRE guidance recommendations. The scheme is considered compliant with BRE guidance in relation to sunlight impacts. The proposed new residential units will benefit from daylight levels in excess of the requirements. The proposal therefore is acceptable in terms of daylight and sunlight impact on the adjacent neighbouring property and the proposed units.
- 10.68 The submitted site sections show a comparison between the proposed scheme and extant planning consent (18/0887/FUL) in which the scale and massing of the proposed scheme will have an improved relationship to the dwellings to the rear at Newton Court in terms of height and proximity than the extant consent.
- 10.69 The proposed façade design of the building incorporates vertical fins to order to restrict views into properties. The proposed design of the building with the angled segments that have been 'cut away' helps to create a finer proportion to each elevation. The proposal would propose additional massing to the rear of the site and in closer proximity to residential uses, however the angled and louvred form brings the massing away.

No.77- 81 Newmarket Road

- 10.70 To the east (side) of the site lies the commercial premises forming Chequers House, Nos.77-81 Newmarket Road. The proposal is not considered to result in any significant harm to the amenity of this building.

*No. 2 Kingsley Walk, Darwin House, Keynes House and Marlowe House
Kingsley Walk*

- 10.71 Given the distance of the proposal from the above cited residential properties, the proposal is not considered to result in any significant harm to the amenity of these residents.
- 10.72 The proposal is considered to be in accordance with policies 55 and 57 of the Local Plan.
- 10.73 Amenity for Future Occupants of the site
- 10.74 Internal Space Standards
- 10.75 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).
- 10.76 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 | Difference in size |
|-------------|---------------------------|---------------------------------------|--------------------------|--|------------------------------|---------------------------|
| 1 | 1 | 2 | 1 | 50 | 51 | 1.00 |
| 2 | 1 | 2 | 1 | 50 | 50 | 0 |
| 3 | 1 | 2 | 1 | 50 | 50 | 0 |
| 4 | 1 | 2 | 1 | 50 | 54 | 4.00 |
| 5 | 1 | 2 | 1 | 50 | 51 | 1.00 |
| 6 | 1 | 2 | 1 | 50 | 50 | 0 |
| 7 | 1 | 2 | 1 | 50 | 50 | 0 |
| 8 | 1 | 2 | 1 | 50 | 54 | 4.00 |
| 9 | 2 | 4 | 1 | 70 | 107 | 37 |

- 10.77 All of the proposed units comply with the size requirements for internal space standards under Policy 50 of the Local Plan.
- 10.78 Amenity Space
- 10.79 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.
- 10.80 All of the proposed flats would have direct access to an area of private amenity space comprising of a winter garden, with the top floor apartment

having a private roof terrace. Eight of the units are one bed with one unit being two beds and could be accommodated by a family. Policy 50 sets out that dwellings with more than one bed space should provide space for children to play. The proposal will provide a communal planted and grass area to the rear of the site.

10.81 Accessible Homes

10.82 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 proposed nine units would be M4(2) compliant and in line with Policy 51 of the Local Plan.

10.83 Noise

10.84 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.

10.85 The Council's Environmental Health team have assessed the application. An Acoustic Assessment was submitted as part of the application given the noise levels associated with road traffic from Newmarket Road.

10.86 The Environmental Health Officer commented that windows will need to be kept closed as noise levels with windows open will likely be above the required noise thresholds at night and during the day. A condition in regard to details of an alternative ventilation scheme for units fronting onto Newmarket Road will be required.

10.87 Summary

10.88 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.

10.89 **Refuse Arrangements**

10.90 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The bin storage area for the residential units would be located adjacent to the apartment lobby and external entrance, with the bins storage for the commercial unit being located adjacent to the rear entrance to the proposed unit.

10.91 The proposal is considered to comply with Policy 57 of the Local Plan and RECAP waste guidance.

10.92 **Third Party Representations**

10.93 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 |
|--|---|
| Damage to Mural art work | Neighbours have raised concern regarding damage from the proposal to the adjacent mural art work and how the mural art will be protected during construction. This is not a material planning consideration and a civil matter. |
| Damage to Boundary wall | Neighbours have raised concern regarding the new build being close to the boundary and the risk of damage to boundary walls. This is not a material planning consideration and a civil matter. |
| Traffic Management - communication | Neighbours have requested that the developer/builders are in communication with the Estate Management Company for Cambridge Riverside Residents. This is a civil matter for the applicant. |
| Commercially viable and lettable floor space | Neighbours have raised concern regarding the unusual floor plan and pinch point which they consider would not suit many of the uses permitted in Class E and question if it would be commercially viable and lettable. This is not a material planning consideration. |
| Loss of a view | Loss of a view is not a material planning consideration. |
| <p>Questions- Would the proposal be occupied by young professionals?</p> <p>What would the Council's view be if the apartment block would be primarily used for short-term letting of vacation?</p> <p>Would it be better if the development included more two-bedroom apartments suitable for families?</p> | <p>The planning application is assessed on what is submitted and put forward.</p> <p>This may result in planning enforcement action depending on frequency, intensity and nature. This is not what is applied for.</p> <p>This is not what is applied for.</p> |

10.94 **Planning Balance**

10.95 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).

10.96 The principle of the redevelopment of the site to residential and commercial use is acceptable in policy terms. The scheme on balance is considered to provide a high quality designed development which would ensure that the character and appearance of the Conservation Area is preserved. The application has the support from the Council's Urban Design Officer. It is acknowledged that the Conservation Officer does not support the proposal and that harm in and of itself would result from the loss of the building. However, when considering the loss of the building and proposed high quality new building in the immediate context of Newmarket Road and the character of this part of the Conservation Area, together with the public benefits that would arise, the proposals overall impact on the Conservation Area is acceptable.

10.97 The proposal would provide a high-quality residential and commercial development for future occupiers whilst no significant neighbour amenity or highway safety harm has been identified. The application has support from the Council's Urban Design, Environmental Health and County Council's Highway Officers.

10.98 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country 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 approval.

10.99 **Recommendation**

10.100 **Approve** subject to conditions:

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

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

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

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

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

3. No development shall take place above ground level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The details shall include brick details, precast concrete, aluminium profile and louvre, windows and curtain wall glazing, doors and entrances, railings and balustrades, rain water goods, window box planter, edge junctions and coping details, colours and surface finishes. Development shall be carried out in accordance with the approved details.

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

4. No brickwork above ground level shall be laid until a sample panel [1.5m x 1.5m] has been prepared on site detailing the aluminium profile sheet, aluminium louvre, curtain wall glazing, choice of brick, bond, coursing, special brick patterning [soldier course & stepped], mortar mix, design and pointing technique. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved sample panel is to be retained on site for the duration of the works for comparative purposes, and works will take place only in accordance with approved details.

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

5. The roof-mounted plant/equipment shall not be installed until details of the plant/equipment have been submitted to and approved in writing by the local planning authority. The details shall include the type, dimensions, materials, location, and means of fixing. The development shall be carried out in accordance with the approved details.

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

6. 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).

7. 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).

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

storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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

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

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

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

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

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

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

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

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

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

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

14. 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).

15. Notwithstanding the approved plans, no development above ground level shall commence until details of an alternative ventilation scheme for the units fronting onto Newmarket Road to negate the need to open windows and protect future occupiers from traffic noise have been submitted to and approved in writing by the local planning authority. The ventilation scheme shall be able to achieve at least two air changes per hour. It shall also include details of operational control and the noise levels of the ventilation system. 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 amenity / human health (Cambridge Local Plan 2018 policy 35)

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

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

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

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

18. The ground floor commercial unit shall not be open to customers outside the hours of 08:00 and 23.00hrs daily (including weekend and Bank / Public Holidays).

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

19. No commercial refuse / waste or recycling material shall be emptied into external receptacles, taken out or moved around the external area of the site outside the following hours:

Monday to Saturday = 07:00 – 23:00hrs

Sunday and bank holidays = 08:00 – 21:00hrs

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

20. Operational deliveries to or dispatches from the site (including waste collections) shall not be made outside the following hours:

Monday to Saturday = 07:00 – 23:00hrs

Sunday and bank holidays = 08:00 – 21:00hrs

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

21. Prior to the commencement of use an external artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken (horizontal / vertical isolux contour light levels and calculated glare levels) . Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

The artificial lighting scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policy 34)

22. No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority (using the guidance document below as a framework). The Highway Authority requests that the TMP be a stand-alone document separate from any

Environment Construction Management Plan or the like, as the risks and hazards associated with construction traffic using the adopted public highway are quite different from those associated with the internal site arrangements. The principal areas of concern that should be addressed are: i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway) ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on street car parking. iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway) iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

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

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

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

24. The redundant vehicular crossing of the footway must be returned to having a full face kerb prior to the building being occupied for its proposed use.

Reason: For the safe and effective operation of the highway. (Cambridge Local Plan 2018 policy 81).

25. The redundant rain water channel that crosses the footway must be removed, and the footway resurfaced prior to the building being occupied for its proposed use.

Reason: For the safe and effective operation of the highway. (Cambridge Local Plan 2018 policy 81).

26. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include: a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model; c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference

numbers, details of all SuDS features; d) A plan of the drained site area and which part of the proposed drainage system these will drain to; e) Full details of the proposed attenuation and flow control measures; f) Site Investigation and test results to confirm infiltration rates; g) Full details of the maintenance/adoption of the surface water drainage system; h) Measures taken to prevent pollution of the receiving groundwater and/or surface water i) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available. The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

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

27. 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. (Cambridge Local Plan 2018, policies 32 and 33).

28. 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).

29. No dwelling (s) shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement 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).

30. No construction of the biodiverse (green) roof(s) shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority.

- a) The means of access for maintenance
- b) Plans and sections showing the make-up of the sub-base to be used which may vary in depth from between 80-150mm
- c) Planting/seeding with an agreed mix of species (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum)
- d) Where solar panels are proposed, biosolar roofs should be incorporated under and in-between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation
- e) A management/maintenance plan for the roof(s)

The roof(s) shall be constructed and laid out in accordance with the approved details and planting/seeding shall be carried out within the first planting season following the practical completion of the roof. The roof(s) shall be maintained as such in accordance with the approved management/maintenance plan.

The roof(s) shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance/repair or escape in case of emergency.

Reason: To help mitigate and respond to climate change and to enhance ecological interests. (Cambridge Local Plan 2018 Policies 28 and 57).

31. The carbon reduction measures for the non-residential floorspace shall be carried out in accordance with the approach outlined in the Sustainability Appraisal and Water Efficiency Feasibility Study (Green Heat Ltd, 25 October 2022). Where renewable energy systems are proposed, further information shall be submitted prior to the occupation of the scheme outlining: a) The location and design of the technologies; 2 b) Details of any mitigation measures required to maintain residential 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 non-residential floorspace.

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).

32. Water efficiency standards for the scheme shall be carried out in accordance with the water efficiency specification set out in Sustainability Appraisal and Water Efficiency Feasibility Study (Green Heat Ltd, 25 October 2022), which sets out the measures to be implemented to achieve 5 BREEAM credits for water efficiency (Wat01). The development shall only be used or occupied in accordance with the agreed details, and any amendments to the specification shall first be submitted to and approved in writing by the local planning authority.

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)

33. No development above ground level shall commence until a scheme for the provision of swift 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).

34. All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment by Applied Ecology Ltd May 2022.

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

Informatives

Materials condition

1. The details required to discharge the submission of materials condition should consist of a materials schedule, large-scale drawings and/or samples as appropriate to the scale and nature of the development in question.

Dust condition

2. In order to achieve the requirements of the dust condition, the applicant will need to provide details in accordance with Sections 3.6.155–3.6.161 (Pages 122 and 123) of the Council’s “*Sustainable Design and Construction*” SPD (January 2020). The SPD is available to view at the following link:

<https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-constuction-spd>

Residents Permits

3. Residents of the new dwellings will not qualify for any form Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets.

Public Highways Informatives

4. The developer must contact the Highway Authority, to arrange construction of any works within, or disturbance of, or interference with, the Public Highway, and that all costs associated with such works shall be borne by the Developer.
5. The Developer will neither be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connexion.
6. No foundation nor footing for the structure will be allowed to encroach under the Public Highway.

Secure By Design

7. It is recommended that the applicant considers submitting a 'Secured By Design' (SBD) residential 2019 application and commercial 2015 application.

Building Regulations

8. In line with the transitional arrangements set out in the relevant approved documents, the Council expects the development hereby approved to meet the requirements of Parts O and F of Building Regulations. Where meeting these requirements result in any changes to the design of the proposals hereby approved, these amendments shall be submitted and approved by way of formal application to the Local Planning Authority.

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

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Agenda Item 6



| | |
|-------------------------------------|---|
| Planning Committee Date | 7 th December 2022 |
| Report to | Cambridge City Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 22/02761/HFUL |
| Site | 45 Barrow Road |
| Ward | Trumpington |
| Proposal | Demolition of a single garage and the erection of a one and a half storey side extension including an integrated single garage, single storey rear extension and alterations to fenestration. |
| Applicant | Mr and Mrs James |
| Presenting Officer | Dominic Bush |
| Reason Reported to Committee | Called-in by Cllr Olaf Hauk |
| Member Site Visit Date | N/A |
| Key Issues | <ol style="list-style-type: none">1. Design, scale and layout2. Residential amenity3. Heritage assets |
| Recommendation | APPROVE subject to conditions |

1.0 Executive Summary

- 1.1 The application seeks permission for the demolition of a single garage and the erection of a one and a half storey side extension including an integrated single garage, single storey rear extension and alterations to fenestration.
- 1.2 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

| | | | |
|---|---|-------------------------|---|
| None-relevant | | Tree Preservation Order | |
| Conservation Area | X | Local Nature Reserve | |
| Listed Building | | Flood Zone 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 proposal site comprises a two-storey detached residential property which fronts onto Barrow road.
- 2.2 Barrow road has a special character which is defined by a low-density layout with large, detached properties of an arts and crafts style set within deep plots. There is a level of variety within the architectural style of the dwellings whilst the scale and style of the buildings is more uniform. The street scene is consistent in its open and leafy feel due to the wide green verges that line the street.
- 2.3 The application site is bordered by neighbouring properties 43 Barrow Road and 47 Barrow Road to the North and South respectively. Whilst Barrow Road runs to the west of the property. To the east of the application site is Hobsons Brook.

3.0 The Proposal

- 3.1 The application seeks permission for the demolition of a single garage and the erection of a one and a half storey side extension including an integrated single garage, single storey rear extension and alterations to fenestration.

4.0 Relevant Site History

| Reference | Description | Outcome |
|-----------|-------------|---------|
|-----------|-------------|---------|

None Relevant

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Circular 11/95 (Conditions, Annex A)

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 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 70: Protection of priority species and habitats

Policy 71: Trees

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

5.5 Other Guidance

Barrow Road conservation area appraisal (2016)

6.0 Consultations

6.1 Conservation officer – Objection

- 6.2 The property is a 1930s detached house in the arts and crafts style characteristic of Barrow Road.
- 6.3 The proposed extensions would be very considerable in scale, more than doubling the footprint of the house at ground floor level, with sizeable first floor additions at the side and rear.
- 6.4 The extensions would be dominant over the existing house, both from the street scene and from the garden viewpoints and the width and mass of the house would be uncomfortably large within the plot. This would crowd the street and close off glimpsed views of the mature trees and gardens behind, whilst the loss of the side bay window is particularly regrettable.
- 6.5 The reference to the neighbouring property having been extended in 2014 was prior to the designation of the conservation area and therefore is of minimal relevance.
- 6.6 Taking the above into account I consider the proposal would not preserve or enhance the character and appearance of the conservation area.
- 6.7 The proposals would not comply with Local Plan policies 58 and 61.
- 6.8 With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 194, 195, 199, 200 and 202 apply.

6.9 Local Highways Authority

- 6.10 No comment

6.11 Ecology Officer – No Objection

- 6.12 The report acknowledges the application site as adjacent to Hobsons Brook and Bentley Road Paddocks both important wildlife corridors. The report acknowledges that these habitats are used by foraging bats and could be susceptible to increased artificial light.
- 6.13 Whilst the submitted documentation suggests that the proposed development would not be close enough for detrimental impacts, greater certainty is requested in the form of proposed LUX levels at the garden and boundaries from the proposed rear extension.

6.14 The proposed ecological enhancements in the form of integrated bird and bat boxes are appropriate and supported.

6.15 A study has since been provided by the applicant that shows that LUX levels at the rear boundary would not exceed 0.43 lux, significantly below the 0.5 lux threshold laid out in the ecology officer's report.

6.16 Tree Officer (No Objection)

6.17 The initial comments received stated that with the exception of the crown reduction, back to the boundary of T14 and T15, there are no formal objections to the proposal.

6.18 It will however be necessary to approve a tree protection methodology to agree trees works and help safeguard the healthy retention of trees.

6.19 Subsequently 2 conditions are attached requiring a phased tree protection methodology prior to commencement and the implementation of this methodology throughout the development.

6.20 A subsequent response has been received from the trees officer stating that the applicant's confirmation that the unnecessary reduction of T14 and T15 has been withdrawn is welcomed and allows me to support the proposal, subject to the previously requested conditions.

7.0 Third Party Representations

21 representations have been received in objection to the proposal.

7.1 Those in objection have raised the following issues:

- Context & Design
- Scale of proposal
- Impact upon Hobsons Conduit footpath
- Ecology impacts
- Neighbour amenity impacts
- Harm to the special character of the conservation area
- Impact on the street scene

8.0 Member Representations

8.1 Cllr Olaf Hauk has made a representation objecting to the application on the following grounds:

- The proposals scale and design seem wholly inappropriate in a conservation area, including the footprint of the house by 2.5 times
- It could spoil the public view from the street as well as from the public footpath in the wooded area in the back

- The neighbours have valid concerns relating to being overlooked by the proposed picture windows at the rear.
- The large areas of glazing on two floors may cause light pollution, especially in autumn, winter and spring.

9.0 Local Groups / Petition

9.1 Cambridge Past Present and Future

9.2 The proposed development does not conserve and enhance the conservation area and the proposed side extension extends the full width of the plot and reduces the impression of greenery and openness between the buildings.

9.3 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.

10.0 Assessment

10.1 Design, Layout, Scale and Landscaping

10.2 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.

10.3 Paragraph E.5 of the Roof Extension Design Guide (2018) states: "Roof extensions should relate well to the proportions, roof form and massing of the existing house and neighbouring properties. They must be appropriate in size, scale and proportion to the existing house and adjoining properties and must not be so large as to dominate the existing roof or to overwhelm their immediate setting."

10.4 Many third-party representations raised concerns with the scale of the proposed development including but not limited to the increase of the footprint of the property. The current footprint of the building is approximately 129sq meters. Whereas the footprint of the proposed development is approximately 318sq meters. It is acknowledged by officers that this is a significant increase to the existing building. However, considering the size of the plot, the property is still set in from both the north and south shared boundaries. There is also no development forward of the existing front elevation of the property ensuring that the property remains set back from the public highway and maintains the existing building line along Barrow Road.

10.5 A frequently raised concern within the representations was the impact of the proposed development on the street scene along Barrow Road. The

proposed one and a half storey side extension is less significant in its footprint compared to the proposed single storey rear extension. Whilst this side extension has a ridge height that is the same as the existing dwelling, as stated in the Design and Access Statement for the application, the use of a cat slide roof over this side extension reduces the impact of the mass of the extension on the view from the street scene.

- 10.6 The design of the proposed side extension is such that from the street scene the primary elevation of the property would retain the arts and crafts character that is commonplace within the surrounding context. Whilst the more modern rear extension would be screened from the street scene within the conservation area by the existing dwelling.
- 10.7 It is noted that the side extension would have a certain level of impact on the visual spacing between the properties along the eastern side of Barrow Road. However, the spacing that currently exists between the host property and the property to the South is an anomaly within the street scene, largely due to the orientation of the No. 45. It is therefore considered by officers that whilst the proposal would partly erode this spacing, the resulting spacing would be similar to that found elsewhere in the street scene. The Barrow Road Conservation Area Appraisal states that the front gardens of the properties in the area, in addition to the use of low walls and hedges along the highway, creates a general sense of openness. It is considered that the proposed development would retain this feel.
- 10.8 As previously mentioned, the proposed single storey rear extension is more significant in its footprint. It projects approximately 7.5 meters from the rear elevation of the existing property and is approximately 14.5 meters wide. Whilst the proposed flat roof of this rear extension is approximately 3 meters in height.
- 10.9 There are other examples of rear extensions along Barrow Road that are of a similar footprint, whilst the flat roof of the single-storey rear extension is significantly set down from the eaves and ridgeline of the existing property. It is therefore considered that given the scale of the existing dwelling as well as the significant space within the rear residential garden of the property that the proposed rear extension is acceptable in its scale.
- 10.10 As previously mentioned, the proposed rear extension would not be visible from along the street scene with the proposed side extension providing screening. It is acknowledged that the materials used in the external construction of the rear extension are visibly more modern than found on the existing dwelling or the original properties in the surrounding context. However, this use of modern materials provides clear visible differentiation between itself and the original dwellinghouse.
- 10.11 It is also noted that other properties within the surrounding context have modern rear extensions that have used similar materials in their external construction as the proposed rear extension here. This includes the adjacent property of No. 43 Barrow Road.

10.12 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.

10.13 Trees

10.14 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

10.15 The application is accompanied by an Arboricultural Impact Assessment and an Arboricultural Method Statement

10.16 The Council's Tree Officer's initial comments stated that they objected to the pruning of the crown of two trees along the southern boundary of the property. It has since been agreed that these trees will remain untouched, with revised Arboricultural method and impact statements received showing as such.

10.17 It is therefore considered that the proposed development would be acceptable in relation to its potential impact on surrounding trees.

10.18 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

10.19 Heritage Assets

10.20 The application falls within the Barrow Road Conservation Area.

10.21 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.

10.22 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.

10.23 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.

- 10.24 The application site is a 1930s detached dwellinghouse that is constructed within the Arts and Crafts style that characterises Barrow Road. It is located within the Barrow Road conservation area.
- 10.25 The Conservation Officer has advised that the proposed extensions are considerable in scale and dominate the existing house and detract from its original character and proportions. They advise the width and mass of the house would be uncomfortably large within its plot closing off the glimpsed views of the mature trees and gardens behind. They also consider that the proposals would result in less than substantial harm to the conservation area, although disagrees that there are any meaningful public/heritage benefits to outweigh this harm.
- 10.26 It is considered by planning officers that the proposed development is such that the side extension whilst increasing the visible massing of the dwelling, through its design and use of matching materials would retain the arts and crafts character of the property.
- 10.27 It is acknowledged that the proposed side extension would partially erode the existing view to the south of the property to the trees at the rear of the garden along Hobsons Brook. However, many houses along this eastern part of Barrow Road have significantly wider properties within their plots and it is common for properties to extend almost right to both side boundaries. Given the pitched roof, the gap would not be harmfully diminished as a result of the proposal and as perceived from the roadside.
- 10.28 Whilst as previously mentioned the proposed single storey rear extension is significant in its footprint, it would not be publicly visible from within the conservation area and therefore any harm would be limited to its perception from mainly private gardens. Lack of public views of a proposal is not a reason in and of itself to support a proposal within a conservation area but is a material consideration in assessing whether any harm is significant within its wider context. There is no policy stipulation which limits the amount of floorspace householders can develop within; these are large houses in large plots and large extensions are not untypical in the context of Barrow Road. In officers' view, the use of more modern external materials in the rear extension ensures that it is distinguishable from the existing dwellinghouse. The proposal represents a successful contemporary contrast to the appearance of the house. Planning Officers therefore disagree with the conclusions of the Conservation Officer; we do not consider that the proposal causes any harm either to the conservation area or the appearance of the existing building and the NPPF public benefit test is not engaged.

10.29 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

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 Concerns from third parties have been noted regarding the potential ecology impacts of the proposed development upon the nocturnal wildlife surrounding the Hobsons Conduit footpath that runs to the rear of the property. Including the potential for increased light pollution as a result of the windows within the rear elevation of the proposed rear extension.

10.33 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal. Initially the ecology officer was seeking clarification regarding the impact of the development on the lighting levels at the rear boundary of the property along Hobsons Brook. Subsequently a study has been provided, showing that the LUX levels would not exceed the 0.5 LUX threshold at the rear boundary, as requested by the ecology officer.

10.34 A condition has also been applied requiring the flat roof above the single storey rear extension to be a green roof prior to the use of the extension.

10.35 Therefore, the ecology officer has submitted revised comments that they have no objection to the proposed development.

10.36 Taking the above into account, it is considered that the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

10.37 Amenity

10.38 Policy 58 seeks 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.

10.39 Neighbouring Properties

- 43 Barrow Road
- 47 Barrow Road

10.40 Impact on No. 43

10.41 Concerns have been raised within third party comments regarding the potential impact of the proposed development upon the amenity of No.43 Barrow Road, specifically the loss of privacy to their property and garden.

10.42 Given the siting of the proposed side extension to the southern elevation of the existing property it is considered that it would be almost entirely screened from No. 43 Barrow Road (which lies to the north) by the existing dwellinghouse. Therefore, it is considered that this element of the proposal would have no impact upon the amenity of this neighbouring property.

10.43 The proposed rear extension would be more visible from No. 43 Barrow Road. Given that the rear elevation of No.43 Barrow Road is set forward from the rear elevation of No.45 Barrow Road, the proposed rear extension would be within a 45-degree horizontal splay from the habitable windows within the rear elevation of No.43. Therefore, it is considered that there would be a certain level of impact upon the amenity of this neighbour. However, given that the proposed rear extension is single storey, is stepped and away the boundary, the generous size of the garden of no. 43 and that it would not break a vertical 45-degree splay from rear facing windows, the amenity impacts on no. 43 and its garden space would be minimal.

10.44 Third party comments raised concerned with the impact of the proposed development upon the outbuilding located at the rear of the garden at No.43 Barrow Road. Whilst the windows within the rear extension would face towards this outbuilding, this is set away by approx. 25 meters as well as being single storey, and as such is considered to not cause any harm to this amenity space. Additionally, a condition has been applied to ensure that the roof of the single storey extension will not be used as a balcony, roof garden or area of amenity. Therefore, the impact of the proposed development upon the amenity of this neighbouring property is acceptable.

10.45 Impact on No. 47

10.46 Given the fact that the rear elevation of No. 47 Barrow Road is located beyond the existing rear elevation of No. 45, the rear projection of the proposed single storey rear extension is such that it is considered it would not cause any undue harm to the amenity of this neighbouring property.

10.47 The proposed side extension however projects approx. 6 meters to the south of the existing side elevation of No. 45 Barrow Road, to within approx. 1.1 meters of the shared boundary with No. 47.

The proposed roof slope of the side extension however is such that it slopes away from the neighbouring property, limiting the impact that it would have on the amenity of this neighbour. The proposed rooflights

within the roof slope of the proposed side extension serve only the ground floor garage and ground floor bedroom and are thus high level and for lighting purposes only rather than outlook.

- 10.48 It is therefore considered that the proposed development would not cause any undue harm to the amenity of neighbouring properties through the loss of light, overbearing or loss of privacy.
- 10.49 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 58.

10.50 Planning Balance

- 10.51 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).
- 10.52 It is considered that the design and scale of the proposed development is appropriate in relation to the host dwelling as well as its surrounding context. It is considered by officers that the design of the proposed development would not cause any harm to the character or appearance of Barrow Conservation Area in which it is located. Additionally, it is considered that the proposed development would not cause any significant harm to the amenity of neighbouring properties.
- 10.53 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 Town and Country 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 approval.

10.54 Recommendation

- 10.55 **Approve** subject to:

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

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

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

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

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

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

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

4. 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 application form; 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)).

5. Notwithstanding the approved plans, the flat roof of the extension hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) 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.
- b) With suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

The green biodiverse roof(s) shall be implemented in full prior to the use of the extension and shall be maintained in accordance with the Green Roof Organisation's (GRO) Green Roof Code (2021) or successor documents, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for

biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: green-roofs.co.uk

- 6 The roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: To safeguard the privacy of adjoining occupiers (Cambridge Local Plan 2018 policies 55, 57/58).

Agenda Item 7



| | |
|-------------------------------------|--|
| Planning Committee Date | 7 December 2022 |
| Report to Lead Officer | Cambridge City Council Planning Committee Joint Director of Planning and Economic Development |
| Reference | 18/2013/FUL |
| Site | 78 Arbury Road |
| Ward / Parish | Arbury |
| Proposal | Change of use to 9-bed HMO for 10 persons (sui generis) |
| Applicant | Aron Wong |
| Presenting Officer | Alice Young |
| Reason Reported to Committee | Third party representations |
| Member Site Visit Date | N/A |
| Key Issues | 1. Principle of development 2. Residential Amenity 3. Parking |
| Recommendation | APPROVE subject to conditions |

1.0 Executive Summary

- 1.1 The application seeks planning permission for the change of use of 78 Arbury Road (C3 use) to a 9-bed 10 person House of Multiple Occupation (sui generis). The application is solely for the change of use, not any extensions to the existing dwelling.
- 1.2 Officers conclude that the development would provide a good quality living environment for future occupiers without causing harm to the character of the area or surrounding residential occupiers. The site is located in a highly sustainable location with good access to bus and cycle links, alongside two district centres (Arbury Court and Arbury Road/ Milton Road) and associated facilities within walking distance. Therefore, officers consider that the site is in a location conducive to HMOs. Cycle parking is proportionate to the number of occupiers of the HMO and is safe, secure and conveniently located. In this sustainable location, the car parking proposed exceeds the maximum detailed in Appendix L. With these factors in mind, officers therefore consider that the proposed development would be acceptable.
- 1.3 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

| | | | |
|---|---|-------------------------|--|
| None-relevant | x | Tree Preservation Order | |
| Conservation Area | | Local Nature Reserve | |
| Listed Building | | Flood Zone 1, 2, 3 | |
| 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 78 Arbury Road (the site) comprises a two-storey semi-detached dwelling set within a long thin plot, with the dwelling set back approximately 14m from the street. The site falls outside the conservation area and controlled parking zone. The site falls within a predominately residential area aside from the North Cambridge Academy School to the north of the site and other services towards the Arbury Road / Milton Road junction.

3.0 The Proposal

- 3.1 The proposal seeks permission for the change of use from a C3 dwelling house to a 9-bed HMO for 10 persons (sui generis). The proposal does not include any extensions to the existing building, the development would

utilise the existing footprint. All bedrooms aside from bedrooms 7, 8 and 9 would have access to an ensuite shower room, with the remaining bedrooms being served by two communal bathrooms. A common room and kitchen would be provided to the back of building. An existing outbuilding would be converted into a cycle and bin store. Three car parking spaces are proposed at the front on the existing hardstanding.

4.0 Relevant Site History

| Reference | Description | Outcome |
|---------------|--|-------------------------|
| 18/0838/CL2PD | Certificate of Lawfulness under section 192 for rear and side dormers, and velux windows to front elevation. | Certificate granted |
| 06/1167/FUL | Conversion of a garage into a habitable room. | Permission not required |

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)

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 30: Energy-efficiency improvements in existing dwellings

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 48: Housing in multiple occupation
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 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

5.5 Other Guidance

N/A

6.0 Consultations

6.1 County Highways Development Management – No objection

6.2 The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application

6.3 Environmental Health – No objection.

6.4 Recommended informative: Low NOx Boilers Informative.

7.0 Third Party Representations

7.1 5 representations have been received.

7.2 Those in objection have raised the following issues:

- Out of character, mainly family homes
- Noise and disturbance
- Overlooking / loss of privacy to the rear garden arising from the low boundary wall
- Highway safety
- Car parking, parking stress and visual impact on the street
- Cycle parking provision and impact on street
- Pollution
- Impact on sewers
- Refuse arrangements in the front garden would negatively impact upon the street and would smell
- Impact of smoking
- Mental health impact

8.0 Member Representations

8.1 N/A

9.0 Local Groups / Petition

- 9.1 Camcycle's previous objection regarding cycle provision has now been resolved. Drawing SG/7659/12/18 (confusingly named 'AMENDED BIN STORE') uploaded 13 Feb shows a compliant cycle park that resolves our objection.
- 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 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.
- 10.3 Policy 48 states that proposals for large houses of multiple occupation will be supported where the proposal: does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area; the building or site (including any outbuildings) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying areas; and will be accessible to sustainable modes of transport, shops and other local services.

- 10.4 A review of the Councils evidence and site visit by the case officer indicates that there are a limited number of large HMOs within the vicinity. Therefore, the proposal would not create an overconcentration of large HMOs in the area.
- 10.5 The proposal for a large HMO would not significantly harm the residential amenity of neighbours; this is discussed in paragraphs 10.29-10.37.
- 10.6 Officers consider that adequate provision has been made for cycles, car parking and refuse which will also be discussed further in the relevant sections of the report.
- 10.7 The site is located in a highly sustainable location, situated within a short walking distance of local amenities and transport links which provides access to the rest of the city and surrounding area. As such the location is appropriate for HMO development.
- 10.8 Taking the above into account, the principle of the development is acceptable and in accordance with policies 3 and 48 of the Cambridge Local Plan (2018).

10.9 Design, Layout, Scale and Landscaping

- 10.10 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.
- 10.11 The proposed development does not include any extensions to the existing building. The only external changes consist of fenestration changes to the ground floor north-western elevation and converting the existing outbuilding to a cycle store. These changes are minor and are not considered to alter the character of the dwelling or surrounding area.
- 10.12 A bin store is not shown on the plans but will be subject to condition.
- 10.13 The landscaping is proposed to remain as existing.
- 10.14 Overall, the proposed development is appropriate to its surroundings. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 59 and the NPPF.

10.15 Highway Safety and Transport Impacts

- 10.16 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.

- 10.17 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.
- 10.18 The Highway Authority have no objections to the application and therefore officers consider that the proposal would not result in harm to the safe functioning of the highway.
- 10.19 Subject to conditions and S106 mitigation as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

10.20 Cycle and Car Parking Provision

10.21 Cycle Parking

10.22 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.

10.23 The proposed cycle store, located in the rear garden, would provide 12 covered and secure cycle parking spaces. This is considered proportionate to the number of occupants as well as providing three additional spaces for guests. A condition is required to ensure the cycle parking is provided prior to occupation of the large HMO.

10.24 Car parking

10.25 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 2 spaces per dwelling for 3 or more bedrooms.

10.26 The proposal provides three car parking spaces to the front of the dwelling, exceeding the maximum standards. However, a revised car parking plan detailing just two spaces could be secured via condition. This condition would meet all of the six tests of a planning condition and is acceptable. The Highway Authority expresses concerns regarding the additional car parking pressure on surrounding residential streets arising from the development. Yet, officers are satisfied that as the proposal is situated in a sustainable location, provides an adequate number of cycle

parking spaces and provides the maximum car parking spaces, the proposal would not result in parking stress.

10.27 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. As the development is not creating a new dwelling, there is not a policy requirement to deliver EV charging on site. Officers consider that a condition to secure this would not be reasonable to impose.

10.28 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan.

10.29 Amenity

10.30 Policy 35, 48 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.

10.31 Neighbouring Properties

10.32 The proposal does not include any alterations to the building aside from the fenestration alterations to the ground floor north-western elevation. Officers therefore consider that, due to the nature of the works, the proposal would not result in any overbearing or overshadowing impact. A third party has raised concerns regarding overlooking and a loss of privacy due to the low boundary fencing on the southern boundary. A condition can secure details of boundary fencing to mitigate views into no. 76's rear garden.

10.33 Future Occupants

10.34 While the National Space Standards as detailed under policy 50 are not a requirement for HMOs, the below table shows the size of the bedrooms in comparison to the space standards:

| Bedroom | Policy Size requirement (m²) | Proposed bedroom size (m²) | Difference in size (m²) |
|----------------|--|--|---|
| 1 | 11.5 | 17 | +5.5 |
| 2 | 11.5 | 22.1 | +10.6 |
| 3 | 7.5 | 11.3 | +3.8 |
| 4 | 11.5 | 15.5 | +4 |
| 5 | 11.5 | 15.2 | +3.7 |
| 6 | 11.5 | 17.2 | +5.7 |
| 7 | 7.5 | 8.6 | +1.1 |
| 8 | 11.5 | 12.8 | +1.3 |
| 9 | 11.5 | 20 | +8.5 |

- 10.35 HMO occupiers predominately, given the nature and pattern of use, are more dependent on the respective bedrooms for amenity than communal rooms. With this in mind, officers consider that the bedrooms provide a good level of amenity for future occupiers. The communal spaces comprise a living room and a separate kitchen, which total 27.4m². This is considered sufficient to accommodate the proposed number of occupiers (9) without occupants spilling out into the rear garden and creating a harmful impact to adjacent residential occupiers. The garden is generous and would be sufficient size to cater for the needs of the future occupants.
- 10.36 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Third parties have raised concerns as to the noise and disturbance impact arising from the comings and goings of the proposed 9 occupants. The General Permitted Development Order permits a dwelling (in C3 use) to change to a six person HMO without the need for planning permission. Therefore, the noise impact arising from the development is assessed on the 3 additional people beyond what you can do without planning permission. Officers acknowledge that the noise impact will be greater than a C3 use given the nature of the use and number of occupiers. However, the design enables sufficient space for occupiers internally, minimising the use of outside spaces. Cumulatively, officers consider that the noise impact would not be significant.
- 10.37 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, 48 and 58.

10.38 Third Party Representations

- 10.39 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 |
|--|---|
| -Out of character, mainly family homes | The change of use would not impact upon the character of the area as the application site will remain in residential use. Permitted development allows C3 uses (dwellinghouses) to change to a small 6 person HMO (C4) without the need for planning permission. Officers consider that the additional 3 people would not harm the character of the area. |
| -Pollution | The Environmental Health Officer has not raised any objections to the application and would have assessed the impact on air quality. Officers therefore consider that the impact on air quality is not significant. |

| | |
|------------------------|--|
| | |
| -Impact on sewers | The development would include additional bathrooms within the HMO. The impact on the existing drainage and sewer network will be considered at this stage. |
| - Impact of smoking | Individuals smoking is not a material planning consideration and cannot be controlled via planning. It is up to the manager of the HMO to address this concern. |
| - Mental health impact | Officers understand that planning applications can impact upon the mental health of surrounding residents and work to minimise this so far as possible within the LPAs remit. In reference to this planning application, officers have not identified significant harm to residential amenity and therefore, consider the impact on the mental health of surrounding occupiers arising from the development to be an acceptable level. |

10.40 Other Matters

10.41 Bins

10.42 Policy 57 requires refuse and recycling to be successfully integrated into proposals.

10.43 Refuse would be situated adjacent to the proposed cycle store in the rear garden of the application site, within an acceptable dragging distance to Arbury Road for collection. A condition is required to ensure a refuse store is provided prior to occupation of the large HMO.

10.44 Planning Balance

10.45 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).

10.46 Officers conclude that the development would provide a good quality living environment for future occupiers without causing harm to the character of the area or surrounding residential occupiers. Cycle parking is proportionate to the number of occupiers of the HMO and is safe secure and convenient located. In this sustainable location, the car parking proposed exceeds the maximum detailed in Appendix L. However, a condition will secure details of a revised car parking plan prior to occupation of the HMO. The proposal would contribute to housing supply

albeit in a limited way while resulting in no significant harm. Officers have not identified any harm arising from the development and therefore, the benefits far outweigh the harm of the development.

10.47 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.

10.48 Recommendation

10.49 **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 The property shown as 78 Arbury Road shall be occupied by no more than 10 no. people at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties (Cambridge Local Plan 2018 policies 56 and 48).

4 The development shall not be occupied or the permitted use commenced, until cycle parking store has been provided in full accordance with plan reference SG/7659/12/18 sheet 12.

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).

5 The development, hereby permitted, shall not be occupied or brought into use until the car parking has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local

Planning Authority. The approved scheme shall detail no more than 2 car parking spaces. It shall thereafter be implemented and retained as such.

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

- 6 The development, hereby permitted, shall not be occupied or brought into use until full details of the refuse arrangements for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and retained as such.

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

- 7 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).

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



Greater Cambridge Shared Planning Service

Compliance Policy

To: Planning Committee 7 December 2022

Cllr Katie Thornburrow

Report by:

Stephen Kelly

Wards affected:

All

1. Introduction / Executive Summary

Members will be aware that a review of planning enforcement activities of the Greater Cambridge Shared Planning Service (GCSPS) has been undertaken.

The aim is to create a unified approach to handling planning enforcement by both partner Councils with an emphasis on early intervention and compliance.

The objectives are to create an effective and efficient planning compliance service which is valued by Members, communities and the public, with clear performance indicators for responses and resolution of issues.

2. Recommendations

Cambridge City Council Planning Committee to note the updated Compliance Policy for Greater Cambridge Shared Planning to be submitted for public consultation in December 2022.

3. Background

Members will be aware that a review of planning enforcement of Greater Cambridge Shared Planning Service (GCSPS) has been undertaken. This has included a review of processes, use of IT to improve workflow and an update of the website, including updated guidance and a video.

Enforcement is discretionary and National Guidance provides that Councils should enforce planning law in a proportionate manner and where it is expedient to do so.

The Uniform IT system has been utilised by GCSP for a number of years, the use of the Uniform enforcement module, recently introduced, enables improved reporting mechanisms for all parties, including members, and allows the use of automated replies, update reminders and related features. This creates efficiencies and is more effective.

The website for GCSP Planning Compliance has been updated to improve access, following a general review of the “customer journey.” This is to ensure the public can more easily navigate and find the information they require, with a target to enable 80% of interactions to be self-service. This also aligns both councils to the same online form.

Planning Compliance information and advice has now been moved to the GCSPS website which enables complaints to be submitted via an e-form, including the ability to upload multiple documents and photographs. Providing clarity on the issues that can be dealt with by the compliance team, will also help other services, history indicates complaints are often initially directed to the wrong service, e.g., environmental health and vice versa. An explanatory video has been included on the website for further information and to be more inclusive in medium of communication. The e-form used for complaints links directly into the back-office system and prevents matters being lost or misdirected, thereby improving efficiency.

Enforcement Register

Councils are obliged to provide a register of Enforcement Action and keep this up to date. Separate registers are currently published on the websites by each Council, in different formats. In the past this has been a manual process however the service is currently reviewing with the intention to publish this information via the Public Access system, which will be automated.

Government guidance also advises that Councils should consider publishing a local compliance policy to manage enforcement proactively, in a way that is appropriate to their area. This sets out how officers will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and how they will take action, if appropriate. This policy document has been created to update and align the two Council areas in one single document.

The Levelling Up and Regeneration Bill, introduced to Parliament in May 2022 includes several changes to the planning system, including planning enforcement. There will be a need to review this Plan once this Bill is passed and the primary and secondary legislative changes are known. Regular review of our approach should be undertaken in any case.

The draft compliance policy is being reported to the Planning Committee of each Council prior to proceeding through the formal process of approval by the relevant Cabinet/Portfolio Holder.

4. Implications

a) Financial Implications

Page: 3

None

b) Staffing Implications

None

c) Equality and Poverty Implications

Attached in Appendix B

d) Net Zero Carbon, Climate Change and Environmental Implications

None

e) Procurement Implications

None

f) Community Safety Implications

None

5. Consultation and communication considerations

No public consultation has currently been undertaken. A public consultation process will be implemented for a minimum of 4 weeks once the report has been presented to Cambridge City Council Planning Committee. The consultation period is expected to run during December and January 2023.

6. Background papers

No background papers were used in the preparation of this report.

7. Appendices

Appendix A: Greater Cambridge Shared Planning Compliance Policy V2.1 Final Draft

Appendix B: Cambridge City Council EqIA

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Heather Jones
Assistant Director Planning and Building Quality

Telephone: (07712) 239246



GREATER CAMBRIDGE SHARED PLANNING SERVICE

JOINT PLANNING COMPLIANCE POLICY

CAMBRIDGE CITY COUNCIL AND SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

DATE PUBLISHED:

TBC

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1 INTRODUCTION

1.1 Planning plays an important role in managing development to ensure a high-quality environment, facilitating a better pattern of land use, and securing the efficient use of resources. These outcomes support several objectives of both Cambridge City Council and South Cambridgeshire District Council, a partnership forming the Greater Cambridge Shared Planning service (GCSP).

1.2 The planning regime can only achieve these objectives if it operates an effective planning compliance service. As part of our commitment to the delivery of an efficient and effective planning compliance regime, GCSP has drafted this policy.

1.3 This policy has been formulated to allow consistent and effective management of the rising demand for investigations, and to help everyone understand the basis upon which decisions surrounding planning compliance and any subsequent action taken are made.

1.4 This policy also sets out how the service will prioritise and respond to planning breaches, and contains information for all those involved in, or affected by the compliance process. The policy is available for officers and members involved in the decision-making process and will allow resources to be more clearly focused on corporate priorities.

1.5 Government guidance encourages Councils to publish a local planning compliance policy and set out how they are going to manage this proactively, in a way that is appropriate for their area.

2 LEGISLATION AND GUIDANCE

2.1 The Town & Country Planning Act 1990 as amended (parts VII and VIII) and the Planning (Listed Building and Conservation Areas) Act 1990, provide the principal legislative basis for planning compliance.

2.2 The National Planning Policy Framework (NPPF), Planning Practice Guidance and case law is clear that the use of powers to enforce compliance is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. In determining whether to take action, the Local Planning Authority (LPA) would also expect to consider all material planning considerations, including the policies in the adopted local “development” plan for the area, and any associated supplementary planning guidance.

Effective enforcement is important to:

- tackle breaches of planning control which have an unacceptable impact on the amenity of the area or are otherwise seriously contrary to planning policy
- maintain the integrity of the decision-making process
- help ensure that public acceptance of the decision-making process is maintained.

2.3 The powers available to Local Planning Authorities are outlined in **Appendix A**.

3 BREACH OF PLANNING CONTROL

3.1 A breach of planning control is not a criminal offence, except in limited cases such as unauthorised work to a listed building, tree works and advertisements. Any action taken against a breach is at the discretion of the LPA, there is no duty to act.

3.2 When a breach is identified that cannot be resolved informally, councils are required to make a judgement as to whether it is appropriate (expedient) to take formal action. This is done through consideration of Local and National Planning Policies, the level of harm caused by the breach, the “fall-back” position (how the breach compares to what would have been allowed anyway, e.g. under permitted development) or whether the breach would set a precedent for further development.

3.3 Where action is not taken, this decision must be transparent and consistent. It is important to strike a balance between protecting the amenity and other interests and enabling acceptable development to take place, even if initially unauthorised.

3.4 Where action is taken, this must be prompt and effective and commensurate with the breach to which it relates to. The system is designed to mitigate harm rather than to punish contraveners.

3.5 What is considered a breach of planning control:

- Development such as building work or alterations has been carried out without planning permission where it was required – details of all planning permissions, the approved plans and the conditions which apply to them can be found online on the GCSP Public Access database.
- The conditions that were attached to the granting of the planning permission have not been complied with.

- Work or demolition has occurred to a listed building or a building in a conservation area without the necessary permissions and/or consents.
- Unauthorised work has been undertaken to a tree or trees protected by a Tree Preservation Order (TPO).
- Unauthorised works to a tree or trees in a conservation area, or work to any rural agricultural hedgerow has been carried out without consent.
- Engineering operations, such as the significant raising or lowering of ground levels or land, or the formation of earth bunds has been undertaken without permission.
- The use of land or a building has changed without the appropriate permissions, such as short-term visitor accommodation
- Unauthorised display of an advertisement such as a sign.
- The land is in such a condition that it adversely impacting on the wider area.
- Development has occurred in an area which is subject to an Article 4 Direction that restricts permitted development rights. Further details are available on the Planning Portal website.

3.5 What is *not* considered a breach of planning control:

The following lists examples where a breach has either *not* occurred or is outside the timescale for action:

- Building work or extensions that don't require planning permission. National Legislation allows for a range of building works which can be undertaken without formal planning permission – this is known as Permitted Development. More information on whether planning permission is required can be found on the Planning Portal website.
- Changes in the use of land or buildings which are permitted or not so significant that they comprise a material change of use.
- The display of advertisements which do not require consent - the regulations relating to advertisements allow the advertiser to display certain types of advertisements without the need for any consent.
- Where the development has been carried out some time ago and the lapse in time means that the breach of planning is immune

from action.

- Issues relating to waste disposal, burning, including bonfires and tipping which are the responsibility of Environmental Health at either South Cambridgeshire District Council or Cambridge City Council.
- Issues relating to the adopted highway (including advertisements displayed within the Highway or on street furniture, or illegally parked cars) – these should be referred to Cambridgeshire County Council which is the Highways Authority.
- Problems relating to noise and disturbance; smell nuisance and light pollution which are investigated by Environmental Health at either South Cambridgeshire District Council or Cambridge City Council.
- If buildings or extensions have been constructed inadequately or there are concerns regarding potentially dangerous structures, this should be reported to the 3C Shared Services Building Control team.
- Problems relating to covenants or other legal restrictions on a specific piece of land or building are civil and/or legal matters.
- Neighbour disputes concerning antisocial behaviour are a police matter.
- Boundary or land ownership disputes are civil matters.
- Work to trees that are **not** covered by a tree protection order or are not in a conservation area.
- Suspected future breaches (things you believe *might* happen).
- Trade or competition complaints.
- Some works undertaken by Councils and Statutory Undertakers under permitted development. Details are provided in the GPDO.

4 THE ROLE OF THE OWNER, OCCUPIER, USER OF LAND AND/OR BUILDINGS

4.1 GCSP recognise that some breaches of planning control may not be intentional. All those who are responsible and involved in any alleged or identified breach of planning control are nevertheless expected to engage constructively with

the Compliance Team to resolve issues at the earliest opportunity. Failure to engage early with the compliance team on notification of a potential breach of planning is likely to reduce opportunities for agreeing informal resolution of the breach. Where it appears that the breach could be made acceptable and the person responsible for the breach is engaging constructively with the compliance team, a retrospective planning application will be invited with the expectation that this course of action is taken quickly and as soon as practicable. If a planning application has been submitted but is not yet valid (e.g., because of a lack of information) the applicant will be expected to provide this information without delay as this will not normally be used as a reason to delay formal action.

4.2 In cases where it is believed that an alleged breach is lawful for various reasons, including the passage of time, the onus will be on the perpetrator to provide the Compliance Team with sufficient evidence to demonstrate this is the case, the burden of proof if on the perpetrator.

4.3 Owners and occupiers of Listed Buildings will be expected to maintain these in good order and to ensure the necessary consents are obtained before undertaking any works to them.

4.4 Owners and occupiers of land will be expected to check the status of any tree before undertaking any works to it. Ignorance of the existence of a Tree Preservation Order, or the location within a Conservation Area will not be treated as a legitimate excuse for having contravened planning controls.

5 SERVICE STANDARDS AND PRIORITIES

5.1 Officers receive a high number of complaints relating to allegations of breaches of planning control. It is appreciated when a breach of planning control occurs, people may suffer and want the matter dealt with swiftly. It is important that those breaches of planning control considered more serious than others are dealt with more urgently.

5.2 GCSP aim is to carry out an initial site visit, if required and considered urgent, within 5 working days of notification of a potential breach. When an investigation is considered necessary, cases will be dealt with on a priority basis as follows:

- **High priority cases** are for work which is irreversible or irreplaceable and these will be immediately investigated within 5 working days of receipt—examples include damage or loss of Listed Buildings or protected trees
- **Medium priority cases** are for activities have or can cause harm, such as adverse effects on conservation areas or breaches of conditions. Our aim is to instigate the investigation and assess whether a breach of planning control

within 10 working days of the site visit.

- **Low priority cases** are for a development which may cause some harm but could be made acceptable by way of implementing conditions or simple correction action. Our aim is to instigate the investigation and assess whether a breach of planning control within 20 working days of the site visit.

5.3 In every case, GCSP will try to achieve an outcome at the earliest possible stage. However, it must be remembered that officers can only operate within powers of the relevant legislation and will need to prioritise activities

5.4 All live enforcement cases will be reviewed monthly by the team.

5.5 In accordance with national guidance, where it is considered possible to do so, having regard to planning policies and the assessment of potential impacts, the service will provide an opportunity to resolve planning enforcement enquiries through an agreed set of actions, without resorting to further formal action. This will require action by the property owner once an investigation has begun. If there is clear evidence that an unauthorised use or development is causing serious harm and corrective action is considered necessary to address the harm, or to prevent further irreversible harm, the Council will seek to use formal enforcement measures more promptly.

5.6 Reports will be provided monthly to the Planning Committee of each Council setting out all new complaints received and current complaints under investigation in their respective areas and a list of those cases closed and the outcome of the investigation.

6 INVESTIGATING A COMPLAINT

6.1 Anyone who believes that a breach of planning control has occurred can notify the planning compliance team online. To avoid vexatious complaints and allow the Council to engage with the complainant, any complainant must be prepared to identify themselves. Anonymous complaints about a third party will not be investigated. If a member of the public wishes to be anonymous then they may ask either their local Ward Councillor or Parish Council to submit the online form on their behalf.

Before you make a complaint, you are encouraged to check the shared planning service website to consider whether there is planning permission already for the development, or to review the conditions. Planning compliance operates to protect the public interest and it is therefore helpful if you can be clear in your submission why you believe there is a breach of control and what impact the breach has on you and the locality. The decision to act needs to consider the effect on matters of public interest rather than private or personal interests. It is therefore helpful if a

complainant can provide as much information as possible, including photographs, which are easy to upload on the e-form.

6.2 In some cases, it may be necessary to rely on evidence from complainants to take the necessary action. Those persons will need to consider whether they are willing to actively assist GCSP by providing information in the first instance and potentially acting as a witness at an appeal or in Court. The Compliance Team Officers will explain what may be required in these cases.

6.3 When a complaint is received through an e-form on the GCSP website it will be automatically entered into GCSP database records, and an acknowledgement sent. As indicated above the complaint will be prioritised according to its nature. Once recorded, complainants will be provided with the details of the officer assigned to deal with their complaint. The investigation of cases may require repeat site visits, consultation with relevant bodies and negotiation. When these occur, officers will keep original complainants informed of progress and indicate arrangements for this in the initial response letter.

6.4 The Local Planning Authority has legal authority, through the Town and Country Planning Act to enter land and buildings in order to carry out investigation of an alleged breach of planning control. Whilst seeking cooperation of landowners and property owners to carry out an investigation, if required, the Council can seek the authority of the courts to secure access properties and land. Whilst on site visits officers will have regard to the Equalities Act 2010, Human Rights Act 1998 (HRA), the Regulation of Investigatory Powers Act 2000 (RIPA) and the Police and Criminal Evidence Act 1984 (PACE) and any Act/s that amend or revoke this legislation or become relevant.

6.5 An investigating officer may, where they consider an offence has occurred, seek to gather evidence around the alleged breach of planning by way of an interview with an alleged contravener 'under caution' where appropriate.

6.6 Following an investigation, it will be determined whether a breach of planning control has occurred. If no breach of planning control is found to have taken place, then the complainants and any relevant parties will be informed, and the case closed.

6.7 If the investigation finds that a breach of planning control has taken place the complainant and those subject to the complaint will be informed, along with details of the measures that the Council requires to be taken to remedy the breach. The decision to take enforcement action is discretionary. Even where a breach of planning control has taken place, the Council is not automatically required to act. National Planning Practice Guidance is clear that local planning authorities should act proportionately in responding to suspected breaches of planning control.

6.8 The objective of the Councils compliance team is to resolve the harm that arises. Legislation prescribes a range of enforcement options available to a Local Planning Authority (see appendix A). The most expedient mechanism to resolve a breach of planning will not always be through the use of statutory notices – particularly where the property/landowner engages constructively to seek to address

the planning harm identified. This may include seeking retrospective planning permission so that conditions controlling the use can be applied where required to address the unacceptable impacts of the development or seeking to clarify and determine the lawfulness of the development where a range of activity has taken place on land.

6.9 The decision to take formal enforcement action is discretionary and will be made on a case-by-case basis bearing in mind the need to take a proportionate approach as set out in the NPPF. This decision will only be taken after careful consideration of the relevant facts, the planning merits of the case, including reference to the planning policies which apply at local and national level, and Equalities and Human Rights legislation where appropriate and relevant. GCSP must also be able to justify taking formal action and be sure that the steps specified in the notice and the period for compliance with each step is reasonable. Where it is felt that formal action should not be taken the case will be closed and all those involved informed. If formal action is required, the appropriate notice(s) will be served and again those involved will be informed. The various forms of notices which form the toolkit for action by the Councils are set out in Appendix A.

6.10 Dealing with enforcement cases can take be a lengthy and complex process. The different types of enforcement cases vary considerably in complexity, and therefore the process itself can take considerable time. In addition, if a person chooses to appeal against formal enforcement action this will lengthen the time taken to resolve the case.

6.11 If the investigation indicates that a breach of control has occurred that justifies enforcement action, an Enforcement Notice will be served. The Notice takes 28 days to come into effect during which time the person involved can appeal against it to the Secretary of State. An Enforcement Notice may be quashed or revised by the planning inspector appointed by the Secretary of State.

6.12 Where an appeal is lodged the Council can take no further action until the appeal has been decided. It is not unusual for the appeal process to take several months. An Enforcement Notice specifies the time period needed for compliance. This period will take account of the steps required to comply with the Notice and will set a reasonable period for their completion. If a person does not comply with a notice, they may be prosecuted with the possibility of being fined by the Courts.

6.13 Contrary to popular belief a breach of planning control is not automatically a criminal matter (until there is a failure to comply with a formal notice). However, in the following cases a criminal offence is committed once a breach is established:

- Unauthorised works to a Listed Building. This is an offence under Section 9 of the Planning (Listed Building and Conservation Areas) Act 1990. There is no time limit upon the council within which to pursue Listed Building compliance action and/or prosecution.
- Display of an advertisement without the necessary consent: This is an offence under section 224 (3) of the Town and Country Planning Act (1990)
- Fly Posting – the displaying of an advert without the landowners' consent.

Flyposting is an offence under section 224(3) of the Town and Country Planning Act 1990.

- Unauthorised works to a tree the subject of a Tree Preservation Order (TPO). Under section 210 of the Act, it is an offence to cut down, uproot, or willfully destroy a protected tree, or willfully damage, top or lop a protected tree in such a manner as to be likely to destroy it.
- Unauthorised works to trees in Conservation Areas: Most established trees (except fruit trees) in Conservation Areas are protected, under sections 211 and 212 of the Act.
- Unauthorised works to Hedgerows. It may be an offence under section 97 of the Environment Act 1995 and section 5 of the Hedgerows Regulations 1997, to remove hedgerows without the Council's consent.
- Failing to obtain planning permission for demolition of unlisted buildings in conservation areas. This is an offence under section 196D of The Town and Country Planning Act 1990.

6.14 The Councils, as enforcing authorities will use discretion in deciding whether to prosecute offences. Prosecution will be pursued when it is in the public interest and in accordance with the Crown Prosecutor's guide. The principal aim is to remedy the harm caused by the breach. The relevant factors will include:

- the seriousness of the breach,
- the likelihood of securing a conviction,
- whether the works to comply would be straightforward,
- the costs of direct action and the likelihood of the recovering those costs,
- the likelihood of the breach being quickly re-established if direct action is taken.

Where appropriate the Councils could consider seeking a Confiscation Order under the Proceeds of Crime Act 2002. The Act allows the Councils to recover assets that have been accrued through criminal activity this can include breaches of planning control that give rise to a criminal offence, such as non-compliance with an enforcement notice.

6.15 In the case of vexatious complainants, these will be referred to each Partner Council's respective complaints procedures. This is for recurring complaints with excessive related work / costs arising from such.

7 WHAT IF THE COMPLAINT IS AGAINST A PERSON

7.1 If the compliance team contact a person about an alleged breach of planning control, they are entitled to know what the allegation is (but not who made it) so their side of the matter can be explained.

7.2 If the person contacted is not involved, or if the complaint is unfounded, no action will be taken. If the person is involved the compliance team will advise of the details of the breach and how it can be put right.

7.3 Co-operation will be sought to correct the breach, either by removing or modifying the unauthorised development or by ceasing the unauthorised works/use.

A reasonable period of time, usually 28 days will be allowed for this to happen.

7.4 In some circumstances the submission of a retrospective planning application may be invited, if it is considered that permission may be granted.

7.5 If there is a business which is threatened by enforcement action, GCSP will ask the councils to help identify alternative premises to minimise the possible impact on the business. This does not mean formal action will be delayed or stopped.

7.6 If an Enforcement Notice is issued it will give the precise details of the breach, the reasons for the action, the steps required to overcome the problem and the period for compliance. Those receiving a formal notice are advised to respond promptly to any correspondence received and stop the work or activities which are the subject of the notice.

7.7 A notice may be appealed against, and this is dealt with by the Planning Inspectorate (PINS). There is more information about the appeal process and how to submit an online enforcement appeal through the GOV.uk appeals page.

8 ENFORCEMENT REGISTER

8.1 It is a statutory requirement that a district planning authority maintains a register of notices that is open for public inspection. The register will be available via our Public Access service from November 2022.

9 DELEGATED POWERS

9.1 The Council has delegated responsibility for most decisions on whether to take enforcement action, and prosecution for breaches of enforcement cases to the Joint Director of Planning. In turn, and in accordance with a scheme of officer delegation, the Joint Director has delegated decision making on certain types of enforcement decisions, to senior officers in the shared planning service. This allows planning compliance matters to be investigated efficiently, and for formal action to be taken quickly in urgent cases.

10 INFORMATION SHARING

10.1 The planning enforcement service routinely shares information with other services within the Councils to investigate alleged breaches more effectively, and to

assist in fulfilling other council functions. Complainants' identities will not be divulged to staff outside the planning department without consent.

10.2 It is important that members of the public feel confident about reporting breaches of planning control to GCSP. With that in mind, GCSP will not disclose complainant details to third parties without consent. The identity of a person making a complaint will be kept confidential unless the Council is required by law to release the information. If a case proceeds to formal action, evidence from the complainant may be needed as part of the case. In such cases, GCSP will usually ask the complainant to make a statement.

APPENDIX A: POTENTIAL OUTCOMES OF AN INVESTIGATION

Where an investigation identifies that a breach of planning control has occurred, the Town and Country Planning Act provides for a range of measures that can be taken by the Council. Potential outcomes from an enforcement investigation comprise the following.

Planning Contravention Notice

This notice seeks information about the development.

A Planning Contravention Notices (PCN) can be used as part of the investigation where it appears there may have been a breach of planning control, to obtain information about the possible breach and those parties responsible. A PCN may also invite the person responsible to meet an officer to discuss the case. It is a legal requirement to provide the requested information. The Service will usually issue a PCN where cooperation has not been forthcoming from those subjects of a compliance enquiry and where it necessary to obtain relevant information.

Retrospective planning application

An application submitted for works already completed or part completed.

Temporary Stop Notice

These can be used when the local planning authority considers it important for works on a site in breach of planning regulations to cease immediately. TSN are valid for a period of 28 days and are intended to allow for the Council to continue investigation of a breach and where necessary prepare appropriate notices (if assessed to be necessary). They are a temporary measure and may be served before an enforcement notice and again where it is necessary to immediately take action.

Breach of Condition Notice

These are used when conditions attached to a planning permission have not been

complied with. These notices may be used where it is necessary to stop a breach restricted by a condition quickly. This may be, for example, because it is causing serious environmental harm or detriment to amenity or public safety. A Breach of Condition Notice may be served in conjunction with an Enforcement Notice, it should be noted there is no right of appeal to the Secretary of State.

Enforcement Notice

Enforcement Notices are used when the Local Planning Authority is satisfied there has been a breach of planning control that justifies the issuing of such a Notice. A Notice sets out the required steps to rectify the breach.

Notice under Section 215 of the Town and Country Planning Act

This Notice may be issued by the local planning authority where it appears to them the condition of a specified area of land is having an adverse effect upon the amenity of an area. The Notice can require a broad range of remedial works to be undertaken by a fixed deadline. Appeals against this Notice may be made to the Magistrates' Court.

Notice under Section 224 of the Town and Country Planning Act

This allows local planning authorities to remove and dispose of any display structure – such as an advertisement hoarding – which, in their opinion, is used for the display of illegal advertisements. This provision does not apply to a structure in a building to which the public have no right of access.

Planning Enforcement Order

Where it can be shown that there has been a deliberate attempt to conceal an unauthorised development until the relevant time periods have expired, the Councils may apply to the magistrates' court for a Planning Enforcement Order. This must be done within six months of the date the breach was detected.

Stop Notice

These can be used when the local planning authority considers it important for a breach to cease immediately and where it is considered essential to safeguard amenity or public safety in the neighbourhood. They are issued in conjunction with or following the issue of an Enforcement Notice.

Injunction

A local planning authority can, where they consider it expedient, apply to the High Court or County Court for an injunction to restrain a breach of planning control.

Direct or "Default" Action

In exceptional circumstances, the Councils have the power to enter the land,

undertake the steps necessary to remedy a breach of planning control and attempt to recover the costs.

CONSEQUENCES ON FAILURE TO COMPLY

Prosecution

Prosecutions are normally brought in the Magistrates Court against the failure to comply with one of the notices listed above along with the unauthorised display of advertisements, unauthorised works to a protected tree or unauthorised works to a listed building. In some serious matters cases may be brought in or referred to the Crown Court.

POCA

POCA stands for the Proceeds of Crime Act which was first implemented in 2000. This provides for the Local Authority to seek to recover the financial benefit arising from a person or company's criminal activity. The provisions of the Act can therefore be used by Local Planning Authorities in appropriate circumstances where a criminal offence has been committed and significant financial benefit derived from that offence.

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Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Kate Yerbury, Equality and Anti-Poverty Officer at equalities@cambridge.gov.uk or phone 01223 457046.

Once you have drafted the EqIA please send this to equalities@cambridge.gov.uk for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, (graham.saint@cambridge.gov.uk or 01223 457044).

| |
|--|
| 1. Title of strategy, policy, plan, project, contract or major change to your service |
| GCSP Compliance Policy |
| 2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available) |
| N/A |

3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

The government expects Local Authorities to ensure that their approach to regulatory activities is transparent and accountable, and that clear service standards are set which establish what those they regulate should expect from them and how they respond to non-compliance. The response to non-compliance is based on risk, the response is determined on a case by case basis.

The Compliance Policy applies to Greater Cambridge Shared Planning.

The last review was carried out in 2014 and this is a subsequent review of the policy with minor changes, and aligning both Cambridge City Council and South Cambridge District Council.

The policy may affect the way staff work and those working practices are covered in other policies such as Lone Working Policy or Health and Safety Policy.

4. Responsible service

GCSP

5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service?

(Please tick all that apply)

- Residents
- Visitors
- Staff

Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):

Businesses

6. What type of strategy, policy, plan, project, contract or major change to your service is this?

- New
- Major change
- Minor change

7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)

- Yes
- No

If 'Yes' please provide details below:

8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?

Planning and Transport Committee

9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?

Complaints from Members of the Public, residents and businesses.

Feedback from Members of the Public, Exec Members, residents and businesses.

10. Potential impacts

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

(a) Age - Please also consider any safeguarding issues for children and adults at risk

The Corporate Safeguarding policy would be followed should at any point during any investigation, Officers are concerned about young people or vulnerable people. We issue multiple copies of an enforcement notice to recipients so a copy can be forwarded to another party to deal with if the original recipient is unable to be the point of contact due to age or disability. Older people may require letters come in larger font, which we can provide if requested.

(b) Disability

Officers are required to consider the desirability of the type of enforcement, if any, on a person who is suffering from mental health or ill health. We issue multiple copies of an

enforcement notice to recipients so if required, for example due to disability, a copy may be forwarded to another party to deal with. Notices can also be provided in larger sizes if requested. We provide PDF copies which are accessible and able to be read with screen reader software.

(c) Gender reassignment

The policy is relevant regardless of gender.

(d) Marriage and civil partnership

Policy is relevant regardless of relationship status.

(e) Pregnancy and maternity

Policy is relevant regardless of status.

(f) Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Account will be taken for the understanding of English and therefore the use of interpretation and translation services may be used where necessary. It is important when taking enforcement action that all parties have a clear understanding of what is required. We have used the council’s translation services to send out breach letters in another language when requested for persons whom do not use English as their first language. However, formal enforcement notices served must stay in English as they are a legal document. [explanation of any advice given to people who don’t speak English who receive one of these].

(g) Religion or belief

Officers will aim to take account of people’s religious beliefs where possible, for example if requested not to visit on Friday due to attendance at Mosque Synagogue this is usually honoured if possible

(h) Sex

None

(i) Sexual orientation

Staff are encouraged to believe in the dignity of all people and their right to respect and equality of opportunity. It values the strength that comes with difference and the positive contribution that diversity brings to our communities.

(j) Other factors that may lead to inequality – in particular, please consider the impact of any changes on:

- **Low-income groups or those experiencing the impacts of poverty**
- **Groups who have more than one protected characteristic that taken together create overlapping and interdependent systems of discrimination or disadvantage. (Here you are being asked to consider intersectionality, and for more information see: https://media.ed.ac.uk/media/1_159kt25q).**

The Policy has a neutral impact on low income groups and those experiencing poverty. Any action taken is considered on a case by case basis, and in line with the guidance and policies.

11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqIA accordingly.)

None

12. Do you have any additional comments?

None

13. Sign off

Name and job title of lead officer for this equality impact assessment: Heather Jones, Assistant Director Planning and Building Quality

Names and job titles of other assessment team members and people consulted:
Compliance team members – John Shuttlewood, Alistair Funge, Tony Wallis, Nick Smith

Date of EqIA sign off: October 2022

Date of next review of the equalities impact assessment: October 2025

Date to be published on Cambridge City Council website: October 2022

All EqIAs need to be sent to Kate Yerbury, Equality and Anti-Poverty Officer at Kate.Yerbury@cambridge.gov.uk.

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GREATER CAMBRIDGE SHARED PLANNING

PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS

Planning Committee Date: 7 December 2022

Report to: Cambridge City Council Planning Committee

Report by: Philippa Kelly, Strategic Sites Delivery Manager, Greater Cambridge Shared Planning Service. To be presented by Toby Williams, Interim Development and Compliance Manager (East Team)

Tel: 07704 072593

Email: Toby.Williams@greatercambridgeplanning.org

Ward/parishes affected: All

1. Executive summary

- 1.1 Procedural guidance on the conducting of committee site visits can be found in Part 6 of the Cambridge City Council Constitution and Part 4 of the South Cambridgeshire District Council Ethical Handbook (May 2020). The District's Ethical Handbook does not form part of the District's Constitution, but supplements some of the documents that are, such as the Code of Conduct.
- 1.2 On occasions, the Cambridge City Council Planning Committee may wish to visit a site, where development is proposed, before making a decision on a given planning application. This report confirms the procedure for requesting site visits and the conduct of site visits, that will be followed on those occasions when such site visits take place

- 1.3 The Greater Cambridge Shared Planning Service (GCSPS) is supported by three planning committees, and as such the need for consistency in arranging and undertaking planning committee site visits is recognised. A planning committee protocol for officer-led site visits (Appendix A) has been prepared which sets out the approach which will be followed by all three planning committees - JDCC, Cambridge City Council Planning Committee and South Cambridgeshire District Council Planning Committee. It is the intention that this protocol will also, eventually supplement the City and District Councils' existing procedural guidance on the conduct of site visits.

2. Recommendation

- 2.1 Officers recommend that the Cambridge City Council Planning Committee:
- (i) Notes this report and the accompanying planning committee protocol for officer-led site visits.
 - (ii) Confirms implementation of the protocol for officer-led site visits for the Cambridge City Council Planning Committee.

3. Background

- 3.1 Planning committee site visits are helpful in enabling Members to see the site of a planning application, so that they gain a better understanding of its location, physical characteristics and relationships to neighbouring uses, before the application is determined.
- 3.2 During a planning committee site visit, the merits of the application are not discussed, nor is a decision reached at this time. The proper forum to discuss the application is at the Planning Committee meeting, when all information is in the public arena, and Councillors' debate and decide on the full proposal.
- 3.3 The purpose of the protocol for officer-led site visits is to guide the conduct of Planning Committee site visits.

Requests for Cambridge City Council Planning Committee Site Visits

- 3.4 The decision on whether to organise a formal site visit will rest with the Delivery Manager, taking into consideration the views of the Cambridge City Council Planning Committee Chair.

- 3.5 A site visit can result from any one of the following:
- (i) A request by a Member of the Cambridge City Council Planning Committee in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
 - (ii) The Director of Planning and Economic Development, or Development Manager considers that one is necessary in the interests of proper decision making.
 - (iii) The Cambridge City Council Planning Committee calls for a site visit following a deferral of a decision purposely for a site visit.
- 3.6 The site visit will take place at a date and time fixed by the Development Manager, following discussion with the Chair of the Cambridge City Council Planning Committee and the Committee Services Manager.
- 3.7 For complex or sensitive applications which are being referred to Cambridge City Council Planning Committee, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.
- 3.8 Members will be encouraged to attend organised site visits: in the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only; contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise, which in turn might lead to the Cambridge City Council Planning Committee's decision being susceptible to challenge.

Conduct of Cambridge City Council Planning Committee Site Visits

- 3.9 Cambridge City Council Planning Committee site visits are solely for the purpose of viewing the site, understanding its location and immediate environs to be able to put the development proposal into context, and discussing the facts of the application. It is not a meeting to discuss the planning merits of the scheme or to make decisions.
- 3.10 Cambridge City Council Planning Committee site visits will be led by the Development Manager and/or the planning case officer with support from the Chair of the Committee. On occasion, technical officers of the Council or officers from other authorities may be invited to attend a site visit by the planning case officer to clarify factual or technical matters.
- 3.11 The site visit will only be attended by Members of Cambridge City Council Planning Committee, unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance.

As a private meeting, public rights of attendance and speaking do not apply.

- 3.12 Members will travel to the meeting point for the site visit independently, unless the Director of Planning agrees that alternative arrangements shall be provided by the shared planning service.
- 3.13 Members may ask their questions including any requests for specific information from the Applicant (or any representatives of the Applicant) if they are present. Members should ensure that they can hear the Officers' presentation and the questions and answers.
- 3.14 Before closing the site visit, the Development Manager or planning case officer will seek confirmation that Members are satisfied they have seen everything they need to make a decision, after which will draw the site visit to a close.
- 3.15 Members should avoid engaging in private conversations with each other on the subject of the application or with the Applicant (or any representatives of the Applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Development Manager / planning case officer.
- 3.16 For the purposes of factual record, attendance at a site visit will be recorded by officers including the locations visited. No formal notes of a site visit will be recorded.

4. Implications

Financial Implications

- 4.1 The introduction of a planning committee site visit protocol is not anticipated to increase the frequency of Cambridge City Council Planning Committee meetings or its caseload so as to introduce significant additional costs. Officers will nevertheless keep these ongoing costs under review.

Staffing Implications

- 4.2 There are no staffing implications arising from this report.

Equality and Poverty Implications

- 4.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, because the site visit protocol relate to the terms of

reference of a committee and no material changes are proposed to the operation of the Committee meetings which will follow existing practices.

Environmental Implications

4.4 None.

Procurement Implications

4.5 None.

Community Safety Implications

4.6 None.

5. Consultation and Communication Considerations

5.1 No formal consultation has been undertaken in the preparation of this report. The committee site visit protocol is a matter for the Local Authorities and no formal consultation is required.

6.0 Background Papers

6.1 Background papers used in the preparation of this report:

- Cambridge City Council Constitution [Constitution - Cambridge City Council](#)
- South Cambridgeshire District Council Ethical Handbook (May 2020) [Ethical Handbook.pdf \(moderngov.co.uk\)](#) and Constitution. [Agenda for Constitution on Thursday, 9 June 2022 \(moderngov.co.uk\)](#)

7.0 Appendices:

7.1 Appendix 1 – Planning Committee Protocol for Officer-Led Site Visits

APPENDIX 1:



FORMAL PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS

JOINT DEVELOPMENT CONTROL COMMITTEE (JDCC); CAMBRIDGE CITY COUNCIL PLANNING COMMITTEE (City PC); SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING COMMITTEE (SCDC PC)

Purpose of a Planning Committee Site Visit

Planning committee site visits are solely for the purpose of viewing the site, understanding its location and context immediate environs to be able to put the development proposal into context, and discussing the facts of the application.

Site visits will be led by the relevant Lead Delivery Manager (Lead DM) and/or the planning case officer with support from the Chair of Planning Committee. On occasion, technical officers of the Council or officers from other authorities may be invited by the planning case officer to attend a site visit to clarify factual or technical matters.

A site visit is not a meeting to discuss the merits of a development proposal, and no decisions will be made at the site visit by the Planning Committee. The Lead DM/planning case officer will make this clear at the beginning of the visit within their introduction.

As a private inspection to gain an understanding of the facts relating to an application, site visits are not part of the formal consideration of the application, and public rights of attendance and speaking do not apply.

Requests for Site Visits:

The decision on whether to organise a formal committee site visit rests with the relevant Lead DM. For the JDCC this is the Strategic Sites Delivery Manager and for the City PC and SCDC PC this is the Delivery Manager or Area Delivery Managers. The Lead DM will take into consideration the views of the relevant Planning Committee Chair with regard to:

1. The complexity or sensitivity of the development proposal.
2. The characteristics of the site and its surroundings.

A site visit can result from any one of the following:

1. A request by a Member of the JDCC, City PC or SCDC PC in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
2. The Director of Planning and Economic Development, or Lead DM considers that one is necessary in the interests of proper decision making.
3. The JDCC, City PC or SCDC PC calls for a site visit following a deferral of a decision purposely for a site visit.

The site visit will take place at a date and time fixed by the Lead DM and/or the planning case officer following discussion with both the Chair of the relevant Planning Committee (or if they are not available, the Vice Chair), and the Committee Services Manager.

Members will travel to the meeting point for the site visit independently, unless the Director of Planning agrees that alternative arrangements shall be provided by Greater Cambridge Shared Planning (GCSPS).

For complex or sensitive applications which are being referred to a Planning Committee, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members of that committee in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.

Members are encouraged to attend organised site visits. In the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only and contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise which in turn might lead to the Planning Committee's decision being susceptible to challenge.

Conduct of Site Visits:

- Members will view the site from the nearest public space and any other public spaces as considered appropriate by the planning case officer. Should access to the application site (or any other private land) be considered necessary to

view the site, the planning case officer will seek the consent of the relevant landowner in advance.

- The site visit will usually only be attended by Members of the Planning Committee unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance.
- Officers will open the site visit; give a brief presentation on the site, the setting of the proposed development and the specific reasons why the site inspection was requested.
- Members may ask their questions of officers including any requests for specific information that may be required to assist their consideration of the item at the Committee meeting. Exceptionally, questions may be asked directly to the Applicant's representative should they be present. Members need to ensure that they can hear the officers' presentation and the questions and answers.
- Before closing the site visit the Lead DM or planning case officer will seek confirmation that Members are satisfied that they have seen everything they need, after which will draw the site visit to a close.
- Members should avoid engaging in private conversations on the subject of the application with each other during the site visit as this can give the wrong impression to others present or anyone observing the site visit outside of it.
- Members should avoid engaging in conversations with the public should any be present at the time of the site visit.
- Members should avoid engaging in conversations with the applicant (or any representatives of the applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Lead DM/planning case officer.
- For the purposes of factual record, no formal notes of the site visit will be made. The Lead DM or planning case officer will make a record of the date and time of the site visit, attendance and the locations visited.



GREATER CAMBRIDGE SHARED PLANNING

Planning Committee 7 December 2022

Lead Officer: Joint Director of Planning and Economic Development

Report by: Toby Williams, Interim Development and Compliance Manager (East Team)

Tel: 07704 072593

Email: Toby.Williams@greatercambridgeplanning.org

Wards: All

Executive Summary

- 1 This report informs Members about appeals against planning decisions, and proposed hearing and inquiry dates, for both the calendar year 1 January – 28 November 2022 and statistically from 1 April 2022 to present.
- 2 Attached at appendix 1 is a statistical overview of the year from 1 April 2022. It shows overall 67% of appeals lodged in the City Council area were dismissed. Most appeals were written reps.
- 3 Attached at appendices 2 – 6 are individual appeal decisions listed chronologically as set out below for each category.

Recommendation

- 4 Members are asked to **note** the statistical outcomes and individual decisions on cases
- 5

Appendices

- 1: Stats 1 April 2022 – 28 November 2022: City and South Cambs
- 2: Appeals Received From (from 1 Jan 2022)
- 3: Appeals Pending Inquiry (from 1 Jan 2022)
- 4: Appeals Pending Hearing (from 1 Jan 2022)
- 5: Appeals Awaiting Decision from Inspectorate (from 1 Jan 2022)
- 6: Appeals Decisions Received (from 1 Jan 2022)

Appendix 1: Stats 1 April 2022 – 28 November 2022

City and South Cambs



City Only



Appendix 2

Appeals Overview: 1 January 2021- 28 Nov 2022

Cambridge City Council - Appeals Received from

| Appeal Reference | Decision Reference | Reason for Appeal | Site Address | Description | Received Date |
|------------------|--------------------|-----------------------------------|--|--|---------------|
| 22/00001/REFUSL | 21/03519/HFUL | Against Refusal of Permission | 45 Cromwell Road Cambridge CB1 3EB | Single storey and two storey rear extensions and loft conversion. | 06/01/2022 |
| 22/00003/REFUSL | 20/02392/FUL | Against Refusal of Permission | 572 Newmarket Road Cambridge Cambridgeshire CB5 8LL | Demolition of existing outbuilding and construction of 1No. single storey 2 bed dwelling | 10/01/2022 |
| 22/00005/REFUSL | 21/01125/HFUL | Against Refusal of Permission | 8 Kelsey Crescent Cambridge Cambridgeshire CB1 9XT | Retrospective application for the erection of an ancillary annex. | 17/01/2022 |
| 22/00009/ENFNOT | | Appeal against enforcement notice | 8 Kelsey Crescent Cambridge Cambridgeshire CB1 9XT | Without Planning Permission, the alleged breach of condition 2 of planning permission ref: 19/0838/FUL - outbuilding erected not to plans | 25/01/2022 |
| 22/00016/REFUSL | 19/1010/FUL | Against Refusal of Permission | 185-189 Newmarket Road And 1 Godesdone Road Cambridge Cambridgeshire CB5 8HA | Conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure. | 04/02/2022 |
| 22/00020/REFUSL | 21/02800/HFUL | Against Refusal of Permission | 135 Perse Way Cambridge CB4 3SB | Removal of detached garage and the construction of a two storey, part single storey side and rear extension | 10/02/2022 |
| 22/00023/REFUSL | 21/03439/FUL | Against Refusal of Permission | Land Adjacent To 22 Mill End Close | Erection of 3 No. 1 bedroom duplex dwellings with | 21/02/2022 |

| | | | | | |
|-----------------|----------------|---|--|---|------------|
| | | | Cambridge Cambridgeshire CB1 9HS | associated landscaping, parking, bin and cycle storage. | |
| 22/00027/REFUSL | 21/05016/FUL | Against Refusal of Permission | 25A Bishops Road Cambridge CB2 9NQ | Erection of a detached two-bedroom dwelling following demolition of the existing garage, retention of existing dwelling with new access from Bishops Road, and associated works at 25a Bishops Road. | 09/03/2022 |
| 22/00028/REFUSL | 20/05147/FUL | Against Refusal of Permission | 9 Almoners Avenue Cambridge Cambridgeshire CB1 8NZ | Erection of a single dwelling with parking and supporting infrastructure along with revised access arrangements from the highway following the demolition of the existing former garage. | 09/03/2022 |
| 22/00030/REFUSL | 21/05543/HFUL | Against Refusal of Permission | 73 River Lane Cambridge CB5 8HP | Demolition of existing single storey structures at rear of house. Construction of new single storey rear extension and new loft extension. | 15/03/2022 |
| 22/00034/REFUSL | 21/03155/FUL | Against Refusal of Permission | 72 High Street Cherry Hinton Cambridge CB1 9HZ | Erection of 9no (1 and 2bed) dwellings with associated infrastructure following demolition of existing dwelling | 18/03/2022 |
| 22/00039/NONDET | 20/02596/FUL | Non- determined within 8 weeks | 380 Milton Road Cambridge CB4 1SU | Subdivision of plot and construction of a single storey, three bed dwelling to the rear. | 31/03/2022 |
| 22/00332/REFUSL | 22/00177/HFUL | Against Refusal of Permission | 52 Verulam Way Cambridge CB4 2HN | First floor rear extension | 07/04/2022 |
| 22/00310/REFUSL | 21/05118/PRIOR | Against Refusal of Permission | Queen Ediths Way (A1134) Cambridge Cambridgeshire | Proposed 16.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works | 07/04/2022 |
| 22/00505/REFUSL | 21/05452/HFUL | Against Refusal of Permission | 3 Anglers Way Cambridge Cambridgeshire CB4 1TZ | Two storey side extension and single storey rear extension | 14/04/2022 |
| 22/00528/REFUSL | 21/01487/FUL | Against Refusal of Permission | 611 Newmarket Road Cambridge CB5 8PA | Demolition of existing house and erection of eight flats and one maisonette (net eight | 27/04/2022 |

| | | | | | |
|-----------------|---------------|-------------------------------|---|--|------------|
| | | | | new homes) together with ancillary works | |
| 22/00529/REFUSL | 22/00180/HFUL | Against Refusal of Permission | 26 Norwich Street Cambridge CB2 1NE | Loft conversion with rear dormers and roof lights to the front elevation | 28/04/2022 |
| 22/00530/REFUSL | 20/04314/HFUL | Against Refusal of Permission | 17 Brookfields Cambridge CB1 3NW | Single storey rear infill extension (following part demolition of existing). Rear roof extension including two dormer windows and 3 rooflights to front elevation. Single storey ground floor rear extension partly replacing the existing. Roof conversion with extensions. | 03/05/2022 |
| 22/00532/REFUSL | 20/02172/FUL | Against Refusal of Permission | Land At 11 Queen Ediths Way Cambridge Cambridgeshire | The erection of new buildings to provide 40 serviced apartments (sui generis) together with hard and soft landscaping, basement car parking spaces and associated infrastructure and works | 03/05/2022 |
| 22/00536/REFUSL | 21/04190/FUL | Against Refusal of Permission | Land Adjacent To 25 Rawlyn Road Cambridge Cambridgeshire CB5 8NL | Erection of 3 dwellings along with off street parking, private amenity space, cycle parking/ storage and refuse storage, demolition of existing rear garage lean-to and reconfiguration of the pavement along Stanesfield Road | 10/05/2022 |
| 22/00537/REFUSL | 21/03304/FUL | Against Refusal of Permission | 108 Suez Road Cambridge CB1 3QD | Retention of existing dwelling, erection of 1no. linked 2 bedroom dwelling and 1no. 1 bedroom detached dwelling, along with a new parking bay accessed from Suez Road and associated works | 11/05/2022 |
| 22/00541/REFUSL | 21/05088/HFUL | Against Refusal of Permission | 51 Woodlark Road Cambridge CB3 0HT | First floor side extension and part double/single rear extensions, hip-to-gable loft conversion and new garden room. | 16/05/2022 |
| 22/00542/REFUSL | 21/01437/FUL | Against Refusal of Permission | 18 Adams Road Cambridge CB3 9AD | Erection of 2no dwellings following the | 17/05/2022 |

| | | | | | |
|-----------------|---------------|-------------------------------|---|--|------------|
| | | | | demolition of No.18 Adams Road | |
| 22/00543/REFUSL | 22/00263/HFUL | Against Refusal of Permission | 18 Neath Farm Court Cambridge CB1 3EX | Single storey rear extension (Retrospective) | 18/05/2022 |
| 22/00546/REFUSL | 21/03508/FUL | Against Refusal of Permission | Land To The Rear Of 368-370 Milton Road Cambridge Cambridgeshire CB4 1SU | Erection of 2 No. dwellinghouses together with associated access and landscaping works | 23/05/2022 |
| 22/00547/REFUSL | 21/03966/HFUL | Against Refusal of Permission | 41 Highworth Avenue Cambridge CB4 2BQ | Demolition of existing rear extension and erection of part single storey, part two storey rear and side extensions, including new insulated render to front and sides and solar panels to rear roof | 24/05/2022 |
| 22/00555/REFUSL | 21/05255/FUL | Against Refusal of Permission | 11A Garry Drive Cambridge CB4 2PD | Conversion and extension of existing double garage to a self-contained 1bed single storey apartment. | 08/06/2022 |
| 22/00564/REFUSL | 21/05497/S73 | Against Refusal of Permission | 156-158 Mowbray Road Cambridge CB1 7TG | S73 to vary condition 2 of ref: 21/00603/S73 (Demolition of existing dwellings and outbuildings and construction of 2x2bed semi-detached dwellings, 4x1bed apartments and 1x2bed apartment including bin, cycle and landlord store and external works) - to include dormer windows to the front elevation and alterations to roof of front projection of apartment building. Change from grey bricks to buff bricks to front projection. | 22/06/2022 |
| 22/00560/NONDET | 21/01065/FUL | Non-determined within 8 weeks | Land Adj Sandy Lane Cambridge Cambridgeshire | Construction of 26 new private homes | 22/06/2022 |
| 22/00572/REFUSL | 21/03983/FUL | Against Refusal of Permission | 7 Kent Way Cambridge CB4 2QY | Part demolition of outbuildings, erection of single storey annexe and change of use to 6 | 21/07/2022 |

| | | | | | |
|-----------------|----------------|-------------------------------|--|---|------------|
| | | | | bed HMO (Sui Generis) for 6 persons | |
| 22/00573/NONDET | 22/02127/FUL | Non-determined within 8 weeks | 611 Newmarket Road Cambridge Cambridgeshire CB5 8PA | Demolition of existing house and erection of eight flats and one maisonette (net eight new homes) together with ancillary works | 26/07/2022 |
| 22/00574/REFUSL | 22/01128/FUL | Against Refusal of Permission | 1 St Kilda Avenue Cambridge Cambridgeshire CB4 2PN | Erection of 1no 1bed dwelling. | 28/07/2022 |
| 22/00578/REFUSL | 22/00758/FUL | Against Refusal of Permission | 303 Histon Road Cambridge Cambridgeshire CB4 3NF | Erection of 9 dwellings within 1 apartment building comprising studios, one and two bedroom apartments, together with landscaping, parking arrangements, bike and bin provision and associated infrastructure (following demolition of the existing dwelling) | 11/08/2022 |
| 22/00585/REFUSL | 22/02209/HFUL | Against Refusal of Permission | 64 Hills Avenue Cambridge Cambridgeshire CB1 7XB | RETROSPECTIVE 'AS BUILT' SINGLE STOREY REAR AND FRONT EXTENSIONS (AMENDMENT TO 20/03606/HFUL) | 22/09/2022 |
| 22/00588/REFUSL | 22/03000/PRIOR | Against Refusal of Permission | Land Adjacent Arbury Road Cambridge Cambridgeshire | Proposed 5G telecoms installation: H3G street pole and additional equipment cabinets. | 26/09/2022 |
| 22/00592/REFUSL | 22/02444/FUL | Against Refusal of Permission | Land Rear Of 368-370 Milton Road Cambridge Cambridgeshire CB4 1SU | Erection of 2no dwellings with associated access and landscaping works | 13/10/2022 |
| 22/00593/REFUSL | 22/01148/FUL | Against Refusal of Permission | 10A Amwell Road Cambridge Cambridgeshire CB4 2UH | Alterations to 10A Amwell Road to return to its original 2 bedroom, 2 storey format and creation of a new 2 storey 3 bedroom separate house utilising the former extension to 10A Amwell Road in combination of a newly built element. | 19/10/2022 |
| 22/00595/REFUSL | 22/01432/FUL | Against Refusal of Permission | Romsey Labour Club Mill Road Cambridge | Part demolition of the existing Romsey Labour Club building with retention of the | 21/10/2022 |

| | | | | | |
|-----------------|----------------|-------------------------------|---|--|------------|
| | | | Cambridgeshire CB1 3NL | BLI historic frontage and erection of 43no serviced apartment development (sui generis use) along with a cafe,, gymnasium, community space, and associated infrastructure and landscaping. | |
| 22/00596/REFUSL | 22/03235/PRIOR | Against Refusal of Permission | Land Adjacent Coldhams Lane Cambridge Cambridgeshire | 5G telecoms installation: H3G 15m street pole and additional equipment cabinets | 25/10/2022 |
| 22/00598/REFUSL | 22/03397/FUL | Against Refusal of Permission | 82 Arbury Road Cambridge Cambridgeshire CB4 2JE | Erection of 2no two and a half storey dwelling houses | 27/10/2022 |
| 22/00600/REFUSL | 22/03829/PRIOR | Against Refusal of Permission | Street Record Victoria Avenue Cambridge Cambridgeshire | Proposed 5G 20m telecoms installation: H3G street pole and additional equipment cabinets. | 02/11/2022 |
| 22/00599/REFUSL | 22/03436/HFUL | Against Refusal of Permission | 2A Ashwood Downhams Lane Cambridge Cambridgeshire CB4 1XT | Replace existing boundary 3 foot high fencing with 6 foot high hit & miss fencing and increase vehicle access visibility splay. | 02/11/2022 |
| 22/00602/REFUSL | 21/05267/FUL | Against Refusal of Permission | 31 Fairfax Road Cambridge CB1 3AZ | Change of use to large 8bed HMO for 8 persons (sui generis), two-storey side extension, single-storey rear extension, loft conversion with dormers, and dropped kerb. | 07/11/2022 |
| 22/00603/REFUSL | 22/03514/FUL | Against Refusal of Permission | 3 Forest Road Cambridge Cambridgeshire CB1 9JA | Erection of 1no 3bed detached dwelling. | 07/11/2022 |
| 22/00605/REFUSL | 22/02361/ADV | Against Refusal of Permission | 39 Newnham Road Cambridge Cambridgeshire CB3 9EY | Retrospective installation of an advertisement board on front wall of property with external static illumination. | 10/11/2022 |

Appendix 3

Cambridge City Council - Appeals Pending Inquiry

| Appeal Reference | Decision Reference | Reason for Appeal | Site Address | Description | Start Date | Inquiry Date |
|--------------------|--------------------|-------------------|--------------|-------------|------------|--------------|
| *** No Records *** | | | | | | |

Appendix 4

Cambridge City Council - Appeals Pending Hearing

| Appeal Reference | Decision Reference | Reason for Appeal | Site Address | Description | Start Date | Hearing Date |
|--------------------|--------------------|-------------------|--------------|-------------|------------|--------------|
| *** No Records *** | | | | | | |

Appendix 5

Cambridge City Council - Appeals Awaiting Decision from Inspectorate

| Appeal Reference | Decision Reference | Reason for Appeal | Site Address | Description | Statement Sent |
|------------------|--------------------|-----------------------------------|---|---|----------------|
| 22/00009/ENFNOT | | Appeal against enforcement notice | 8 Kelsey Crescent Cambridge Cambridgeshire CB1 9XT | Without Planning Permission, the alleged breach of condition 2 of planning permission ref: 19/0838/FUL - outbuilding erected not to plans | 01/04/2022 |
| 22/00005/REFUSL | 21/01125/HFUL | Against Refusal of Permission | 8 Kelsey Crescent Cambridge Cambridgeshire CB1 9XT | Retrospective application for the erection of an ancillary annex. | 01/04/2022 |
| 22/00003/REFUSL | 20/02392/FUL | Against Refusal of Permission | 572 Newmarket Road Cambridge Cambridgeshire CB5 8LL | Demolition of existing outbuilding and construction of 1No. single storey 2 bed dwelling | 01/06/2022 |
| 22/00528/REFUSL | 21/01487/FUL | Against Refusal of Permission | 611 Newmarket Road Cambridge CB5 8PA | Demolition of existing house and erection of eight flats and one maisonette (net eight new homes) together with ancillary works | 26/07/2022 |
| 22/00546/REFUSL | 21/03508/FUL | Against Refusal of Permission | Land To The Rear Of 368-370 Milton Road Cambridge Cambridgeshire CB4 1SU | Erection of 2 No. dwellinghouses together with associated access and landscaping works | 14/09/2022 |
| 22/00310/REFUSL | 21/05118/PRIOR | Against Refusal of Permission | Queen Ediths Way (A1134) Cambridge Cambridgeshire | Proposed 16.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works | 29/09/2022 |
| 22/00564/REFUSL | 21/05497/S73 | Against Refusal of Permission | 156-158 Mowbray Road Cambridge CB1 7TG | S73 to vary condition 2 of ref: 21/00603/S73 (Demolition of existing dwellings and outbuildings and construction of 2x2bed semi-detached dwellings, 4x1bed apartments and 1x2bed apartment including bin, cycle and landlord store and external works) - to | 14/11/2022 |

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| | | | | include dormer windows to the front elevation and alterations to roof of front projection of apartment building. Change from grey bricks to buff bricks to front projection. | |
| 22/00560/NONDET | 21/01065/FUL | Non-determined within 8 weeks | Land Adj Sandy Lane Cambridge Cambridgeshire | Construction of 26 new private homes | 15/11/2022 |
| 22/00555/REFUSL | 21/05255/FUL | Against Refusal of Permission | 11A Garry Drive Cambridge CB4 2PD | Conversion and extension of existing double garage to a self-contained 1bed single storey apartment. | 15/11/2022 |
| 22/00542/REFUSL | 21/01437/FUL | Against Refusal of Permission | 18 Adams Road Cambridge CB3 9AD | Erection of 2no dwellings following the demolition of No.18 Adams Road | 15/11/2022 |
| 22/00574/REFUSL | 22/01128/FUL | Against Refusal of Permission | 1 St Kilda Avenue Cambridge Cambridgeshire CB4 2PN | Erection of 1no 1bed dwelling. | 15/11/2022 |

Appendix 6

Cambridge City Council - Appeal Decisions Received

| Appeal Reference | Decision Reference | Reason for Appeal | Site Address | Description | Start Date | Decision | Decision Date |
|------------------|--------------------|-------------------------------|--|---|------------|------------------|---------------|
| 21/00042/REF USL | 20/04244/FUL | Against Refusal of Permission | Land At Trefoil Terrace Budleigh Close Cambridge CB1 3BJ | Erection of a single storey bungalow together with associated external works and drainage with access via existing parking area at Trefoil terrace. | 17/06/2021 | Appeal Allowed | 06/01/2022 |
| 21/00061/NON DET | 21/00009/HFUL | Non-determined within 8 weeks | 7 Devonshire Road Cambridge CB1 2BH | Loft conversion with rear dormer | 24/11/2021 | Appeal Allowed | 03/02/2022 |
| 21/00067/REF USL | 20/04014/FUL | Against Refusal of Permission | 338 Cherry Hinton Road Cambridge CB1 8AZ | 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. | 03/12/2021 | Appeal Dismissed | 04/02/2022 |
| 21/00058/NON DET | 21/00188/FUL | Non-determined within 8 weeks | Land R/o 207 Cherry Hinton Road Cambridge CB1 7DA | Erection of a two storey dwelling, with associated amenity space, parking, bin and cycle store following demolition of garage | 09/12/2021 | Appeal Dismissed | 08/02/2022 |

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| | | | | (resubmission of application 20/0056/FUL) | | | |
| 21/00060/REF USL | 21/01841/FUL | Against Refusal of Permission | 70 Mowbray Road Cambridge CB1 7SY | Change of use of existing Annex to a separate dwellinghouse at the rear of 70 Mowbray Road. | 24/11/2021 | Appeal Dismissed | 08/02/2022 |
| 21/00055/REF USL | 21/01385/PRI 16A | Against Refusal of Permission | Land Adjacent Newmarket Road/Elizabeth Way Roundabout | Installation of 20m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works. | 24/11/2021 | Appeal Allowed | 28/02/2022 |
| 21/00073/REF USL | 20/03429/FUL | Against Refusal of Permission | 104 - 112 Hills Road Cambridge Cambridgeshire | 1) The demolition of Betjeman House, Broadcasting House, Ortona House, Francis House, and the rear multi-storey carpark to Francis House, together with existing refuse and cycle stores; to allow for construction of two new commercial buildings of five and seven storeys respectively, providing flexible B1(a), B1(b), A1, A2, A3 uses on the ground floor and Class B1(a) and B1(b) on the upper floors. 2) The | 05/10/2021 | Appeal Allowed | 21/03/2022 |

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| | | | | <p>construction of basement with mezzanine level to provide for building services, cycle parking and car parking for the proposed commercial buildings, cycle and car parking spaces for Botanic House and services for Flying Pig Public House.</p> <p>3) The refurbishment of the Flying Pig Public House at 106 Hills Road, including demolition of part single/part two storey outrigger and single storey store, alterations to elevations, construction of extension to enable level access and layout pub garden.</p> <p>4) Creation of new public realm and landscaping, incorporating segregated vehicular and cycle access from Hills Road, a new access to service areas and substations, and taxi drop off for both the</p> | | | |
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| | | | | development proposed and existing Botanic House. | | | |
| 21/00036/REF USL | 20/05311/HFUL | Against Refusal of Permission | 27 Parsonage Street Cambridge CB5 8DN | Demolition of existing single storey rear extension to end-terrace house. New two storey rear extension. New roof extension and loft conversion including rooflights. Associated refurbishment including replacement windows and new external wall insulation. | 29/12/2021 | Appeal Dismissed | 31/03/2022 |
| 22/00001/REF USL | 21/03519/HFUL | Against Refusal of Permission | 45 Cromwell Road Cambridge CB1 3EB | Single storey and two storey rear extensions and loft conversion. | 27/01/2022 | Appeal Dismissed | 06/04/2022 |
| 21/00080/REF USL | 21/02377/FUL | Against Refusal of Permission | 62 Oxford Road Cambridge CB4 3PW | New studio dwelling in the garden of 62 Oxford Road, following demolition of outbuilding, along with associated landscaping works and new boundary treatments | 21/12/2021 | Appeal Allowed | 29/04/2022 |
| 22/00039/NON DET | 20/02596/FUL | Non-determined within 8 weeks | 380 Milton Road Cambridge CB4 1SU | Subdivision of plot and construction of a single storey, three bed dwelling to the rear. | | Appeal Turned Away | 06/05/2022 |
| 21/00100/NON DET | 21/01330/FUL | Non-determined within 8 weeks | 4 Highworth Avenue Cambridge Cambridges | Conversion and extensions to provide 9 | 23/02/2022 | Appeal Dismissed | 10/05/2022 |

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| | | | hire CB4 2BG | No. flats (Use Class C3) along with access, cycle parking and associated infrastructure | | | |
| 21/00066/CON DIT | 20/02504/S73 | Against condition(s) on permission | The Varsity Hotel And Spa 24 Thompsons Lane Cambridge CB5 8AQ | Removal of condition 2 (vehicle parking) of planning permission 08/1610/FU L | 08/02/20 22 | Appeal Allowed | 25/05/20 22 |
| 22/00505/REF USL | 21/05452/HFU L | Against Refusal of Permission | 3 Anglers Way Cambridge Cambridges hire CB4 1TZ | Two storey side extension and single storey rear extension | 28/04/20 22 | Appeal Dismissed | 13/06/20 22 |
| 21/00083/REF USL | 21/01386/PRI 16A | Against Refusal of Permission | Wulfstan Way Cambridge Cambridges hire | Installation of 15m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works. | 10/02/20 22 | Appeal Allowed | 24/06/20 22 |
| 22/00020/REF USL | 21/02800/HFU L | Against Refusal of Permission | 135 Perse Way Cambridge CB4 3SB | Removal of detached garage and the construction of a two storey, part single storey side and rear extension | 25/02/20 22 | Appeal Dismissed | 25/06/20 22 |
| 22/00030/REF USL | 21/05543/HFU L | Against Refusal of Permission | 73 River Lane Cambridge CB5 8HP | Demolition of existing single storey structures at rear of house. Constructio n of new single storey rear extension and new loft extension. | 31/03/20 22 | Appeal Dismissed | 25/06/20 22 |
| 22/00332/REF USL | 22/00177/HFU L | Against Refusal of | 52 Verulam Way | First floor rear extension | 19/04/20 22 | Appeal Dismissed | 25/06/20 22 |

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| | | Permissio n | Cambridge CB4 2HN | | | | |
| 21/00051/ENF NOT | | Appeal against enforcem ent notice | 30 Maids Causeway Cambridge Cambridges hire CB5 8DD | Without planning permission, the alleged breach of condition 2 of not building in accordance with approved plans relating to planning permission ref: 19/1682/FU L | 06/08/20 21 | Appeal Dismiss ed | 27/06/20 22 |
| 22/00530/REF USL | 20/04314/HFU L | Against Refusal of Permissio n | 17 Brookfields Cambridge CB1 3NW | Single storey rear infill extension (following part demolition of existing). Rear roof extension including two dormer windows and 3 rooflights to front elevation. Single storey ground floor rear extension partly replacing the existing. Roof conversion with extensions. | 20/05/20 22 | Appeal Allowed | 30/06/20 22 |
| 22/00529/REF USL | 22/00180/HFU L | Against Refusal of Permissio n | 26 Norwich Street Cambridge CB2 1NE | Loft conversion with rear dormers and roof lights to the front elevation | 12/05/20 22 | Appeal Dismiss ed | 30/06/20 22 |
| 22/00543/REF USL | 22/00263/HFU L | Against Refusal of Permissio n | 18 Neath Farm Court Cambridge CB1 3EX | Single storey rear extension (Retrospecti ve) | 31/05/20 22 | Appeal Allowed | 07/07/20 22 |

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| 22/00541/REF USL | 21/05088/HFUL | Against Refusal of Permissio n | 51 Woodlark Road Cambridge CB3 0HT | First floor side extension and part double/singl e rear extensions, hip-to-gable loft conversion and new garden room. | 27/05/20 22 | Appeal Dismiss ed | 07/07/20 22 |
| 21/00106/REF USL | 21/01521/FUL | Against Refusal of Permissio n | Land Rear Of 56 - 58 Cherry Hinton Road Cambridge Cambridges hire CB1 7AQ | Erection of 7 apartments comprising 1 x 2-bed and 6 x 1- bed units, including bin and cycle storage facilities, together with reconfigurin g the pedestrian access to 56A and 58A Cherry Hinton Road and installation of a new ground floor rear wall to the retained retail unit at 56-58 Cherry Hinton Road, following demolition of existing warehouse building. | 12/04/20 22 | Appeal Dismiss ed | 07/07/20 22 |
| 21/00114/REF USL | 21/03467/FUL | Against Refusal of Permissio n | 17 - 19 Radegund Road Cambridge Cambridges hire CB1 3RH | Constructio n of 4no, 1bed flats and associated external works to rear. | 04/04/20 22 | Appeal Dismiss ed | 07/07/20 22 |
| 21/00087/REF USL | 19/1467/FUL | Against Refusal of Permissio n | 145 Perne Road Cambridge Cambridges hire CB1 3NT | Change of use of existing HMO to 4no flats, (2x 2bed, 2x 1 bed) including two storey | 19/01/20 22 | Appeal Allowed | 11/07/20 22 |

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| | | | | rear extension. New bin and bike store. | | | |
| 21/00095/REF USL | 19/1465/FUL | Against Refusal of Permission | 46 Perne Road Cambridge CB1 3RT | Change of use of existing HMO to 2no 4bed flats, including part two, part single storey rear extensions and roof extension, including the installation of two glass balustrades at first and second floors. New bin and bike store. | 19/01/2022 | Appeal Allowed | 12/07/2022 |
| 21/00110/REF USL | 21/03991/FUL | Against Refusal of Permission | Land Adjacent King Hedges Road Cambridge Cambridgeshire | Construction of 2 no. 2 bed flats with associated bin and cycle stores | 27/04/2022 | Appeal Dismissed | 13/07/2022 |
| 22/00028/REF USL | 20/05147/FUL | Against Refusal of Permission | 9 Almoners Avenue Cambridge Cambridgeshire CB1 8NZ | Erection of a single dwelling with parking and supporting infrastructure along with revised access arrangements from the highway following the demolition of the existing former garage. | 27/04/2022 | Appeal Dismissed | 19/07/2022 |
| 22/00016/REF USL | 19/1010/FUL | Against Refusal of Permission | 185-189 Newmarket Road And 1 Godesdone Road Cambridge Cambridgeshire CB5 8HA | Conversion and extensions to the existing buildings including demolition of the existing block to the | 27/04/2022 | Appeal Dismissed | 19/07/2022 |

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| | | | | rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure. | | | |
| 21/00113/REF USL | 21/01476/FUL | Against Refusal of Permissio n | 45 Highworth Avenue Cambridge Cambridges hire CB4 2BQ | Residential redevelopment comprising two detached dwellings to the rear and one detached dwelling on the site frontage along with car and cycle parking and associated infrastructure following demolition of existing buildings on site. | 27/04/20 22 | Appeal Dismiss ed | 27/07/20 22 |
| 22/00023/REF USL | 21/03439/FUL | Against Refusal of Permissio n | Land Adjacent To 22 Mill End Close Cambridge Cambridges hire CB1 9HS | Erection of 3 No. 1 bedroom duplex dwellings with associated landscaping , parking, bin and cycle storage. | 20/04/20 22 | Appeal Allowed | 28/07/20 22 |
| 22/00547/REF USL | 21/03966/HFUL | Against Refusal of Permissio n | 41 Highworth Avenue Cambridge CB4 2BQ | Demolition of existing rear extension and erection of part single storey, part | 10/06/20 22 | Appeal Dismiss ed | 06/09/20 22 |

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| | | | | two storey rear and side extensions, including new insulated render to front and sides and solar panels to rear roof | | | |
| 20/00189/REF USL | 19/0221/FUL | Against Refusal of Permissio n | 106 Wulfstan Way Cambridge Cambridges hire CB1 8QJ | Erection of a single storey dwelling to rear with associated parking and dropped kerb off Hulatt Road. | 28/07/20 21 | Appeal Dismiss ed | 27/09/20 22 |
| 22/00532/REF USL | 20/02172/FUL | Against Refusal of Permissio n | Land At 11 Queen Ediths Way Cambridge Cambridges hire | The erection of new buildings to provide 40 serviced apartments (sui generis) together with hard and soft landscaping , basement car parking spaces and associated infrastructur e and works | 16/05/20 22 | Appeal Allowed | 27/09/20 22 |
| 22/00027/REF USL | 21/05016/FUL | Against Refusal of Permissio n | 25A Bishops Road Cambridge CB2 9NQ | Erection of a detached two- bedroom dwelling following demolition of the existing garage, retention of existing dwelling with new access from Bishops Road, and associated works at 25a Bishops Road. | 13/06/20 22 | Appeal Dismiss ed | 07/10/20 22 |
| 22/00536/REF USL | 21/04190/FUL | Against Refusal of Permissio n | Land Adjacent To 25 Rawlyn Road | Erection of 3 dwellings along with off street | 02/08/20 22 | Appeal Dismiss ed | 12/10/20 22 |

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| | | | Cambridge Cambridges hire CB5 8NL | parking, private amenity space, cycle parking/ storage and refuse storage, demolition of existing rear garage lean-to and reconfigurati on of the pavement along Stanesfield Road | | | |
| 22/00034/REF USL | 21/03155/FUL | Against Refusal of Permissio n | 72 High Street Cherry Hinton Cambridge CB1 9HZ | Erection of 9no (1 and 2bed) dwellings with associated infrastructur e following demolition of existing dwelling | 05/07/20 22 | Appeal Dismiss ed | 09/11/20 22 |
| 22/00537/REF USL | 21/03304/FUL | Against Refusal of Permissio n | 108 Suez Road Cambridge CB1 3QD | Retention of existing dwelling, erection of 1no. linked 2 bedroom dwelling and 1no. 1 bedroom detached dwelling, along with a new parking bay accessed from Suez Road and associated works | 02/08/20 22 | Appeal Dismiss ed | 09/11/20 22 |