



## Cambridge City Council Planning

**Date:** Tuesday, 7 February 2023

**Time:** 10.00 am

**Venue:** Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ [access the building via Peashill entrance]

**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 will consider the following order:

- Minor/Other Planning Applications

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  
To follow

### Minor/Other Planning Applications

- |   |  |                  |
|---|--|------------------|
| 5 | 22-03076-FUL Edeva Court - 10am                    | (Pages 7 - 38)   |
| 6 | 22-02936-FUL 208-208a Cherry Hinton Rd - 11am      | (Pages 39 - 58)  |
| 7 | 22-01971-FUL 346 Milton Road - 11:45am             | (Pages 59 - 76)  |
| 8 | 22-04705-FUL Clare College Sports Ground - 12:30pm | (Pages 77 - 108) |

9	22-03811-FUL Kings College Chapel - 1:15pm	(Pages 109 - 132)
10	22-03861-S73 1 Mere Way - 2pm	(Pages 133 - 158)

**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

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- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
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# Appendix 1 – Planning Policies and Guidance

(Updated September 2020)

## 1.0 Central Government Advice

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

1.2 Planning Practice Guidance (NPPG)

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

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

### *Planning Obligations*

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

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

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

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

## 2.0 Development Plans

2.1 The Cambridgeshire and Peterborough Minerals and Waste Plan 2011

2.2 Cambridge Local Plan 2018

### 3.0 Supplementary Planning Documents

3.1 Sustainable Design and Construction 2020

3.2 Cambridge Flood and Water 2018

3.3 Affordable Housing 2008

3.4 Planning Obligations Strategy 2004

#### *Development Frameworks and Briefs*

3.5 The New Museums Site Development Framework (March 2016)

3.6 Ridgeons site Planning and Development Brief (July 2016)

3.7 Mitcham's Corner Development Framework (January 2017)

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

3.9 Land North of Cherry Hinton (February 2018)

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

### 4.0 Use Classes

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

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

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# Agenda Item 5



<b>Planning Committee Date</b>	7 February 2023
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/03076/FUL
<b>Site</b>	Edeva Court, Cambridge, CB1 8AF
<b>Ward / Parish</b>	Queen Ediths
<b>Proposal</b>	Construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.
<b>Applicant</b>	Avon Ground Rent
<b>Presenting Officer</b>	Charlotte Spencer
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Principle of development</li><li>2. Character and appearance of the area</li><li>3. Highway Safety</li><li>4. Parking Provision</li><li>5. Residential Amenity</li><li>6. Fire Safety</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.
- 1.2 The proposal respects the character and appearance of the street scene, surrounding area.
- 1.3 The proposal does not adversely impact the residential amenity of neighbouring properties and provides adequate living conditions for future occupiers.
- 1.4 The proposal would not have a detrimental impact on highway safety.
- 1.5 Officers recommend that the Planning Committee APPROVE the proposal.

## 2.0 Site Description and Context

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

- 2.1 The application relates to a site located to the east of Wulfstan Way. To the front of the site lies the Queen Edith Public House and to the rear lies Edeva Court, which is a three storey block of 12 self contained flats. To the north of the site lies Dunstan Court which is a retirement housing complex and a small block of shops with flats above. To the south lies the rear gardens of Nos.61-71 (odds) Queen Ediths Way. To the west lies the playing fields of Queen Edith Community Primary School which is a Protected Open Space.

## 3.0 The Proposal

- 3.1 The application is seeking planning permission for the construction of a single storey extension at roof level comprising 3 no. self-contained



residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.

- 3.2 The additional floor would have a width of 16.8 metres, set in from the existing flank walls by 3.1 metres and span for a maximum depth of 15.6 metres. The extension will add an additional height of 2.8 metres resulting in an overall height of 12.4 metres. The new floor would clad in grey zinc.
- 3.3 One new car parking space would be provided within the existing parking area and the gates would be reduced to a width of 3.75 metres to allow this. A new bike store would be provided adjacent to the waste store and a Sheffield stand for visitors along the southern boundary.
- 3.4 The application has been amended to address representations and issues that were highlighted in the Development Control Forum. The width of the gates have been increased in size and there have been alterations to the bike store. One of the flats has been reconfigured to reduce the number of bedrooms, and the amount of green roof has been increased in size. Further consultations have been carried out as appropriate.

#### 4.0 Relevant Site History

Reference	Description	Outcome
12/1616/FUL	Demolition of existing public house building and replacement with new public house including ancillary one bedroom manager's apartment (Use Class A4) and single two bedroom residential apartment (Use Class C3) above, and a separate block of 12 two-bedroom residential apartments (Use Class C3), with associated access, car parking and landscaping.	PERM 18.09.2013
14/1558/FUL	Installation of electric gates at entrance to apartment's car park & updated hard & soft landscaping proposals to the residential developments	PERM 04.12.2014

- 4.1 Edeva Court was built following planning permission 12/1616/FUL and the existing gates were later approved under 14/1558/FUL.
- 4.2 Pre-application advice was sought by the applicant to create an additional floor. Officers considered that the application was acceptable in principle and would provide an acceptable standard of living for future occupiers. However, there was concern with the visual impact, impact on residential amenity by reason of loss of privacy and parking layout.

## **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)

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 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 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

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 70: Protection of priority species and habitats

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

### **5.3 Neighbourhood Plan**

N/A

### **5.4 Supplementary Planning Documents**

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

## **6.0 Consultations**

### **6.1 County Highways Development Management – No objection**

6.2 Comment Date 28.11.2022:

The amended documents do not change the Highways Authority's comments.

6.3 Comment Date 15.08.2022:

The proposal is for three additional units but only one additional parking space. The surrounding roads provide uncontrolled parking and so the development may impose additional parking demands upon the on-street parking on surrounding streets. However, this is unlikely to result in any significant adverse impact upon highway safety.

### **6.4 Sustainable Drainage Officer – No objection**

6.5 Comment Date 24.11.2022

Original drainage comments are still valid

6.6 Comment Date 16.08.2022

The development is acceptable subject to condition requesting a scheme for the disposals of surface water and foul water.

### **6.7 Environmental Health – No Objection**

6.8 Comments 09.11.2022

The submitted CEMP recommends restrictive working hours to protect amenity/ quality of life of the neighbouring properties. It includes noise monitoring and set locations near sensitive receptors and a complaint procedure. It provides mitigation methods to be employed to control dust/mud. A compliance condition is recommended to ensure these mitigations are fully implemented.

6.9 Comments 11.08.2022

The original application contained a noise assessment which concluded that a noise insulation scheme would be required at the residential flats to ensure adequate glazing and alternative ventilation to open windows were installed to protect occupiers from commercial noise from the public house. A noise insulation condition is recommended again.

6.10 Recommend plant noise condition and informatives as the design and access statement refers to Air Source Heat Pumps.

6.11 Where there is communal parking, there is a requirement for at least one slow EV charging point per two dwellings. Therefore, this development requires 6. This can be secured by condition.

**6.12 Fire Authority – No objection**

6.13 Adequate provision be made for fire hydrants by way of Section 106 or planning condition.

**6.14 Development Control Forum of 25<sup>th</sup> October 2022**

6.15 During the Development Control Forum, issues were raised regarding fire safety and these have been noted by the applicants. Applicants confirmed that a Construction Environmental Management Plan would be submitted to overcome concerns raised in regards to construction works. The possibility of providing a lift was discussed. The petitioners put forward a revised design which the applicant stated they would consider. The applicant also stated they would look at amending the width of the gate.

6.16 A copy of the review letter is attached in full at appendix A.

**7.0 Third Party Representations**

7.1 Two individual representations and a letter from GSC Solicitors on behalf of Edeva Court Residents have been received following the submission of the amendments.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment
- Lack of affordable housing
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Construction impacts
- Car parking and parking stress
- External amenity space
- Free hold/lease hold issues

7.3 Fifteen individual representations and a letter from GSC Solicitors on behalf of Edeva Court Residents have been received following the submission of the original application.

7.4 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment
- Lack of affordable housing
- Residential amenity impact (privacy, noise and disturbance)
- Construction impacts

- Car parking and parking stress
- External amenity space
- Free hold/lease hold issues
- Fire risks
- Lack of a lift
- Services
- Timeframe for comments
- Lack of consultation from the applicant

## **8.0 Assessment**

### **8.1 Principle of Development**

8.2 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.

8.3 The principle of the development is acceptable and in accordance with Policies 1 and 3 of the Cambridge Local Plan (2018)

### **8.4 Housing Provision**

8.5 Policy 45 of the Cambridge Local Plan requires residential development of 15 units or more to provide a minimum of 40% of affordable housing. Objections have been received regarding the lack of affordable houses, however, although following development, the proposal would result in 15 flats within Edeva Court, the proposal is only seeking permission for 3 and it would not be reasonable to retrospectively apply this policy to the existing units. As such, Policy 45 is not relevant for this application.

### **8.6 Design, Layout, Scale and Landscaping**

8.7 Policies 55, 56, 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.

8.8 Edeva Court is a modern, brick, flat roofed building that has a simple design that gives the appearance of both horizontal and vertical symmetry. Due to the large set back from the road it currently does not visually dominate the two storey buildings of the pub and shops and it is currently lower than the adjacent two and a half storey Dunstan Court.

8.9 The extension would be clad in zinc which is considered would successfully contrast with the existing brick whilst creating a visually lighter component. The design of the extension would follow that of the existing

front elevation. It would be set in from the side walls and coupled with the zinc material it is considered that the proposal would not result in a top heavy appearance and the horizontal and vertical symmetry which is a characteristic of the existing building would be retained.

- 8.10 Edeva Court is set significantly back from Wulfstan Way and whilst there are views of the building beyond the row of shops and the Queen Edith Pub, the building is not the most dominant within the existing street scene. The proposed third floor would raise the maximum height of the roof by 2.8 metres and would bring the maximum height of Edeva Court to slightly above that of the nearby Dunstan Court. It is considered that the step in and use of visually lighter materials in conjunction with the limited additional height, the proposal would not result in an overly tall structure that would dominate the existing street scene.
- 8.11 Overall, it is considered that the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Policies 55, 56, 58 and 59 of the Cambridge Local Plan (2018).

#### **8.12 Biodiversity**

- 8.13 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.
- 8.14 The proposal would be built a top of an existing building and the plans demonstrate a green roof. As such, it is considered that it would not result in a loss of ecology. As such, the proposal is compliant with Policies 57, 69 and 70 of the Cambridge Local Plan (2018).

#### **8.15 Water Management and Flood Risk**

- 8.16 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.
- 8.17 The site is in Flood Zone 1 and is therefore considered at Low risk of flooding. The Council's Sustainable Drainage Engineer has advised that a Scheme for Surface Water and Foul Water be submitted which can be dealt with by way of condition. However, as the footprint of the building would not be increase and the overall small scale nature of the site in conjunction with the building regulations requirements it is considered unreasonable to add this condition.

8.18 Policy 31 part f states that any flat roof is a green or brown roof. The plans demonstrate that there would be a green roof where solar panels are not located. This is acceptable and a condition can be added to ensure that this is installed.

### **8.19 Highway Safety and Transport Impacts**

8.20 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.

8.21 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.

8.22 The application is supported by a Transport Technical Note has been submitted. The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority. Whilst the Highways Authority note that it may result in additional demand for on street parking, this would unlikely result in an unacceptable risk for Highway Safety and as such have not raised a formal objection nor requested any conditions.

8.23 The width of the access gates would be reduced. However, following amendments, the gates now allow sufficient space for emergency vehicles and refuse vehicles to enter the site. As the gates do not lead directly onto the public highway the reduction in width would not result in a detrimental impact on highway safety.

8.24 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

### **8.25 Cycle and Car Parking Provision**

8.26 Cycle Parking

8.27 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.

- 8.28 A new lockable bike store would be installed adjacent to the existing car park. The store would allow for 6 cycles to be stored in semi-vertical stands which complies with the requirements within appendix L. Whilst no elevations of the store have been submitted, it is considered that this can be dealt with by way of condition.
- 8.29 Car parking
- 8.30 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms. 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.
- 8.31 The proposal creates one additional parking space for the three 2-bed flats. The standards for this size of dwellings is a maximum standard and so the proposal does comply with appendix L. Concerns have been raised regarding the low parking provision and whilst it is noted that it could lead to on-street parking demand, the Highways Authority have confirmed that this would not impact upon highway safety. Edeva Court lies within the Wulfstan Way neighbourhood centre and is in close proximity to shops including small convenience stores, pharmacy, takeaways and a public house and it is in close proximity to a doctors surgery. There are bus routes along Wulfstan Way and Queen Ediths Way and the site is within cycling distance to the city centre. Subsequently, it is considered that the provision of only one parking space in this location is acceptable.
- 8.32 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 8.33 The Environmental Health Officer has requested that 6 EV charging points be installed. However, all but one of the parking spaces are existing and so it would be considered unreasonable to request this level of provision retrospectively. However, it would be reasonable to add a condition ensuring that the new parking space allows for EV charging with an informative recommending that the applicant considers upgrading the other spaces with passive provision as a minimum.
- 8.34 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.



### **8.35 Amenity**

8.36 Policy 35, 36, 50, 52 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

### **8.37 Neighbouring Properties**

8.38 Due to the separation distance from the dwellings along Queen Ediths Way in conjunction with the proposed set in from the side elevation it is considered that the additional floor would have an acceptable level of impact on the residential amenities of these dwellings in terms of loss of light, loss of outlook or sense of dominance.

8.39 There are 4 side windows on Dunstan Court facing Edeva Court at first and second floor level. However, due to the set in from the existing building it is considered that the additional floor would not result in any further impact on these windows.

8.40 In terms of privacy, it is considered that some of the proposed balconies could result in overlooking to the private garden areas of the residential dwellings along Queen Ediths Way. In addition, due to the positioning of the rear balconies, it is considered they could result in overlooking to the existing balconies to the floors below. However, with suitable screening then it is considered that this could be overcome and it is considered that this can be dealt with by way of condition. Three side windows would be installed facing Queen Ediths Way. A condition can be added to ensure that these windows are obscurely glazed with limited opening. Whilst two of these windows would act as secondary windows, it is noted that the middle window would be the only window serving the single bedroom of Flat 15. Whilst this is not ideal, as it is considered that the room would mainly be used for sleeping, it would be unreasonable to refuse the application for this reason alone.

8.41 There have been many concerns raised with the impact on construction works on the existing flats in terms of noise and disturbance and this is noted. The applicant has submitted a Construction Environmental Management Plan which has been reviewed by the Council's Environmental Health Officer who has raised no objections to the proposed mitigation and has recommended a compliance condition which is reasonable. Whilst Officers understand the concerns of the existing residents as construction works are temporary it is difficult to refuse any application for this reason alone.

### **8.42 Future Occupants**

- 8.43 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).
- 8.44 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
13	2	4	1	70	86.2	+16.2
14	1	2	1	50	50.6	+0.6
15	2	3	1	61	63.2	+2.2

- 8.45 The proposal complies with the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 8.46 Garden Size(s)
- 8.47 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.
- 8.48 Balconies would be provided for each of the proposed units with the single bed unit having a 5 square metre balcony, the 2-bed, 3-person having access to a 7.52 square metre balcony and the 2-bed, 4-person unit having two balconies totally 12.2 square metres. Concerns have been raised regarding the provision of amenity space and it is noted that paragraph 6.35 of the Local Plan states that dwellings within more than one bedroom would need to take space for children to play into account. Officers acknowledge that the proposed balconies would not provide safe and useable play space. However, all of the existing units within Edeva Court are two bed units and those on the first and second floors only benefit from balconies. In addition, it is noted that the Nightingale Recreation Ground is within walking distance of Edeva Court. As such, whilst it is not ideal, on balance it is considered that the proposed amenity space is acceptable in this instance.
- 8.49 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met. Concerns have been raised regarding the lack of a lift. While this is a policy requirement, the proposal is an extension to an existing building and the proposed units would not be housed completely within a new building envelope. Therefore, it is not practicable to require part M4(2) compliance in this instance. In addition, although Building Control have not responded to a consultee request the applicant has confirmed that following discussions with them they have confirmed that they do not require a lift.

8.50 Summary

8.51 Subsequently, it is considered that subject to the imposition of conditions, 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, 36, 50, 51, 52, and 58.

**8.52 Fire Safety**

8.53 Concerns have been raised in regards to the increased risk of fire and reduced fire safety by neighbouring properties. As the building following development would not exceed 18 metres in height or 7 storeys there is not a requirement for a fire statement to be submitted as part of the planning process. The Fire Authority have been consulted and they have not raised any objections subject to a condition being added for the provision of fire hydrants which is considered reasonable.

**8.54 Third Party Representations**

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

<b>Third Party Comment</b>	<b>Officer Response</b>
Character, appearance and scale	Considered in paragraphs 8.6-8.11
Affordable housing	Considered in paragraph 8.5
Residential Amenity	Considered in paragraphs 8.37-8.40
Construction Impacts	Considered in paragraph 8.41
Parking	Considered in paragraphs 8.29-8.34
Amenity Space	Considered in paragraph 8.48
Fire risk	Considered in paragraph 8.53
Lift	Considered in paragraph 8.49
Building control	Concerns have been raised regarding the building works. A planning permission does not override the requirement for Building Regulations to be obtained which help ensure works are safe, structurally sound, water and fire protected.
Freehold/Lease hold issues	This is a civil matter between different owners in which the local planning authority has not role.
Lack of Consultation from Applicant	Whilst it is highly recommended that applicants consult with local residents prior to a planning application this is not a requirement.

Timeframe for Comments	The application was received on 6 <sup>th</sup> July 2022, due to delays in validation the neighbours were consulted on 25 <sup>th</sup> July 2022 who were given 3 weeks to respond. A site notice was also displayed on the 4 <sup>th</sup> August which expired on 25 <sup>th</sup> August 2022. The Local Planning Authority met the national requirements for consultation. Following the receipt of amendments a full re-consultation was sent out on 8 <sup>th</sup> November 2022 which expired on 29 <sup>th</sup> November.
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## 8.56 Planning Balance

8.57 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).

8.58 Summary of harm

8.59 The proposal would change the appearance of the existing building and would have temporary impacts on the existing residents of Edeva Court. However, these have been considered to be limited levels of harm.

8.60 Summary of benefits

8.61 The proposal would result in a net gain of 3 dwellings which would contribute to the housing market. These are smaller dwellings which would be considered more affordable than other larger properties within the area.

8.62 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.

## 8.63 Recommendation

8.64 **Approve** subject to:

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

## 9.0 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 construction methodology, proposed mitigation and monitoring as specified within the Union4 Planning "Draft Construction and Environmental Management Plan" dated November 2022 (Rev 01) shall be fully implemented.

Reason: Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 35 and 36).

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

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

5. 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).

6. Prior to the commencement of development, a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the residential units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

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

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

7. No permanent connection to the electricity distribution network shall be undertaken until a residential dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate:

(i) Dedicated active slow electric vehicle charge points with a minimum power rating output of 7kW to serve the proposed parking space.

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

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

8. No development above ground level shall commence until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure an adequate water supply is available for emergency use.

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

- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;
- iii) Identification of the existing habitats and their condition on-site and within receptor site(s);

- iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

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

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

10. 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](http://green-roofs.co.uk)

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

provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

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

12. The development shall not be occupied until a scheme for the screening of the balconies has been submitted to, and approved in writing by the Local Planning Authority. The balconies shall be constructed in full accordance with the approved details and shall be retained as such.

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

13. The roof area of the 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).

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

a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and

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

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

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

15. No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local



planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

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

### Informatives

1. To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014+A1:2019) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background sound level (LA90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

If noise sensitive premises are located within the site boundary, then the glazing of the premises and/or amenity areas will also be a location for the rating level of all plant not to exceed the existing background sound level (LA90).

Tonal/impulsive sounds and other sound characteristics should be eliminated or at least considered in any assessment and should carry an additional correction (rating penalty) in accordance with BS4142:2014+A1:2019. This is to prevent unreasonable disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the application boundary having regard to neighbouring premises.

Whilst our requirements are for the rating level not to exceed the background sound level at the application site boundary, if the plant is roof mounted and nearby noise sensitive receivers are in closer proximity than the site boundary and / or the site boundary is afforded shielding from the application building parapet, the nearest noise sensitive receiver would be the required assessment location.

It is important to note that a full BS4142:2014+A1:2019 assessment is not required, only certain aspects to be incorporated into an acoustic assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; sound sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, frequency spectrums, directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full acoustic calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

2. The applicant is advised to allow for additional passive electric vehicle charge provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for all remaining residential car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required.
3. Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

**DEVELOPMENT CONTROL FORUM**

25 October 2022

10.00 - 11.45 am

**Present**

**Planning Committee Members:** Councillors Bennett, Gawthrope Wood, Howard, Smart and Thornburrow

**Ward Councillor:** Davies

**Officers:**

Interim Delivery Manager and s106: Phil McIntosh

Senior Planning Officer: Charlotte Spencer

Committee Manager: Sarah Steed

Meeting Producer: Chris Connor

**For Applicant:**

Al Hannify (Agent)

Stephanie Brooks (Architect)

**For Petitioners:**

Philip Kratz

Janet Grimwood

Residents of Edeva Court

**FOR THE INFORMATION OF THE COUNCIL****22/13/DCF Opening Remarks by Chair**

The Chair outlined the role and purpose of the Development Control Forum. They stated no decisions would be taken at the meeting.

**22/14/DCF Apologies**

Apologies were noted from Councillors Collis and Porrer.

**22/15/DCF Declarations of Interest**

No declarations were made.

**22/16/DCF Application and Petition Details (Ref 22/03076/FUL/ Edeva Court, Cambridge CB1 8AF)**

Application No: 22/03076/FUL  
Site Address: Edeva Court, Cambridge CB1 8AF  
Description: Construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.  
Applicant: Avon Ground Rent Ltd  
Agent: Ms Tanya Kozak  
Address: 30 Stamford Street London SE1 9LQ  
Lead Petitioner: Residents of Edeva Court  
Case Officer: Charlotte Spencer

**Text of Petition:**

We would like to discuss this application and issues we have regarding the submission and communication between the Freeholder and the Leaseholders/Tenants and Neighbours.

Consultation: the Freeholder did not consult or discuss their planned application. We would like the opportunity to put forward our concerns and suggestions.

Additionally, there's not been enough time during the peak holiday month to organise a response that potentially could turn the lives of people living at Edeva Court up side down.

This is a far bigger issue than just the residents of Edeva Court, it is likely to impact many hundred if not thousands of Cambridge residents unless a clear policy is made regarding the circumstances that a residential (or commercial building) can be developed.

1. Noise and disturbance impact survey: This will cover but not be limited to Construction taking place on and within the building, cranes/delivery trucks and storage of materials, security of the building and airborne dust/building materials. We request any decision requires an impact survey and that the applicant provides a fully costed and evidence supported plan to ensure that the occupants peacefully enjoyment is preserved.

Noise levels should be binding by current guidelines.

The survey should include the impact of the proposed construction of 3 flats on the people living in them.

2. Additional parking spaces: only one space has been allocated for the additional flats. To limit construction of any additional flats to the number of new parking spaces without narrowing the gate which is required for large removal vehicles etc. The current 12 spaces are numbered and allocated. Adding one extra space for 3 flats is designing conflict into the community.

To ensure construction vehicles do not adversely effect patrons visiting the pub and people living in Edeva Court. Additionally that once the work is completed there will be no long term negative impact on local parking facility especially in regard to the GP surgery, Pharmacy, local pub and residential care home.

3. To install a lift to bring it in line with other similar developments constructed in Cambridge at the time Edeva Court was built and to bring it in line with the equality act 2010.
4. To improve the current design of the proposed construction so that any additional flat do not cause a loss of privacy or light to the surrounding buildings
5. The building was designed and built as low rise housing: changing this to a 4 story build changes the specification of the services and requirements of the building.

The application to include fully specified upgrade to the current fire prevention systems and ones that ensure that the building does not put at risk the residents at the nearby older peoples' residential home.

6. Internal changes to the building due to the increase in living units to include:
  - Insulation of internal soil pipes.
  - Fire doors to be on automatic release system on the ground floor emergency access.
  - Increase in space and racks for additional bicycles.
7. To limit the working day to no more than 9 to 4 if the flats are occupied. And limit truck movements and access to enable young families to safely enter and exit Edeva Court during the day. To ensure that no works vehicles use the parking outside the GP's surgery or Pharmacy and to discuss with the Queen Edith Pubs landlord how to ensure that vehicles do not negatively impact the pubs business.
8. Loss of green roof: the original planning consent specifically included a green roof which is not part of the new construction.

## Case by Applicant

- 1) The site was off Wulfstan Way. The proposal was to extend the building above the existing building using materials similar to what was already there. The increased height of the building would still be lower than neighbouring trees.
- 2) Three flats were proposed, comprising a 1 bed, a 2 bed and a 3 bed, each with their own private amenity space.
- 3) Responses to concerns raised by the Petitioners:
  - a. Noise and disturbance - the Applicant would be required to produce a Construction and Environmental Management Plan which would cover issues such as noise, dust, wheel washing and time frames for deliveries.
  - b. Parking spaces - the Applicant stated that the proposals were developed with the climate emergency in mind and a shift towards sustainable modes of transport. The Parking Strategy had been informed by a parking survey carried out by a Highways Consultant. The survey identified that there was parking available within 200m of the site, this was why only one extra parking space was proposed.
  - c. Width of the entrance gate - it was confirmed that the width of the gate was wide enough for an emergency vehicle and Building Control had advised that the width of the entrance should be 3.7m wide, which the Applicant agreed to.
  - d. Provision of a lift - the Applicant advised that a lift could not be provided within the existing building without impinging on someone's flat. If a lift was provided this would need to be located at the front or the side of the building. Building Control had advised that a lift was not required.
  - e. Privacy - the Applicant stated that no windows were proposed on the north side. The City Council's Design Code stated that a 20m window to window separation distance was sufficient to secure privacy. The Applicant stated that they were happy for the secondary windows to be frosted. Two small balconies proposed, which could have frosted glass.
  - f. Impact on daylight and sunlight - the Applicant advised that a daylight / sunlight assessment had been undertaken and none of

- the 21 windows tested were classed as unacceptable under the BRE guidelines.
- g. Impact of the additional floor on fire prevention - the Applicant advised that a fire consultant would be appointed at the detailed design stage. The building height would not exceed 11m, therefore the Building Regulations categorised it as 'low rise' so it was under the Tall Building threshold.
  - h. Internal soil pipes – noise arising from soil pipes were the responsibility of building management, but the development would assist where it could.
  - i. Cycle parking - six new secure bike parking spaces would be created near the entrance and a Sheffield stand would be provided for visitors.
  - j. Construction hours were usually between 8am-4pm and it was noted that the Petitioners had requested 9am-4pm, the Applicant was happy to negotiate the construction hours.
  - k. Proposals included the reinstatement of the green roof.

### **Case by Petitioners**

- 4) Noted a change in legislation which came into effect in August 2020 which included new permitted development rights for upward extensions. Noted the site was within the protected zone of Cambridge airfield which meant that permitted development rights weren't available.
- 5) Local Plan policy 51 dealt with accessible homes, the policy was trail blazing to ensure that homes were built to M42 standard. Flats built on top of the existing scheme would not meet accessibility standards.
- 6) Local Plan policy 52 – dealt with the sub division of existing dwellings – pointed to sufficient provision of amenity space.
- 7) Local Plan policy 55 – the development should respond to context.
- 8) Local Plan policy 56 required creating successful spaces, the application did not meet this policy.
- 9) Local Plan policy 58 required proposals to reflect or successfully contrast with the existing building form and be sympathetic to the area. The height, scale and massing of the proposals had a permanent adverse impact on the suburban character of the area.
- 10) The provision of one parking space for potentially ten new residents was not sufficient.

- 11) The plans showed poor quality and inadequate private external amenity space.
- 12) The proposals would have an intolerable impact on residents and give rise to an unacceptable level of harm.
- 13) Felt fire safety questions had not been answered. They were speaking as a qualified Tall Building Fire Safety expert.
- 14) Edeva Court was currently built with a steel frame and concrete structure, in a fire the flames would be contained within the structure.
- 15) The Health and Safety Executive advised that the industry needed to stop thinking that fire safety was dealt with at the building regulation stage, fire safety consideration began at the planning stage.
- 16) Modular construction was proposed which would be pre-made and shipped in. This would cut down construction on site, but the structure would be constructed with combustible materials and put on top of the existing building's roof. Experts advised this type of construction would be the new cladding crisis.
- 17) Referred to examples of fires in modular constructed buildings which had passed building regulation checks.
- 18) Felt fire safety considerations should come first at the planning stage.
- 19) Requested the original construction method be used.
- 20) Noted that the first residents heard of the development proposals was when the fire alarm went off and they found people measuring up the building.
- 21) Felt a lift should be added at the back of the building.
- 22) Leaseholders did not want to live in a construction site for 6 months, they would need to move out.
- 23) The building had been poorly built and maintained and a new management agent had been appointed in January 2022.
- 24) Residents were concerned how noise / dust etc would be managed appropriately.
- 25) Felt access and parking was limited. Whilst there were periods where parking requirements were low, there were also times when there were high pressures on parking as there was a doctor's surgery and pharmacy close by.
- 26) Was happy with the building they bought and did not expect something to be built on top of their building. Wanted the building to meet fire safety standards.



**Case Officer's Comments:**

- 27) The planning application was received on 6 July 2022. Neighbours and consultees were notified of the application on 25 July. A site notice advertising the application was displayed on 4 August.
- 28) Representations had been received from 15 neighbouring properties. In addition, a letter from GSC Solicitors had been sent in on behalf of existing residents of Edeva Court.
- 29) The main objections are summarised as:
- a. Height, scale and massing;
  - b. Detailed design including materials;
  - c. Insufficient parking;
  - d. Inadequate cycle parking and refuse facilities;
  - e. Inadequate private amenity space;
  - f. Impact on the living conditions of existing residents and highway safety during construction works;
  - g. Impact on residential amenity due to loss of privacy;
  - h. Lack of a lift;
  - i. Fire risks;
  - j. Structural concerns;
  - k. Lack of consultation prior to submission.
- 30) A petition requesting the Development Control Forum with 34 signatures was received on 22 August.
- 31) The following consultation responses have been received:
- a. County Highways Development Management - The proposal was for three additional residential units with one additional off street car parking space. The streets in the vicinity provided uncontrolled parking and as there is no effective means to prevent residents owning a car this demand is likely to appear on-street in competition with existing residential units. The development may therefore impose additional parking demands upon 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.
  - b. Sustainable Drainage Officer - The proposals have not indicated a detailed surface water or foul water drainage scheme however, as

this is a minor development and there are no known flood risk issues, it would be acceptable to obtain this information by way of conditions. The proposals of green roof are welcomed and should be detailed in condition.

- c. Environmental Health Officer - Development is acceptable subject to the imposition of the following conditions: plant noise insulation, construction / demolition hours, demolition/ construction collections/deliveries, noise insulation scheme, EV charging.

32) Relevant site history:

- a. 12/1616/FUL - Demolition of existing public house building and replacement with new public house including ancillary one bedroom managers apartment and single two bedroom resident apartment above and a separate block of 12 two-bed residential apartments with associated access, car parking and landscaping. The application was approved on the 18.9.2013.
- b. 14/1558/FUL – Installation of electric gates at the entrance to apartment's car park and updated hard and soft landscaping proposals to the residential apartments. Approved 4.12.2014.
- c. Pre-application advise was sought by the Applicant in 2021 for the current application.

### **Case by Ward Councillors**

Councillor Davies spoke as a Ward Councillor on behalf of local residents.

- 33) Felt the Applicant had not communicated well with residents regarding their plans for the site.
- 34) Expressed concerns around compliance with planning conditions.
- 35) Questioned the reliability of the results of the parking survey undertaken in May 2021 as noted that most of the appointments undertaken at the Biomedical Campus in May 2021 were being undertaken offsite.
- 36) Edeva Court was adjacent to a doctor's surgery and pharmacy which generated high parking demand.
- 37) Queried who would live in the proposed units and thought it was likely to be occupied as a house share, therefore assumptions regarding the number of cars may not be correct.
- 38) Expressed concern that the Local Plan did not cover this type of development.
- 39) Felt the Petitioners had come forward with a compromise position and engaged constructively with the discussion.

**Responses to Members' Questions:**

- 40) The case officer advised that the Applicant / Agent could be asked to provide further information upfront to address some of the concerns raised at the Forum but it would be up to the Applicant / Agent to provide it as the information would usually be secured by a planning condition (for example draft Construction Management Plan).
- 41) The Case Officer advised that the Airport Safety Directive issue needed to be looked into further in terms of permitted development rights for upward extensions to blocks of flats.
- 42) The Case Officer confirmed that the parking survey was undertaken in May 2021 and that guidance would be taken from the Highways Authority as to whether this period was appropriate.
- 43) The Agent advised that amenity spaces in the form of balconies were proposed but that no dedicated children play space was proposed and that no space was provided currently. They also noted that a 3 bed flat provided the opportunity for a family to live in the space but did not require it.
- 44) The building currently had 12 2 x bed flats and understood the ground floor flats had access to private outdoor amenity space and then the flats above had balconies.
- 45) The planning application would be reviewed against Local Plan policies.
- 46) The Case Officer noted that fire safety was assessed through Building Regulations.
- 47) The Architect noted comments had been made about locating a lift at the back of the building but stated that there was no space for it. If a lift was installed the maintenance cost (£2000 per annum) would have to be spread across all users.
- 48) The Case Officer confirmed that there was no requirement for affordable housing as only 3 units were being proposed.

**Summing up by the Applicant's Agent**

- 49) Noted the fire safety issues and concerns which had been raised.
- 50) The proposal would be constructed from a steel frame as per the existing building and would not be a modular construction.
- 51) Mitigation of construction noise would usually be dealt with as part of the Construction and Environment Management Plan. Was happy to provide a draft Construction and Environmental Management Plan.

- 52) The parking survey was undertaken by a specialist Highways Engineer and completed in compliance with policies 53 and 82 of the Local Plan.
- 53) Noted discussions regarding a lift and stated that they had been advised a lift was not required under the Building Regulations.
- 54) The loss of privacy to surrounding properties had been considered as part of the design process.
- 55) Services and fire safety would be assessed by the Council's Building Control Team.
- 56) Six cycle parking spaces were proposed for residents and a Sheffield cycle parking stand was proposed for visitors.
- 57) Would explore the brick faced façade proposed by the Petitioners.

### **Summing up by the Petitioners**

- 58) Questioned who would want to take a pram up four flights of stairs if there was no lift provision.
- 59) Construction noise would be significant, the Applicants advised that tenants would have to live in the building whilst work was carried out. The roof would need to be cut open for the work to be carried out.
- 60) Many of the residents worked at Addenbrookes or worked from home.
- 61) Felt information from the Applicants had not been forthcoming.
- 62) The proposals needed to be fire safety compliant.
- 63) Requested that a Chief Fire Engineer (of the Leaseholder's choice) approved the proposals before it proceeded further.
- 64) Felt the object of the proposals was to increase the freehold value of the flats.

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

- 65) The Chair observed the following points the Applicants said they would re-consider:
- a. Increasing the width of the access;
  - b. The provision of a Draft Construction and Environmental Management Plan.
  - c. The Petitioner's alternative design.
- 66) Notes of the Development Control Forum would be made available to relevant parties, published on the council's website and appended to the Planning Officers report.

- 67) The planning case officer should contact the applicants/agent after the meeting to discuss the outcome of the meeting and to follow up any further action that is necessary. The applicant will be encouraged to keep in direct contact with the petitioners and to seek their views on any proposed amendment/s.
- 68) The Council will follow its normal neighbour notification procedures on any amendments to the application.
- 69) Application to be considered at a future Planning Committee.
- 70) Along with other individuals who may have made representations on the application, the petitioners' representatives will be informed of the date of the meeting at which the application is to be considered by Committee and of their public speaking rights. The Committee report will be publicly available five clear days before the Committee meeting.

The meeting ended at 11.45 am

**CHAIR**

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# Agenda Item 6



<b>Planning Committee Date</b>	7 February 2023
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/02936/FUL
<b>Site</b>	208-208a Cherry Hinton Road
<b>Ward / Parish</b>	Coleridge
<b>Proposal</b>	Erection of new 2nd floor to provide two new dwelling units with balconies.
<b>Applicant</b>	Balzano and Ruggerio
<b>Presenting Officer</b>	Tom Chenery
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Impact on the Character and Appearance 2. Intensification of the site 3. Refuse/Bin Storage
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks to erect a 2<sup>nd</sup> floor roof extension with a flat roof to create two new dwelling units with balconies.
- 1.2 The proposal is not considered to cause harm to the character and appearance of the area and is designed appropriately
- 1.3 The proposal is not considered to cause undue harm to the amenity or living conditions of neighbouring occupiers and would provide an acceptable level of amenity for future occupiers.
- 1.4 The proposal would comply with the RECAP standards regarding bin distances and would be similar to that of the approved scheme to the south of the site.
- 1.5 Officers recommend that the Planning Committee Approve the proposal.

## 2.0 Site Description and Context

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

- 2.1 208– 208A Cherry Hinton Road is a two storey building which has a retail unit at ground floor and two flats at first floor. To the rear of this building is a storage area for the shop which has permission for four one and a half storey dwellings, granted under 18/0906/FUL. To the rear there are two external staircases leading to independent balconies belonging to the existing flats with external amenity space at the ground floor. The access is off the eastern side of Blinco Grove along a road between the northern side of No 156 Blinco Grove (northern half of a pair of semi-detached houses) and the southern side of a rectangular flat roofed single storey building, directly to the north of which lies the car park of the Rock Public House.
- 2.2 To the east lies the rear garden of No. 210 Cherry Hinton Road which has a large single storey outbuilding which runs along the eastern side of the application site. There is also a converted residential unit called No. 216A



Cherry Hinton Road. This dwelling was permitted under planning reference 10/1259/FUL.

- 2.3 To the south is the rear garden of No.158 Blinco Grove. The entrance on the side also adjoins the side elevation of this property
- 2.4 Directly to the west of the site, there is a garden area to the rear of the local post office at No. 206 Cherry Hinton Road. This garden area is currently used by Balzano's a restaurant/café (No. 204 Cherry Hinton Road) for outdoor seating. To the rear of Balzano's restaurant/café there is a large two storey projection with a pitched roof, which is used as a storage/preparation area for Balzano's restaurant/café.

### 3.0 The Proposal

- 3.1 The application seeks planning permission for the erection of a new 2nd floor to provide two new dwelling units with balconies.
- 3.2 The existing building benefits from a ground floor commercial unit with two flats on the first floor level. The second floor extension would alter the design of the existing front façade and extend the roof by some 2.35m so that it would have an overall height of approximately 8.8m. The proposal would have a depth of some 9.15m and width of 12.35m. It would be inset from the front, rear and sides of the existing building.
- 3.3 The proposed extension would have a flat roof design and the materials would consist of Horizontal wide tiles, although the specific material/design has not been specified.

### 4.0 Relevant Site History

Reference	Description	Outcome
21/04952/FUL	Erection of new 2 <sup>nd</sup> Floor to provide 2 new dwelling units with balconies	Refused
19/1588/FUL	Erection of new 2 <sup>nd</sup> floor to provide two new dwelling units with balconies	Withdrawn
18/0906/FUL	Construction of 4X 1-bed units	Permitted
16/1014/FUL	Construction of 4 No1 bed flats	Withdrawn

- 4.1 A previously submitted Planning application 21/04952/FUL which sought planning approval for a similar scheme, was refused for 3 reasons these included:
  1. The overall level of amenity for future occupants would be poor and result in a cramped living environment. The scheme fails to demonstrate that it is not practicable to provide an acceptable quality and quantity of internal and external amenity space for future occupiers contrary to policies 50 and 58 of the Cambridge Local Plan 2018, and paragraph 130 (f) of the NPPF.

2. The proposal does not provide sufficient details of any cycle parking within the site for the number of bedrooms within the four flats and therefore the proposal does not provide satisfactory securable and easily accessible cycle parking for future occupiers to use and as such, is contrary to Policy 82 and Appendix L of the Cambridge Local Plan 2018 and the guidance set out under the Cycle Parking Guide for New Residential Developments Guide (2010).
3. Insufficient information has been provided for the proposed bin storage for the proposed dwellings. The proposed drag distance to the road is over the recommended distance set out by RECAP guidance and the bin size set out within the design and access statement would require collection and the proposed plans do not set out the location for the bins. The proposal is therefore contrary to Policy 55, 56 and 57 of the Cambridge Local Plan 2018.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

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

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

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

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

### **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: 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 50: Residential space standards  
Policy 51: Accessible homes  
Policy 52: Protecting garden land and subdivision of dwelling plots  
Policy 53: Flat conversions  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 58: Altering and extending existing buildings  
Policy 72: Development and change of use in district, local and neighbourhood centres  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management

### **5.3 Neighbourhood Plan**

N/A

### **5.4 Supplementary Planning Documents**

Greater Cambridge Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020

### **5.5 Other Guidance**

Cycle Parking Guide for New Residential Developments (2010)

### **6.0 Consultations**

#### **6.1 County Highways Development Management**

6.2 No Objection: subject to recommended conditions.

#### **6.3 Environmental Health**

6.4 Further information required: It is not possible to comment on the proposed development and the additional information set out below will be required in order to provide comments.

Additional information regarding the windows on the first floor accommodation indicating that the habitable room windows are fixed shut.

Conditions recommended

Informal additional Comment: “Happy living rooms are now fixed shut with the sonair units installed. They don’t have to have all the kitchen windows F/S. As a non habitable room might be sensible to have one of those

kitchen windows for each kitchen on the side elevations openable to help with odour / moisture removal”

## **6.5 Sustainable Drainage Officer**

6.6 No Objection: subject to recommended conditions

## **7.0 Third Party Representations**

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

- 216 Cherry Hinton Road

7.2 Those in objection have raised the following issues:

- Bin Storage
- Disabled Access
- Flood Issues
- Intensification of the use of the site

7.3 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.

## **8.0 Assessment**

### **8.1 Principle of Development**

8.2 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.

8.3 208 and 208A form a two storey 1920’s red brick building with a flat roof which falls within a Local Centre. The building has commercial units at the ground floor and residential flats on the first floor. The proposed roof extension will create 2 additional units and provision will be made for additional cycle and bin storage to the rear.

8.4 The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.5 The application is a resubmission of two previous schemes, 19/1588/FUL, which was withdrawn and 21/04952/FUL which was refused due to the previous scheme not providing an acceptable level of amenity for future occupiers; not providing sufficient details for cycle parking and insufficient information being provided for bin storage.

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

8.7 In order for the proposal to be acceptable in principle, it must overcome the previous reasons for refusal as well as not having a negative impact on the character and appearance of the area; neighbouring amenity and highways safety. This will be assessed in turn below.

### **8.8 Design, Layout, Scale and Landscaping**

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

8.10 The application proposes an additional floor to be added to create two additional studio units. The established character of the immediate streetscene on the southern side of Cherry Hinton Road comprises two storey terraced dwellings with pitched roofs. The application site is the only one with a flat roof design. As a result, it has a lower ridge height than that of the neighbouring properties, particularly No.206 Cherry Hinton Road.

8.11 The proposal would increase the overall building height by some 2.35m so that it was a total of 8.8m. The scheme has been set in from the boundaries and gable roof frontages have been added reducing the impact from the street scene. It has also been designed with pitched gables to the front elevation which is in keeping with the surrounding dwellings.

8.12 Although the overall height of the proposal would be greater, due to the overall height of the adjacent properties, it would still be less than that of No.206 and approx. 300mm greater than No.210. As a result, the proposal would appear subservient to the wider established character of the area and is acceptable.

8.13 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.

### **8.14 Highway Safety and Transport Impacts**

- 8.15 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 have an acceptable transport impact.
- 8.16 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.
- 8.17 Pedestrian access to the site would be from Cherry Hinton Road to the front/north via the main door and entrance stairwell that provides access to all 4 proposed flats. Pedestrian access is also available to the rear from Blinco Grove to the south. Pedestrians would be able to use the access which leads to the rear car park and side access passage to the consented 4 dwellings under application 18/0906/FUL. There is no proposed car parking as part of the proposal.
- 8.18 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection to the proposal subject to conditions regarding construction vehicle hours and a constructors parking plan which are considered reasonable and would be added to any permission granted.
- 8.19 Subject to conditions as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.
- 8.20 Cycle and Car Parking Provision**
- 8.21 Cycle Parking
- 8.22 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.
- 8.23 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.
- 8.24 The proposal is to be car-free and there are no off-street parking spaces provided. The site falls within a Controlled Parking Zone however streets to the north and east provide uncontrolled parking, and there is no effective means to prevent residents from owning cars. This is not considered to result in any significant impact on Highway Safety. The Council has maximum parking standards outlined in Policy 82 and Appendix L of the

Cambridge Local Plan (2018). Cambridge City Council promotes lower levels of private parking where good transport accessibility exists. The site is located in District Centre and in close proximity to public transport routes, including the railway station. Considering the central location of the property and the highly constrained nature of the site, it is considered acceptable and in accordance with Policy 82.

8.25 The submitted plans, notably Plan Number 19/1480/09 A indicates that three Sheffield stands will be provided to the rear of the application site, which means the proposal would be able to provide 6 cycle spaces. These spaces are specifically for the occupants of the two existing flats and the two proposed flats. This area would be covered and this is indicated on plan number 19/1480/07 Rev D and would have a flat, green roof. It would not be for the use of the existing commercial use. Plan Number 19/1480/15 highlights the two areas for bins and bikes either side of the main property. The agent has confirmed that the existing bike and bin store would be the same as the existing and would gain access from the front entrance. In addition to this, there are spaces to the front which would allow for visitor cycle parking.

8.26 The proposal is therefore considered to provide an adequate number of cycle parking spaces which would overcome the previous second reason for refusal 2 which relates to cycle parking and would accord with Policy 82 and Appendix L of the Cambridge Local Plan (2018).

8.27 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.

### **8.28 Amenity**

8.29 Policies 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.

### **8.30 *Neighbouring Properties***

8.31 The existing flats are accessed from Cherry Hinton Road. The proposal would add a third storey above the existing two storey building but would not protrude from the existing footprint of the property.

8.32 The proposal would be of a similar height to the directly adjacent properties to the east and west (No. 206 and No's 210-212 Cherry Hinton Road) and would not protrude from the rear building line of these properties. Although the proposal is increasing in height, due to its siting, scale and design, the development would not cause any undue harm to the amenity or living conditions of the adjacent neighbouring properties to the east and west.

- 8.33 As highlighted, planning permission has been granted for the erection of 4 dwellings to the rear of the application site (south). The proposal would benefit from several windows that would directly face these properties, particularly the most northern plot within that application (18/0906/FUL). There are no windows on the northern elevation of the most northern property and as a result, the proposed windows would not result in any loss of privacy or overlooking to any habitable rooms of these adjacent properties.
- 8.34 The approved dwellings to the south do benefit from rear gardens. Due to the siting of the proposal within this application and the oblique viewing angles afforded by their siting the proposal will not result in any undue loss of privacy or overlooking to the rear gardens of these properties.
- 8.35 All other residential properties are far enough removed from the proposal that the development will not result in any undue harm to their amenity or living conditions.
- 8.36 Overall, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 56, 58 and 35.
- 8.37 *Amenity of Future Occupants*
- 8.38 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).
- 8.39 The existing and proposed gross internal floor space measurements for units in this application are shown in the table below:

Existing first floor units

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	74	+13
2	2	3	1	61	74	+13

- 8.40 The gross internal floor space measurements for units in this application are show in in the table below:

Proposed Units



Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	61	0
2	2	3	1	61	61	0
3	Studio	1	1	37	37	0
4	Studio	1	1	37	37	0

8.41 Policy 50 details the residential space standards as set out in the National Space Standards. This policy is triggered as the proposal creates a two new studio flats by creating an additional storey. The internal layout at first floor has been altered to allow for access to the second floor via a private staircase.

8.42 As set out in the above table, the proposed development would meet the residential space standards for internal floor areas as well as the existing flats which are being amended as highlighted above. The proposal has overcome reason for refusal 1 on the previously refused scheme 21/04952/FUL

8.43 The external space for the proposed dwellings would measure 1.5 m x 2.7m with a total area of 4.2m<sup>2</sup>. The balconies would open out onto Cherry Hinton Road. The Design and Access Statement advises that the amenity areas for the two proposed studios have been located at the front of the building, away from the commercial noise sources located to the south of the application site which is considered reasonable. MAS Environmental have provided a report which states that provides acceptable noise exposure at the road façade balconies including solid balustrade mitigation measures. Officers therefore consider that whilst the balconies overlook a busy road and have not been fully enclosed, they are considered satisfactory.

8.44 The current residential flats benefit from a 91m<sup>2</sup> area of shared garden amenity space to the rear of the site. This area was deemed acceptable in approved application 18/0906/FUL, but did not provide any cycle parking or bin storage areas. The proposal would amend this external amenity space so that it had a total area of approximately 73m<sup>2</sup> and would include a landscaped area, bin store and cycle store.

8.45 Within paragraph 6.35 of the supporting text of Policy 50 which relates to residential space standards, it identifies that development with flats need to provide high-quality shared amenity areas. The proposal would provide exactly 39m<sup>2</sup> of shared external amenity space. Plan Number 19/1480/09

Rev A highlights that the proposal would be enclosed from other residential developments and there would be a degree of planting and landscaping around the area which would enable it to be high quality.

- 8.46 There would be no commercial access to the rear of the site or to the rear amenity space. No light report has been submitted to indicate the level of light that would be received in this shared amenity space. The amenity space is located to the south of the site and as such would receive the majority of daylight throughout the day. It is noted that the adjacent buildings to the south in the approved scheme would disrupt some of the sunlight received but it is still considered that there would be an acceptable amount of light that would be received in this area, particularly in the summer months.
- 8.47 It is noted that the external amenity space for the first floor flats would be slightly altered, however, is not considered to be altered significantly and would still provide an acceptable level of amenity area given the sites location and context. The proposal is considered to provide an adequate level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56
- 8.48 *Accessibility*
- 8.49 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met.
- 8.50 Building regulations part M4(2) require that reasonable provision be made for people to gain access to and use the dwelling and its facilities. This includes step free access to the dwelling and its facilities, communal facilities and must be able to be used by a wide range of people including older and disabled people. This part also states that it may only be applied to a dwelling that is being erected and does allow for some flexibility regarding conversions. The proposed units do not have level access, however, as the proposal is for the conversion and extension of an existing dwelling the proposal is not required comply with Part M4 (2).
- 8.51 The applicant has provided details regarding the provision of lift access. By insertion of a lift it would result in the loss of one of the shop fronts and zone A retail space and will greatly reduce the floor space of the existing residential units. In addition to this, the associated costs of inserting a lift would be in excess of £200,000, which would make the scheme unviable. In addition to this, it would result in the loss of capital value of the existing retail space.
- 8.52 Overall, 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.

### **8.53 Waste/Bin Storage**

8.54 The guidance within RECAP indicates that for low rise blocks such as this proposal, residents should not have to travel more than 30m.

8.55 The submitted plans specifically No's. 19/1480/09 Rev A and 19/1480/15 indicate that the proposed bin store would be located to the rear of the site directly adjacent to the existing building. The proposal would not share the bin storage that is located to the south of the application site beyond the approved development 18/0906/FUL.

8.56 It is noted that rubbish bags bins would not be taken more than the 25m as outline in the RECAP guidance but would have to be taken more than 45m from the proposed units to the bin collection area on Blinco Grove.

8.57 Due to the size of the bins, they would need to be moved by a managing agent, not residents. This has been confirmed in writing by the planning agent. These details would have to be conditioned as no details have been provided with the condition specifying the arrangements to enable collection from the kerbside of the adopted highway.

8.58 Although the bins would be a quite a distance from the residential dwellings, it would be below the guidance within RECAP. Further to this, the distance of the bin to be taken to the collection point would be of a similar distance to the approved scheme to the south (18/0906/FUL). Although the proposal has not completely overcome reason for refusal 3, due to the accepted bin arrangements at the approved development to the south, plus the proposal being within the recommended distance of carrying bins to a storage point as highlighted within RECAP, it would be unreasonable for the proposed development to be refused solely on bin storage and collection areas some of which has already been established and implemented.

8.59 The proposal is therefore considered to be acceptable in this regard.

### **8.60 Third Party Representations**

8.61 The remaining third-party representations not addressed in the preceding paragraph are considered below.

8.62 An objection has been received regarding the proposal being an intensification of the current use and that the proposal should be considered in the context of the previously approved scheme to the south (18/0906/FUL). No details have been provided regards the specifics of the intensification although there are further comments regarding bin storage and disabled access. These points have been addressed in the report above.

8.63 The proposal would result in an additional two residential units. As highlighted the proposed development would comply with the required cycle and parking standards set out in the development plan as well as internal and external space standards set out in Policy 50 of the Local Plan. There have been no objections from the Local Highways Authority regarding the use of the access nor from Environmental Health. As a result, the proposal is not considered to be an over-intensification of the site and would comply with the National Planning Policy Framework and Cambridge Local Plan (2018).

#### **8.64 Other Matters**

##### *Flat Roof*

8.25 The proposed flats have a flat roof. Policy 31 of the Cambridge Local Plan states all flat roofs should be green or brown. Considering the extent of the proposed flat roof a condition would be added to any permission granted for a green or brown roof.

##### *Drainage*

8.26 The proposal is an extension to an existing building and therefore would not increase the amount of surface water drainage on site. A condition has been recommended by the Drainage Officer that prior to the commencement of development a scheme for the disposal of foul water shall be provided. Given that the site is not in any defined area at risk of surface water flooding or that from the rivers and sea, plus that the proposal is an extension to the existing building, it is considered that the surface and foul water drainage conditions are unnecessary as the proposal would connect to the existing drainage system.

##### *Environmental Health*

8.65 Amended plans have been submitted which indicate that the 1<sup>st</sup> floor habitable room windows are to be fixed shut with sonair units installed. Informal additional comments from the Environmental Health Officer have been received indicating they are happy with the amended plans but that non habitable rooms should be openable. The applicant has submitted amended plans in line with these comments. The proposal is therefore considered not to cause any undue environmental health concerns that cannot be overcome via a condition.

##### *Sustainability*

8.66 In order to ensure the proposal aligns with the Council's sustainability goals and Policy 29 and 30 of the Local Plan, it is necessary to add several conditions specifically relating to water efficiency and carbon efficiency.

## **8.67 Planning Balance**

- 8.68 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).
- 8.69 It is acknowledged that the proposed bin storage for the site is not ideal, but it is recognised that the proposal complies with the adopted RECAP standards.
- 8.70 Nonetheless, the proposal would not cause harm to the character and amenity of the area, to neighbouring or future occupiers and would comply with the parking and cycle parking guidance set out within the Appendix L of the Local Plan.
- 8.71 Having taken into account the provisions of the adopted 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.

## **8.72 Recommendation**

### **8.73 Approve** subject to:

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

## **9.0 Planning Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice. Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.
- 3 No development shall take place above ground level, other than demolition, until details of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge

Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)).

- 4 Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic / noise insulation performance specification of the glazing within the Cherry Hinton Façade accommodation units shall be submitted to and approved in writing by the local planning authority. The windows shall achieve a sound reduction of at least 34dB Rw+Ctr as specified within the MAS Environmental "noise impact assessment for revised proposed residential development" report dated 8th November 2021 (ref: MAS 208CHR MAS211103F).

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

Reason: To protect the amenity and living conditions of neighbouring occupiers and future occupiers in accordance with Policies 35, 50, 51 and 56 of the Cambridge Local Plan

- 5 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).

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

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

- 7 No demolition or construction works shall commence on site until a contractors parking plan has been agreed in writing with the Planning Authority. The aim of the plan should be to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub-contractors under taking the works.

Reason: in the interests of highway safety (Section 9 NPPF)

- 8 The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof 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.

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).

- 9 The development, hereby permitted, shall not be occupied until the proposed second floor windows in the rear elevation of the development 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).

- 10 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).

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

a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and

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

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

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

- 12 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).

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### **Informative**

Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.



## 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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<b>Planning Committee Date</b>	7 February 2023
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference</b>	22/01971/FUL
<b>Site</b>	346 Milton Road, Cambridge
<b>Ward / Parish</b>	Kings Hedges
<b>Proposal</b>	Demolition of existing double garage and shed, and erection of a detached single storey dwelling to the rear
<b>Applicant</b>	Mr Evangelos Giannoudis
<b>Presenting Officer</b>	Tom Chenery
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1.Parking/Highways Issues 2.Impact on the Character of the Area 3. Neighbour Amenity
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks to demolish the existing double garage in the rear garden space of the application site and erect a bungalow style dwelling in its place.
- 1.2 The proposal is not considered to cause harm to the character and appearance of the area and is designed appropriately.
- 1.3 The proposal is not considered to cause undue harm to the amenity or living conditions of neighbouring occupiers and would provide an acceptable level of amenity for future occupiers.
- 1.4 The proposal would not have any significant adverse effect upon the Public Highway and would not result in any undue highways safety implications.
- 1.5 Officers recommend that the Planning Committee APPROVE the proposal.

## 2.0 Site Description and Context

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

- 2.1 346 Milton Road comprises a two storey detached dwellinghouse which benefits from a long rear garden and two bay garage and associated parking to the rear. There is a shingle access track along the rear of the neighbouring properties which provides access to a number of garages and off street parking.
- 2.2 To the north and south of the site, the prevailing character is semi-detached dwellings set back from Milton Road with large outbuildings and gardens to the rear.
- 2.3 Opposite the access track are a number of residential allotments to which gain access from a gate directly opposite the application site. The Church

of St George is also located to the south east of the site which is a Grade II Listed Building.

### **3.0 The Proposal**

- 3.1 Demolition of existing double garage and shed, and erection of a detached single storey dwelling to the rear.
- 3.2 The development seeks to demolish the existing pre fabricated double bay garage which is located towards the rear boundary of No.346 Milton Way. In its place would be a two bedroom bungalow style dwelling with a floorspace of 110m<sup>2</sup>. The proposal would benefit from a 55m<sup>2</sup> rear garden and two allocated parking spaces. Access would be gained from the shingle access track to the rear/south which adjoins Kendal Way to the north east of the site.
- 3.3 The original planning application was submitted with an acceptable red line which included the access track but an incorrect ownership certificate. This has since been amended to Certificate D and a full re-consultation has commenced after the amended certificate was received.
- 3.4 A similar proposal was brought to Planning Committee on 4<sup>th</sup> September 2019. The application was for the erection of a single storey dwelling to the rear of 348 Milton Road (planning reference 19/0400/FUL).

### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/96/0885	Erection of two storey rear extension	Approved
C/00/171	Erection of single storey front and rear extensions to existing dwelling	Approved
19/0400/FUL	Erection of a single storey dwelling to the rear of 348 Milton Road	Approved

- 4.1 The dwelling has been extended previously in the form of extensions to the front and rear. A dwelling in the rear garden similar to this scheme was approved at the neighbouring property. The application was determined at planning committee on September 4<sup>th</sup> 2019 to which the proposal was resolved to grant planning permission in line with the Officers' recommendation.
- 4.2 Within the discussion it was noted concerns were raised for access for emergency vehicles. An informative relating to fire access was added to the decision notice.

### **5.0 Policy**

#### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

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

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

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

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

## **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting garden land and subdivision of dwelling plots

Policy 53: Flat conversions

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

## **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

## **6.0 Consultations**

### **6.1 Local Highways Authority**

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

### **6.3 Environmental Health**

6.4 The development is acceptable subject to the imposition of conditions

### **6.5 Sustainable Drainage Officer**

6.6 No Response

## **7.0 Third Party Representations**

7.1 5 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Construction impacts
- Highway safety
- Car parking and parking stress
- Impact on and loss of hedgerow

7.3 One comment neither objecting to nor supporting the application.

## **8.0 Member Representations**

8.1 Not applicable

## **9.0 Local Groups / Petition**

9.1 Milton Road Residents' Association has made a representation objecting to the application on the following grounds:

- Poor Access
- Car and Parking Issues
- Poor living accommodation
- Sets a precedent
- Issues with boundary location

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

10.4 The principle of development is considered to be acceptable provided the proposal complies with the above criteria which will be assessed below.

### **10.5 Design, Layout, Scale and Landscaping**

10.6 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.

10.7 The application proposes to demolish the existing double garage in the rear garden and rear boundary of the site and erect a bungalow style dwelling in its place.

10.8 Milton Road is characterised by two storey semi detached dwellings with large rear gardens. Many rear gardens benefit from large outbuildings and garages which bound the rear boundary. These dwellings are set back from Milton Road with car parking/gardens to the front.

10.9 To the rear of dwellings is an unsealed access track which is wide enough for one way traffic and allows for access to the rear garage, outbuildings and parking spaces for dwelling along Milton Road.

10.10 While there is a strong linear pattern of development along Milton Road, there is also a strong character of single storey outbuildings and double garage backland development directly to the north east of the site. To the south east of the site there is a row of bungalow style dwellings which are



considered to be backland development. These dwellings are situated behind dwellings on Milton Road and form part of the character of the area.

10.11 To the north east of the site and directly adjacent to the application site is a single storey bungalow style dwelling, similar to that within this application which gained planning permission under application reference 19/0400/FUL.

10.12 The dwelling would not be dissimilar to the height and appearance of existing garages or dwellings located along the private drive or in close proximity to the site and as a result, would be in keeping with this pattern of development. A materials condition is recommended to ensure the proposal would be of a high quality finish.

10.13 Overall, due to the scale, siting and design of the proposed development, it is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment.

10.14 Overall, the proposed development would contribute positively to its surroundings and would relate acceptably to the host dwelling. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

#### **10.15 Amenity**

10.16 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.

#### **10.17 Neighbouring Properties**

10.18 The proposal would be accessed via the private unsealed access track to the rear of the site which adjoins Kendal Way to the north east. The principal dwellings to be impacted by the development are No's 344, 346 and 348 Milton Road. The proposal would also impact upon the recently approved and constructed dwelling within the rear garden of No.348 Milton Road. For the purposes of this report, it will be known as 348a Milton Road.

10.19 The proposed dwelling will be in the rear garden space of the host dwelling No.346 Milton Road. The proposal would subdivide the plot with a 1.8m high close boarded fence situated 12.5m from the rear building line of No.346. The proposed dwelling itself would be located some 18m from the rear building line of No.346. Due to the scale of the proposal which would be single storey in height as well as the separation distance between the two dwellings, the proposal is not considered to cause any

undue loss of light, privacy, outlook, or appear overbearing to No.346 Milton Road.

- 10.20 The proposal would be located on the shared boundary with No's. 344. The shared boundary treatment to the south with No.344 consists of a mature hedgerow and 1.8m high boundary fence. The mature hedgerow measures approximately 3m in height.
- 10.21 The proposed dwelling would have an eaves height of approx. 2.75m and a ridge height of 3.7m. The proposal would also be situated 21m from the built form of the adjacent dwelling (No.344). Due to the modest scale of the proposal, the separation distance between the two properties and the mature boundary treatment that exists between the two dwellings, the proposal is not considered to cause any undue loss of light, privacy, outlook, or appear overbearing to No.344 Milton Road.
- 10.22 No.348 Milton Road is located some 20m from the proposal. As a result of the modest scale of the proposal and this separation distance, the development will not cause any undue harm to the amenity or living conditions of this neighbouring property.
- 10.23 The recently approved bungalow to the north east is located on the boundary with the application site. There would be a 1m separation between these two dwellings as a result of the side access to the rear garden within this development. The proposal would be of a similar scale to the adjacent bungalow but would protrude some 1.2m from No.348a's rear building line. As a result, the proposal would not cause any undue harm to the amenity or living conditions of this adjacent neighbour (No.348a).
- 10.24 All other neighbours are far enough removed from the proposal that it would not cause harm to their amenity or living conditions.
- 10.25 Overall, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 56, 58 and 35.
- 10.26 Amenity of Future Occupiers
- 10.27 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).
- 10.28 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	4	1	70	110	+40

10.29 Garden Size(s)

10.30 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. A garden area of 55sqm would be provided which is sufficient for the size of the property and would allow a space to sit, hang out washing, kick a football etc.

10.31 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings. The Design and Access Statement submitted states the proposal would comply with these standards and therefore, Officers consider that the layout and configuration enables inclusive access and future proofing.

10.32 Construction and Environmental Impacts

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

10.34 The Council's Environmental Health team have assessed the application and recommended that they have no objections to the development subject to the imposition of a condition regarding construction hours and piling as well as an Electrical Vehicle Charging point. These conditions are considered to be acceptable in order to limit the impact the proposal would have on adjacent occupiers given their proximity to the site.

10.35 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.

**10.36 Highway Safety and Transport Impacts**

- 10.37 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.
- 10.38 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.
- 10.39 Access to the site would be from Kendal Way to the North via the unsealed private access track.
- 10.40 Third party representations have raised concern over the impact of the development on the existing private drive, its ongoing maintenance responsibility and Highways safety concerns as a result of the development. However, as the maintenance of the private drive is not a planning concern, and the Highways Authority have raised no objection to the proposal, it is considered that the proposal will not result in adverse access impacts.
- 10.41 The addition of at most, two vehicles, would not be an intensification of the use, particularly as there is currently access and parking for more than two vehicles at the moment.
- 10.42 A concern has also been raised regarding access to the allotments and the turning area and parking being reduced as a result of the development. The land is private and as a result any issues with loss of parking or turning areas is a civil matter which cannot be considered within this application.
- 10.43 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

#### **10.44 Cycle and Car Parking Provision**

##### 10.45 Cycle Parking

- 10.46 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.

- 10.47 Cycle Parking is located at the front of the dwelling in a covered bike store which would provide 2 cycle spaces. The proposal would comply with the cycle parking guidance set out in appendix L of the Local Plan.
- 10.48 Car parking
- 10.49 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. 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.
- 10.50 The proposal would provide an adequate amount of car parking in line with Appendix L of the Local Plan.
- 10.51 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 10.52 The plans do not indicate the location of the EV Charge point and it is therefore necessary to add a condition to any permission given to ensure the proposal complies with the SPD.
- 10.53 The proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 10.54 Trees**
- 10.55 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.
- 10.56 An objection has been raised regarding the location of the proposed dwelling and its proximity to the hedgerow on the shared boundary with No.344 Milton Road. The objection is noted, however, the hedgerow is a boundary hedge located within the back garden of the residential properties. It does not form part of the local landscape character and it is not protected by virtue of any tree protection orders or a defined Conservation Area.

10.57 The applicant has not indicated that any hedgerow would be removed. The removal of any hedgerow by the applicant would be a civil matter and can not be considered within this planning application.

10.58 The proposal would accord with policies 59 and 71 of the Local Plan.

**10.59 Biodiversity**

10.60 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.

10.61 Given that the development is in the rear garden of the application site and in line with the guidance within the Cambridge Biodiversity SPD, it is necessary to add a condition that requires the development to deliver biodiversity net gain.

10.62 Subject to this 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).

**10.63 Third Party Representations**

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

<b>Third Party Comment</b>	<b>Officer Response</b>
Party walls	This is a civil matter between different landowners in which the local planning authority has no role. The Party Wall Act 1996 governs the process by which party walls and associated disputes are handled.
Ownership	The applicant(s) have confirmed that the correct certificate of ownership has been served.

## **10.65 Planning Balance**

- 10.66 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).
- 10.67 The proposal would not cause harm to the character and appearance of the area or to neighbouring or future occupiers. The proposal would also not have any highways safety implications and would comply with the parking and cycle parking guidance set out within Appendix L of the Local Plan.
- 10.68 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

## **10.69 Recommendation**

- 10.70 **Approve** subject to:

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

## **11.0 Planning Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice. Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.
- 3 No development shall take place above ground level, other than demolition, until details of the external surfaces to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

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

- 5 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).

6. No dwelling, hereby permitted, shall be occupied until the curtilage of that dwelling has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56).

7. No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include: i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site; ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge; iii) Identification of the existing habitats and their condition on-site and within receptor site(s); iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge; v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate. The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.



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

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

Reason: To 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)).

9. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure forward of the principal elevation shall be erected within the curtilage of the dwellinghouse(s) without the granting of specific planning permission.

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

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

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

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

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

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

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

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

13. The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof 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.

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)

- 14 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).

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

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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).

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### **Informative**

Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

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### 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 8



<b>Planning Committee Date</b>	7 February 2023
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference</b>	22/04705/FUL
<b>Site</b>	Clare College Sports Ground, Bentley Road
<b>Ward / Parish</b>	Trumpington
<b>Proposal</b>	Demolition or removal of existing structures, extension of retained storage shed and erection of a single-storey building to serve as a training facility ancillary to the existing use of the site for outdoor sport. Details of access, parking, drainage, landscaping and associated works included.
<b>Applicant</b>	Cambridge Utd Football Club (CUFC)
<b>Presenting Officer</b>	Tom Gray
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Green Belt openness</li><li>2. Design, scale and appearance</li><li>3. Other Matters</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks planning consent for the demolition and removal of existing structures, the extension of retained storage shed and erection of a single-storey building to serve as a training facility ancillary to the existing use of the site for outdoor sport. Details of access, parking, drainage, landscaping and associated works included.
- 1.2 The application site currently comprises an existing training facility and two football pitches which have been leased to Cambridge Utd FC (CUFC) for several years.
- 1.3 The proposed replacement training facility would consist of a single storey building which would provide much needed high quality functional spaces for players and staff. The replacement facility would improve the visual amenity of the site.
- 1.4 By virtue of its footprint, the proposal would result in limited harm to the spatial openness of the Green Belt. However, considerable 'Very Special Circumstances' including to the wider city community have been provided that would clearly outweigh any limited harm to the openness.
- 1.5 The proposal would respect the recreational value of the sports ground by providing ancillary facilities to the existing sports pitches in which no loss of formal sports areas would occur.
- 1.6 The proposed single storey structure would be modest in scale and its appearance would positively respond to the rural context of its surroundings. The extension of the retained storage shed would be modest in scale and is acceptable.
- 1.7 The building would meet the BREEAM 'excellent' standards, the drainage strategy is considered appropriate, and the application demonstrates a net gain in biodiversity within the site.
- 1.8 Officers recommend that the Planning Committee approve the application subject to conditions.

## 2.0 Site Description and Context

Protected Open Space	X	Adjacent to City and County Wildlife Sites	X
Adjacent to Public Right of Way (PROW)	X	Flood Zone 2/3	X
Green Belt	X		

\*X indicates relevance

- 2.1 Clare College is located at the eastern end of Bentley Road. The Cambridgeshire Guided Busway/public footpath/cycleway and railway line is located to the east of the application site. The western boundary of the site is defined by a close-boarded fence with Vicar's Brook (watercourse) running parallel to this boundary. The land to the west of this boundary includes a Public Right of Way (PRoW) which provides pedestrian access to the north and south. To the west of Vicar's Brook are some horse paddocks.
- 2.2 To the south exists a dense tree belt. To the north of the application site, there are further areas of Clare College Sports Ground on the western side including tennis courts and an area of dense woodland on the north-eastern boundary. Beyond the northern boundary are substantial buildings of Cambridge University Press and Cambridge Assessment.
- 2.3 Within the application site, Cambridge Utd Football Club (CUFC) use the shared vehicular access and parking areas and the majority of the grass sports pitches. The existing Pavilion Building provides changing facilities for the College. Over the years, several storage sheds have been added to the south of the Pavilion building.
- 2.4 The application itself is identified as a Protected Open Space (Outdoor Sports Facilities) and lies within the Cambridge Green Belt. To the west of the site is designated as a City Wildlife Site (Hobson's Conduit/Vicar's Brook and Bentley Road Paddocks) and to the east is a County Wildlife Site (Triangle North of Long Road).
- 2.5 The vast majority of the application site is located within Flood Zone 1 (low flood risk), although part of the access road including Vicar's Brook are located within Flood Zone 2 and 3.
- 2.6 The Barrow Road Conservation Area is located beyond the adjacent fields and brook.

### **3.0 The Proposal**

- 3.1 The application proposes the removal of the existing two temporary cabins and 5 smaller storage sheds.
- 3.2 The application proposes an extension to the permanent green metal-clad shed in order to provide an important store for equipment and supplies used by Clare College ground staff.
- 3.3 A single storey building which would provide a range of functions to support the training of CUFC is proposed. The gross internal floor area would represent a net increase of 190% when compared to the existing floorspace. The building functions would include a gym, therapy rooms, offices and meeting rooms, dining area, games and relaxation space, boot room, changing rooms, showers and toilets and kitchen, laundry and storage areas. An air source heat pump (ASHP) enclosure and small area of outdoor storage is also proposed.

3.4 In addition, the proposed development includes a scheme of hard and soft landscaping, including new tree and native hedges with new wildflower planting. New cycle parking is also proposed.

3.5 The application has been amended to address representations and further consultations have been carried out as appropriate.

#### 4.0 Relevant Site History

Reference	Description	Outcome
15/0968/FUL	The provision of two single storey temporary porta-cabins for a 5 year period to provide a gym, two changing rooms, two physiotherapy rooms, an open plan area, a kitchenette and toilets.	Permitted (temporary 5 year consent)
16/1161/FUL	Replacement Groundsman's Workshop Building	Permitted
17/0729/FUL	Replace existing storage sheds with new portacabin	Permitted (temporary 5 year consent)
20/02509/S73	Variation of condition 3 (temporary buildings) of planning permission 15/0968/FUL	Permitted (temporary 5 year consent)

4.1 Cambridge Utd Football Club lease the main pitches and other parts of the Sports Ground from Clare College to accommodate the training facility. The planning history of the site indicates that the shared use of the Sports Ground has been a successful arrangement for several years, dating back to the temporary consent granted in 2015 under application reference 15/0968/FUL which was extended in 2020 under application reference 20/02509/S73.

#### 5.0 Policy

##### 5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021



Environment Act 2021

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## **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 4: The Cambridge Green Belt

Policy 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 8: Setting of the city

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 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 67: Protection of open space

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 73: Community, sports and leisure facilities

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

## **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016  
Landscape in New Developments SPD – Adopted March 2010  
Open Space SPD – Adopted January 2009  
Trees and Development Sites SPD – Adopted January 2009

## **6.0 Consultations**

### **6.1 County Highways Development Management – No Objection**

6.2 No significant adverse effect upon the Public Highway should result from the proposed development.

### **6.3 County Transport Team – No Objection**

6.4 Predicted trips to the site will be maintained at current levels. Suggests travel plan section is revised to commit to measures.

### **6.5 Sustainable Drainage Officer – No Objection**

6.6 Acceptable subject to conditions. Direct discharge into watercourse should be explored.

6.7 Previous comments: Unacceptable as the scheme does not follow the drainage hierarchy.

### **6.8 Urban Design – No Objection**

6.9 Significant increase in overall floorspace on the site. The arrangement, configuration and floorspace requirements of the building have been key to developing a contextually appropriate scheme.

6.10 The opportunity to rationalise and resolve these ad-hoc buildings and improve the setting of the Arts & Crafts Cricket Pavilion is a key and positive aspect of the proposed scheme and supported in urban design terms.

6.11 Scale and massing are acceptable. The new building is one storey with a typical maximum height of 3.8m above finished floor level (FFL). An additional, albeit limited in extent, projection accommodates a series of rooflights above the dining and recreation space. A sheltered colonnade area is formed by a flat roofed projecting canopy on the east side of the pavilion which is at a lower height of 2.7m FFL and creates a covered training and viewing area. A flat roofed projection to the west houses changing rooms and associated plant.

6.12 The roof of this part of the building will have PV panels and other rooftop plant (indicated by 'zone for rooftop plant' on the submitted Roof Plan drawing) located on it. It is unclear from the drawings (elevations and sections) whether there is sufficient depth in the roof structure to

accommodate the PV panels without them being visible above the horizontal parapet/roof edge.

- 6.13 Elevations and materials are acceptable. The single storey form is well resolved using the colonnade to provide depth, articulation and practical weather protection. Natural timber columns provide a subtle contrast to the flat black timber cladding used across much of the building's elevations. The black cladding will be installed to provide vertical ribbing in three different details. The soffit under the colonnade is shown with an interesting hexagonal patterning on page 23 of the submitted DAS but not identified on the submitted planning drawings. These kinds of details are important to the overall quality of the proposals and will need to translate through to the finished building.
- 6.14 Black metal window frames, black flashing details and a grey metal roof edging combine with the timber to create a well-considered palette of materials that do not compete with the existing Arts & Crafts Cricket Pavilion and are considered acceptable in urban design terms. The details of materials can be covered by condition should the application be approved.
- 6.15 The layout results in more 'active' uses (entrance lobby, gym, dining area and team office) located on the east side of the building plan. These uses, combined with the colonnade maximise surveillance and activity where it is needed and allow more private functions to be located the west side. The overall approach is well considered and will create a well resolved 'edge' to the training pitch. Accordingly, the layout and organisation of uses within the building are considered acceptable in urban design terms.
- 6.16 Supported subject to details of materials, details of roof-mounted plant/equipment and details of signage.
- 6.17 Conservation Officer – No Objection**
- 6.18 No harm to any heritage assets.
- 6.19 Senior Sustainability Officer – No Objection**
- 6.20 Range of measure incorporated into the scheme including a canopy on southern and eastern facades, provision of a green roof, achievement of BREEAM excellent, ASHPs and photovoltaic panels in addition to fabric improvements, rainwater harvesting, and modular design reducing construction waste.
- 6.21 Recommend BREEAM conditions.
- 6.22 Landscape Officer – No Objection**
- 6.23 Landscape technical GA plan shows more detail. Acceptable.

6.24 Agree with the overall conclusion of the LVIA that the proposed scheme would not have a negative impact on the surrounding landscape and townscape character and will not be highly visible due to the height of the building and the existing vegetation. Recommend visual material to support these conclusions to progress three views in the context of wintertime (viewpoints 3, 4 and 7).

6.25 Recommend landscaping and biodiverse roof conditions.

### **6.26 Nature Conservation Officer – No Objection**

6.27 Bat species use the watercourses and associated habitats for commuting and foraging. Request details of current lighting levels and any being removed or retained. Ideally, any proposed development would result in reduced lux lighting levels along the boundary. If lux levels are proposed to increase then additional bat surveys will be required.

6.28 Fencing should include access for hedgehogs and other small mammals/amphibians.

6.29 Support green roof and integrated bird and bat box features. Suggest playing of swift calls during spring and summer.

6.30 Biodiversity Net Gain proposals are supported, however, greater potential benefits for biodiversity net gain through enhanced management of the adjacent habitat within the applicants' ownership.

### **6.31 Tree Officer – No objection**

6.32 Principle is acceptable. Suggest drainage to follow grassed area or respect more of tree RPAs.

### **6.33 Environmental Health – No objection**

6.34 Location of ASHPs are acceptable subject to compliance condition and acoustic fencing. Training noise is acceptable.

6.35 Previous comments: Recommended that ASHPs are moved in front of the buildings to utilise the screening affect of said buildings to reduce the noise impact. Clarification required on what the land is used for and its amenity value. Maximum noise levels should regularly exceed 60dB at nearby housing. Insufficient information provided. Noise impact assessment is required. Recommend construction/delivery hours, piling and unexpected contamination conditions.

### **6.36 Sports England – No objection**

6.37 Ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

## **7.0 Third Party Representations**

7.1 Four representations have been received.

7.2 Those in objection have raised the following issues:

- Highway safety issues associated with the intensification of the use and lack of parking. Would attract additional traffic onto residential roads that are unsuitable for traffic. Neighbouring roads are already experiencing additional traffic in anticipation of the expanded use of the facilities. No pavements, crosses public footpath, access is on a bend, vehicles accessing the site on the wrong side of the road, and coaches would use the site. Road accidents have happened recently. No additional parking onsite to alleviate issues, especially for adult team and additional support members. Away team changing rooms too. Not compatible with general rural feel of the area.

- Defective consultation. Unable to access website to view documents.

- Green Belt. Many of the facilities including a meeting room, office and dining space are not appropriate in connection with outdoor sports.

- Cambridge Utd are a failing business. Could build a gym and meeting rooms on other land. Performance is League One likely to result in relegation. Could result the proposed development a 'white elephant'.

- Waste water will require more pumping.

- Noise impacts. Would like to see specifics of use, days and hours and noise levels.

7.3 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.

## **8.0 Assessment**

### **8.1 Planning Background**

8.2 Currently, the Cambridge United Football Club use the existing temporary cabins which comprise a gym, two changing rooms, two physiotherapy rooms, an open plan area, kitchenette and toilets. The Club seek to build a permanent structure which is of a standard commensurate with a League One team.

8.3 The applicant has engaged with the Shared Cambridge Planning pre-application service.

### **8.4 Principle of Development and Impact upon the Green Belt**

- 8.5 The applicant proposes the removal of two temporary portacabins and five existing storage sheds and replacement with a new permanent building to provide a training facility for Cambridge Utd FC (CUFC), and the extension of an existing storage shed which belongs to Clare College. The existing use of the land for outdoor sport is well established and the Club has made use of the land as a training facility since 2015.
- 8.6 Policy 4 of the Local Plan 2018 states that new development in the Green Belt will only be approved in line with Green Belt policy in the National Planning Policy Framework (NPPF). The purposes of the Cambridge Green Belt include preserving the unique character of Cambridge as a compact, dynamic city with a thriving historic centre; maintaining and enhancing the quality of its setting and prevent communities in the environs of Cambridge from merging into one another and with the city.
- 8.7 Paragraph 138 of the NPPF 2021 states that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 8.8 Paragraph 147 of the NPPF 2021 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 8.9 Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 8.10 Paragraph 149 states that the construction of new buildings are inappropriate in the Green Belt. Exceptions to this are (amongst others): b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 8.11 The applicant's agent considers that the proposed development constitutes appropriate development in that it would preserve the openness of the Green Belt and does not conflict with the purposes of including land within it. The application in relation to openness of the Green Belt and potential conflict of Green Belt purposes is discussed in the subsequent section of this assessment.

- 8.12 Third party comments concerning the proposed functional spaces including meeting rooms, officers and dining facilities not being necessary for the training facility to function are acknowledged, however, these spaces are considered appropriate for a league one club with future aspirations that would provide a high quality welfare, training and recreation facility for both staff and players of CUFC.

*Impact upon the openness of the Green Belt*

- 8.13 Together the proposed development would comprise facilities for outdoor sports/recreation and therefore with reference to the provisions of paragraphs 147-149 of the NPPF 2021, the main consideration in determining whether the proposed development does not represent inappropriate development is whether it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Policy 4 of the Cambridge Local Plan 2018 echoes this and supports proposals in the Green Belt that provide opportunities for outdoor sport and recreation, appropriate to the Green Belt, where they do not harm the objectives of the Green Belt.
- 8.14 In terms of openness, the spatial and visual qualities of the proposed development are considered. With regards the spatial qualities of the Green Belt's openness, the proposal would comprise an approximate increase of 190% when compared with the existing buildings including the temporary cabins (consented until 2025). Whilst this is the case, the proposed building and extension to the existing storage shed would be single storey, have a modest height and would be located in an area of the site which already consists of several built forms. In addition, the building footprint would occupy only a very small part of the sports ground and physical separation along the boundaries with soft landscaping would remain. Nevertheless, given the substantial increase in terms of footprint replacing largely temporary buildings, it is considered that there would be limited spatial harm to the openness of the Green Belt. Therefore, the proposed development would fail to preserve the openness of the Green Belt and is therefore inappropriate by definition.
- 8.15 In terms of the visual qualities of the openness, the proposed development would comprise a modest single-storey height building in which its design approach and materials reflect its rural location which enables it to be successfully assimilated into its landscape context. Several landscape and treescape improvements are proposed whilst the permeability of the scheme allows the perceived massing to be acceptable. The proposal would result in one cohesive building and the loss of ancillary storage sheds, resulting in visual enhancement to the site itself. As evidenced in the submitted Landscape Visual Impact Assessment (LVIA), due to the building's modest scale and soft landscaping proposed which would provide effective screening, the green belt visual impacts are considered acceptable.

- 8.16 Due to the appropriate location within an established site and the modest scale of the proposed building, it is not considered that the proposal would conflict with the purposes of the Cambridge Green Belt and providing land within it, in such that it would prevent the merging of neighbouring communities, safeguard the countryside from encroachment and preserve the setting of Cambridge.
- 8.17 Whilst it would neither conflict with the purposes of providing land within the Green Belt nor would it adversely affect the visual qualities of the Green Belt, some limited harm would arise upon the spatial qualities of the Green Belt and therefore Paragraph 148 of the NPPF 2021 is engaged which states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 8.18 As discussed above, it is considered that the proposed development is harmful by definition. It is also necessary to consider as to whether there is 'any other harm' as referred to in Paragraph 148. In accordance with this paragraph, it is necessary to consider the 'Very Special Circumstances' and whether such considerations clearly outweigh the identified harm. The subsequent sections of this report identify any additional harm arising from the proposal and assess the 'Very Special Circumstances' submitted by the applicant.

### **8.19 Impact upon the Protected Open Space**

- 8.20 Policy 67 of the Local Plan 2018 states that development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless:
- a. the open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost; and
  - b. the re-provision is located within a short walk (400m) of the original site.
- 8.21 In the case of school, college and university grounds, development may be permitted where it meets a demonstrable educational need and does not adversely affect playing fields or other formal sports provision on the site. Where replacement open space is to be provided in an alternative location, the replacement site/facility must be fully available for use before the area of open space to be lost can be redeveloped.
- 8.22 Supporting text paragraph 7.47 of this policy states that there is a clear presumption against the loss of open space of environmental or recreational importance. However, there may be circumstances where development proposals can enhance the character, use and visual amenity of open space, and provide ancillary recreational facilities, such as changing facilities, or materially improve the recreational or biodiversity



value of the site. In the case of school, college and university grounds, there might be a legitimate educational need that allows the potential for new educational buildings on parts of the site that are not in playing field or other formal sports use and could not readily be used as such (e.g. small areas of amenity grassland separated from the main playing field). Such proposals will be determined on a case-by-case basis on their merits and how they conform to sustainable development. Only proposals that respect the character of these areas and improve amenity, enhance biodiversity, improve sports facilities or increase public access will be supported.

8.23 The proposed building would be sited away from Clare College's formal sports pitches and would replace several buildings. The proposal would provide one cohesive built form which would provide training facilities for Cambridge United Football Club. Following a formal consultation with Sports England, it is considered that the proposal would comprise ancillary facilities supporting the principal use of the site as a playing field and which do not affect the quantity or quality of playing pitches or otherwise adversely affect their use. Moreover, the quality of the changing facilities would materially improve the sports facilities for members of the football club and the visual amenity for both club members and visitors. Additionally, the soft landscaping improvements and biodiverse green roof would help improve the biodiversity value of the site.

8.24 Policy 73 identifies on what basis new or enhanced sports facilities should be permitted. The range, quality and accessibility of the new facilities which would include several meeting rooms and gym facilities would be improved and the proposal would fulfil a need for the football club to support its long-term success. The improved facilities would replace several buildings that have been used by Cambridge Utd FC for several years.

8.25 Taking all this into account, it is considered that the proposal would be in accordance with policies 67 and 73 of the Local Plan 2018.

### **8.26 Design, Layout, Scale and Landscaping**

8.27 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.

8.28 The existing buildings to be demolished lack architectural merit, consisting of wooden sheds and cabins arranged in an ad-hoc manner. Therefore, there is no objection to their demolition and replacement subject to design, scale and massing.

8.29 The proposed building would comprise a single storey measuring approximately 3.8 metres above finished floor level. The proposed form would consist of a flat roof projection. A covered training and viewing area would be sited to the east of the building. The modest height of the

proposed development would allow the treescape along Hobson's Conduit to remain prominent in views within the site whilst the natural timber columns and flat black timber cladding would provide interesting articulation and help to assimilate the building into its rural context and woodland to the south and west.

- 8.30 Following a formal consultation with the Council's Urban Design Officer, it is considered that palette of materials are sympathetic to the site and do not compete with the existing Arts and Crafts Cricket Pavilion situated to the north of the proposed building. The proposed layout is well considered and results in more 'active' uses to the east side of the building.
- 8.31 The extension to the grounds shed is modest and would follow the existing ridge line.
- 8.32 There is no objection raised by the Council's Conservation Officer in terms of impacts upon nearby heritage assets whilst the proposed building would have very limited impact upon users using the adjacent public right of way (PRoW) to the west along Hobson's Conduit with the existing boundary treatment being retained and enhanced tree cover proposed along this western boundary. Whilst the Council's Landscape Officer has recommended that certain views are progressed to support the overall conclusions, no objection is raised by the Landscape Officer in terms of impacts upon landscape and townscape character due to the modest height and existing vegetation.
- 8.33 Therefore, following a formal consultation with the Council's Urban Design and Landscape Officers and subject to the recommended conditions including details of materials, signage and roof-mounted plant/equipment to ensure that these aspects are appropriate to the site's context, it is considered that the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately assimilated into the landscape. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59.

#### **8.34 Trees**

- 8.35 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.
- 8.36 The application is accompanied by an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan. All trees would be retained on site and following a formal consultation with the Council's Tree Officer, there is no objection to the principle of development subject to an alternative route for utility services rather than close to existing trees.
- 8.37 Whilst this comment is acknowledged, the proposed drainage route provides the only suitable option based on the unsuitableness of the

grassed areas for surface water drainage which could affect the functioning of the pitches. The root protection areas of existing trees would be avoided wherever possible and any drainage required within these RPA implemented by non-mechanical means.

8.38 Therefore, subject to compliance with the application information, the proposal would accord with policies 59 and 71 of the Local Plan 2018.

### **8.39 Carbon Reduction and Sustainable Design**

8.40 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.

8.41 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 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.

8.42 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.

8.43 The application is supported by a Sustainability Statement and the scheme proposes to achieve a BREEAM level of 'Excellent' as set out in the Preliminary BREEAM Pre-assessment report.

8.44 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to carbon reduction technologies and water efficiency to achieve BREEAM 'Excellent'.

8.45 The applicants have suitably addressed the issue of sustainability and renewable energy through measures such as a canopy on the southern and eastern facades, provision of a green roof, air source heat pumps (ASHPs) and solar panels in addition to rainwater harvesting, modular design and fabric improvements. The proposal is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

### **8.46 Biodiversity**

8.47 The application site is site adjacent to designated City Wildlife Sites of Hobson's Conduit/Vicar's Brook and in close vicinity to Bentley Road Paddocks.

- 8.48 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.
- 8.49 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out that an estimated net gain of 10% in biodiversity would be achieved.
- 8.50 The application has been subject to formal consultation with the Council's Nature Conservation Officer who has raised no objection subject to artificial lighting details. It has previously been established that a number of bat species use the adjacent watercourses and associated habitats for commuting and foraging. The applicant has agreed that a lighting scheme of less than 0.5 lux can be achieved on the boundary. Given that the proposed development is single storey and any light spill is likely to be from rear facing windows at ground floor level, it is considered that lighting scheme details could be conditioned on any planning consent granted.
- 8.51 Other recommended conditions including details of hedgehog/amphibian friendly fencing, proposed green roof details and integrated bird and bat box features would be attached on any planning consent granted.
- 8.52 In consultation with the Council's Nature Conservation Officer, subject to appropriate conditions, 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).

### **8.53 Water Management and Flood Risk**

- 8.54 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.
- 8.55 The site is largely located within Flood Zone 1 with parts along the western boundaries and the access drive located within Flood Zone 2 and 3. The proposed building would entirely be located within Flood Zone 1 and is therefore considered at lowest risk of flooding.
- 8.56 The applicants have submitted a Flood Risk Assessment and drainage scheme which proposes surface water drainage to utilise a pumping

system that would connect with the Anglian Water sewer along Bentley Road. Whilst this is the case, the applicant has incorporated sustainable drainage elements such as a swale, green roof and permeable paving into the overall drainage design. The application has been subject to a formal consultation with the Council's Drainage Officer. It is acknowledged that the adjacent brook is a chalk stream that is sensitive to water pollution and therefore following the ecological mitigation hierarchy, discharge into this brook has been avoided. Whilst in terms of the drainage hierarchy, the proposed drainage system does not follow the preferred discharge to watercourse first, ecological justification has been provided to demonstrate why a departure in this instance is the preferred option.

8.57 Following further discussion, pump failure modelling has been provided to demonstrate the impact upon the drainage system if the pump was to fail which shows that this would back up into the swale rather than flow overland.

8.58 The foul water drainage would connect to the main sewer and whilst third party comments with regards wastewater pumping are noted, this would be an improvement to the existing foul water drainage within the existing site.

8.59 The applicants have suitably addressed the issues of water management and flood risk, and subject to surface water drainage scheme and foul water drainage details via condition, the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

## **8.60 Highway Safety and Transport Impacts**

8.61 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.

8.62 Paragraph 111 of the NPPF 2021 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.

8.63 The application is supported by a Transport Assessment and Travel Plan. Whilst third party comments concerning the intensification of the use and additional traffic upon the rural environment are notes, the supporting documentation states that it is not expected to produce additional trips compared to its current usage as a training facility. Moreover, due to the decrease in lunch and laundry services having to be transported on a daily basis, there is expected to be a slight reduction in trips to/from the site.

8.64 Access to the site would remain as existing and neither the Local Highway Development Management Team nor the Transport Assessment Team

have any objection to the proposed development, subject to a travel plan with firm measures being conditioned on any planning consent granted to encourage sustainable forms of transport in accordance with Policy 80 and 81 of the Local Plan 2018 and is compliant with the NPPF 2021.

## **8.65 Cycle and Car Parking Provision**

### 8.66 Cycle Parking

8.67 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 sports facilities states that 2 spaces should be provided for every 5 members of staff. It is noted that the majority of Under 18 staff/players would arrive/leave via minibuses and first team players are not allowed to cycle to training for insurance purposes and therefore cycle provision has been considered on this basis.

8.68 In addition to the existing five cycle parking stands, a further eight Sheffield covered and lit stands will be provided. This provides a total of 26 spaces which meets and exceeds the requirements of Policy 82 (appendix L). Details of these covered cycling facilities will be conditioned on any planning consent granted.

### 8.69 Car parking

8.70 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. The expected number of cars on site is not expected to change and therefore the number of spaces is to be retained as existing. Therefore, the proposal is compliant with Policy 82 of the Local Plan 2018.

## **8.71 Amenity**

8.72 Policy 35 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.

### 8.73 Residential amenity impacts

8.74 Nearby properties are located a considerable distance from the proposed development and therefore in terms of overbearing, overshadowing and overlooking, it is not considered that any impacts would be significant in this instance.

- 8.75 The application is supported by a noise impact assessment and has been subject to a formal consultation with the Council’s Environmental Health Officer. The location of the air source heat pumps (ASHPs) has been amended further from the application site boundary to minimise noise upon nearby residents. To ensure that noise levels at the application site boundary and in the evenings at residential boundaries are acceptable, further fencing around the ASHPs will be required prior to their installation. Therefore, subject to compliance with mitigation measures as detailed in the submitted noise reports and details of the acoustic fencing, no unacceptable noise impacts are likely to result upon nearby residential amenities.
- 8.76 The site is an established training ground for Cambridge Utd FC. Noise from training activities would remain as the existing arrangement and therefore no unacceptable noise impacts are likely to result upon nearby residential amenities.
- 8.77 Minimal external lighting is proposed and therefore lighting impacts upon residential amenities are considered acceptable.
- 8.78 To safeguard workers and occupiers, the recommended unexpected contamination condition will be attached on any planning consent granted as a precautionary measure.
- 8.79 Construction and Environmental Impacts
- 8.80 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. The Council’s Environmental Health team have assessed the application and recommended the standard construction/demolition/delivery hours and piling conditions to safeguard neighbour amenities during the construction phase.
- 8.81 Summary
- 8.82 The proposal adequately respects the amenity of its neighbours and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 57 and 58.
- 8.83 Third Party Representations**
- 8.84 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Third Party Comment</b>	<b>Officer Response</b>
Neighbour notification (unable to access website)	There was no website down-time so all documents were accessible for third parties and consultees.

## **8.85 Other Matters**

8.86 Bins

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

8.88 Refuse bin storage would be integrated into the proposed built form and the proposals would not change the bin storage space required.

## **8.89 Very Special Circumstances**

8.90 By virtue of the loss of openness to the spatial qualities of the Green Belt, it is concluded that the proposal is inappropriate development by definition and thus harmful. One could argue, as indeed the applicant does, that the building amounts to the provision of appropriate facilities for outdoor sport and recreation and preserves the openness and is therefore appropriate. However, NPPF paragraph 145 b) states “as long as the facilities preserve the openness of the Green Belt...” Officers consider that the proposed building results in limited harm to the openness of the Green Belt.

8.91 No ‘other harm’ has been identified in the preceding assessment that is additional to the openness harm identified.

8.92 Whilst the applicant does not agree that the development amounts to inappropriate development within the Green Belt, justification has been set out in what the applicant considers to be the ‘Very Special Circumstances’ that exist in this case. This is contained in the ‘Planning Supplementary Note’ submitted by the applicant.

8.93 The application site is an established training ground for Cambridge Utd FC. Notwithstanding this, alternative sites have been considered and no suitable, available and deliverable sites within the city or on non-Green Belt land have been identified.

8.94 Third party comments concerning the existing Cambridge Utd FC business and potential as a ‘white elephant’ are noted. However, the existing facilities comprise two cabins, that were not designed for the Club but rather inherited. They were originally granted temporary planning permission in 2015 and extended to 2025. The football club argues that if a long-term solution is not found for the Club before 2025 whereby the Club could not continue to at least train at the Bentley Road Sports Ground, then they would be without a Training Facility. Accordingly, the Club has sought to reach a long-term agreement with Clare College to use the site and an enhanced Training Facility is key to the Club’s future ambition. The new Training Facility therefore is a fundamental part of securing the long-term future of the Football Club.



- 8.95 The applicant states that the proposed development would provide much needed high quality training facilities. The quality and range of facilities for day-to-day training is a key driver for career decisions with players and coaches to ensure progression and development. The proposed facilities would be befitting of a League One Club and would ensure that the Club provide a high standard of facilities to compete for youth players with other regional clubs. In so doing, this would also enable the Club to attract and retain the best youth players, professionals, coaching and health staff.
- 8.96 It is noted that several football stadiums and training facilities have been granted planning consent and subsequently built in the Green Belt, being allowed under the 'Very Special Circumstances' test. By contrast to these examples of substantially sized stadia in the Green Belt, the proposal is for a modest single storey facility which respects the context of the site and its proposed scale and nature of training facilities are similar to several other clubs at the same level.
- 8.97 The enhanced facilities would attract better players and in turn would support the club's progression in the league, resulting in greater fan attendance at games, and investment by home and away fans and sports groups visiting the city which all lead to the creation of additional economic benefits to the city's businesses. The proposal would therefore result in a positive economic impact to the wider community.
- 8.98 The proposed facilities are designed bespoke to the Club's needs, enhancing the player and staff experience and ensuring that wellbeing and learning requirements are met. The proposal would therefore result in a positive social impact for users of the facilities.
- 8.99 The proposed building structure would result in a substantially better thermal and energy efficiency standards compared to the existing buildings. In addition, biodiversity and landscaping would be integrated into the development. The proposal would therefore result in a positive environmental impact.
- 8.100 As such, it is considered that there are clear economic, social and environmental benefits that would arise that weigh heavily in favour of the development. In addition, the proposals are in full accordance with Policy 73 in terms of contributing significantly towards the aim of government guidance to promote sporting excellence.
- 8.101 The proposed building has been carefully designed to assimilate into its surroundings and having considered the limited harm to the openness of the Green Belt, it is considered that the 'Very Special Circumstances' identified would bring considerable social, economic and environmental benefits whilst satisfying the local need of the Cambridge Utd FC to support the future viability and success of this football club, which in turn would bring considerable economic benefits to the City of Cambridge. In Officers' view, these 'Very Special Circumstances' clearly outweigh the limited harm identified and the test in Paragraph 148 of the NPPF 2021 is

satisfied. The proposal is therefore in accordance with Policy 4 of the Local Plan 2018 and the NPPF 2021.

### **8.102 Planning Balance**

- 8.103 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).
- 8.104 Summary of harm
- 8.105 The proposal is inappropriate development by definition, by virtue of the limited loss of spatial openness to the Green Belt.
- 8.106 Summary of benefits
- 8.107 The proposed development would provide a much needed high-quality training facility for Cambridge Utd FC and result in both social and economic benefits for the football club and economic benefits for the city of Cambridge.
- 8.108 The proposal would respect the recreational value of Clare College sports ground, which is identified as a designated Protected Open Space by providing ancillary facilities to the existing sports pitches in which no loss of formal sports areas would occur. The proposal would materially improve the sports facilities for members of the football club and the visual amenity for both club members and visitors, whilst also providing landscaping and biodiversity enhancements.
- 8.109 The design of the building would be an improvement to the existing collection of ad-hoc buildings and respond positively to the rural context of its surroundings.
- 8.110 The sustainable design and construction of the proposal would meet the BREEAM 'excellent' standards.
- 8.111 The application demonstrates an acceptable drainage strategy can be achieved on site and therefore safeguards it and the surrounding landscape from current and future flood risk.
- 8.112 The proposed development would minimise and mitigate any potential harm to protected species and demonstrates a biodiversity net gain within the application site.
- 8.113 Very special circumstances have been identified that would clearly outweigh the limited harm to the openness of the Green Belt.
- 8.114 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.

## **9.0 Recommendation**

### **9.1 Approve subject to:**

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

## **10.0 Planning Conditions**

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

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

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

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

- 3) No development shall take place above ground level, other than demolition, until details of the materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall 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) 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).

- 5) Prior to their installation, full details of designed locations for signage systems for the building [including fascias, hanging signs, lighting systems, etc.] shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be undertaken in

accordance with the agreed details unless the local planning authority agrees to any variation in writing.

Reason: In the interests of visual amenity and to ensure that the quality of the signage, fascias, hanging signs, lighting systems, etc. are acceptable and maintained throughout the development (Cambridge Local Plan 2018 policies 55 and 57).

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

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

- 7) The development hereby approved shall not be occupied until a BRE issued post Construction Certificate has been submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

- 8) No occupation of the building shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking, how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.

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

- 9) The development hereby approved, shall be carried out in strict accordance with the recommendations contained within the Arboricultural Report for Development, dated 19<sup>th</sup> October 2022.

Reason: To ensure that any works undertaken comply with arboricultural best practice and minimise the impact on the tree's health and amenity in accordance with Policy 71 of the Local Plan 2018.

- 10) The plant and mitigation requirements as stated within the Sharps Acoustics "Assessment of noise impact from proposed training facility for Cambridge United Football Club" report dated 17<sup>th</sup> December 2022 & Sharps Acoustics "Addendum to noise assessment report for proposed training facility for Cambridge United Football Club" report dated 12<sup>th</sup> January 2023 shall be fully implemented, maintained and not altered.

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

- 11) Prior to any installation of the Air Source Heat Pumps, details of the acoustic fence to be erected around the Air Source Heat Pumps detailed in the "David Morley Architects drawing – Ground Floor Proposed – drawing number 771-DMA-A-15-003 – Rev P2 – dated 12<sup>th</sup> January 2023" shall be submitted to and approved in writing with the local planning authority. The acoustic fence shall be constructed to include but not exhaustively follow:

- The fence should be solid construction, imperforate with timber of at least 20mm (ideally 25mm) thickness in all places (including where the boards overlap).
- Boards should continue across the front of posts to prevent gaps and wide overlaps (minimum 25mm is recommended) allow for timber expansion and contraction whilst minimising the possibility of gaps appearing over time.
- The superficial mass of 25mm thickness of timber is approximately 10 to 15 kg/m<sup>2</sup>.

The approved acoustic fencing scheme shall be retained thereafter.

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

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

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

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

13) 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)

14) 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).

15) 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).

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

The scheme shall include:

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

- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- h) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available.

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

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

- 17) No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

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

- 18) Prior to installation of any artificial lighting, a "lighting design strategy for biodiversity" features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
  - c) not exceed the maximum permitted 0.5 lux level on the vertical plane (before and post curfew) along the boundary with Hobson's Conduit / Vicar's Brook as specified for light sensitive bat species in accordance with the Bat Conservation Trust and ILP guidance GN08/18.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances

should any other external lighting be installed without prior consent from the local planning authority.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57, 69 and 70).

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

All works shall be carried out and maintained thereafter in accordance with the approved details

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).

- 20) No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:
- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
  - ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;
  - iii) Identification of the existing habitats and their condition on-site and within receptor site(s);



- iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

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

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

- 21) 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 the training facility 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).

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

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

- 23) 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.

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.

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

24) Prior to occupation of the training facility hereby approved, a scheme for the provision of integrated bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box numbers, specification, and their location. The training facility shall not be occupied until nest boxes have been provided in accordance with the approved scheme. The scheme shall be retained as such thereafter.

Reason: To conserve and enhance ecological interests in accordance Cambridge Local Plan 2018 policy 70.

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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 9



<b>Planning Committee Date</b>	7 February 2023
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/03811/FUL
<b>Site</b>	Kings College, Kings Parade, Cambridge
<b>Ward / Parish</b>	Newnham
<b>Proposal</b>	Installation of photovoltaic panel arrays on the north and south slopes of Kings College Chapel and related infrastructure.
<b>Applicant</b>	King's College Cambridge
<b>Presenting Officer</b>	Mary Collins
<b>Reason Reported to Committee</b>	Application raises special planning policy or other considerations
<b>Member Site Visit Date</b>	
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Impact on significance of Grade I and setting of Grade II Listed Buildings</li><li>2. Impact on Park/Garden of special interest</li><li>3. Impact on Historic Core Conservation area</li><li>4. Carbon reduction</li><li>5. Public benefits</li></ol>
<b>Recommendation</b>	REFUSE

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the installation of 492 photovoltaic (PV) panel arrays on the north and south slopes of Kings College Chapel and related infrastructure.
- 1.2 Having considered the proposals carefully and considering the impact of the PV panels on the significance of the Grade I Listed chapel; Officers are of the view that the magnitude of the public benefit derived from the solar panels in this case does not outweigh the less than substantial harm identified to the heritage interests of the Grade I listed chapel.
- 1.3 The recommendation is accordingly that the application be refused.

## 2.0 Site Description and Context

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

- 2.1 The application site is on the western side of King's Parade and falls within the Historic Core Conservation Area. The Chapel is a Grade I listed building. The Chapel and all the buildings of King's College sit within the Grade II\* Registered Park and Garden of Special Historic Interest which encompasses all the College's Courts and Gardens (including those west of the river and therefore forming part of 'The Backs').
- 2.2 The Chapel forms the north side of First Court which is enclosed by buildings which are all Grade I listed. They are The Fellows' (or Gibbs) Building which forms the west side; The Screens and entrance gateway on King's Parade which forms the east side and the South Range of First Court. Within First Court are Twelve lampposts and a Fountain in the centre, all of these are Grade II listed.
- 2.3 The chapel roof is nearly 300ft long and laid without steps in mini-roll lead, falling to lead parapet gutters. Although a large expanse, it is a plain,

practical roof with no decorative leadwork and largely concealed by the openwork parapet, pinnacles, upper turrets and battlements.

2.4 To the east of the Chapel on the east side of King's Parade is the Grade I Listed Church of St Mary the Great. South of this are a number of Grade II listed 'town' buildings, generally shops and cafes with King's College student accommodation above. These form a continuous and attractive group along the east side of King's Parade and turn the corner into St Mary's Passage.

2.5 The site is within the city centre, Air Quality Management Area and located within the strategic district heating area.

### **3.0 The Proposal**

3.1 The application seeks planning permission for the installation of photovoltaic panel arrays on the north and south slopes of Kings College Chapel and related infrastructure.

3.2 The panel specification is an all-black panel and frame and a panel with low reflectivity. The 492 solar panels are to be split over both the north and south roof slopes of the Chapel and would be carried on a frame fixed just above the renewed lead roof covering currently being installed.

3.3 The PV panels would not extend across the full roof length of the roof, each end would have an area of lead roof towards the corner turrets.

3.4 Listed Building Consent is not required for these works as the Chapel is subject to the 'Ecclesiastical Exemption' and the equivalent approval must be gained from, in this case, the Church of England through the Faculty Jurisdiction. Historic England are key advisors to both the secular and ecclesiastical bodies on such matters.

### **4.0 Relevant Site History**

4.1 18/0510/FUL - Addition of PV panels to south facing roof slope of Wilkins Building and improvements to roof access to enable regular maintenance including additional lead covered access hatches in roof.  
Approved: 08.06.2018

### **5.0 Policy**

#### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Circular 11/95 (Conditions, Annex A)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

Equalities Act 2010

## 5.2 **Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 29: Renewable and Low Carbon Generation

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 63: Works to a heritage asset to address climate change

## 5.3 **Neighbourhood Plan**

N/A

## 5.4 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

## 5.5 **Other Guidance**

Cambridge Historic Core Conservation Area Appraisal (2015)

## 6.0 **Consultations**

### 6.1 **Cambridge Airport - Object to this proposal unless a condition requiring a Glint and Glare assessment is applied to any planning permission.**

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria.

The introduction of PV panels on the roof of the buildings may affect the operations at Cambridge airport. The PV reflections could have an impact on Airport operations due to glint and glare effects. Cambridge Airport requires a glint and glare assessment to be required by condition to determine full impact on pilots approaching the airport and air traffic controllers in the ATC tower.

Given the nature of the proposed development it is possible that a crane may be required during its construction. Draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe



use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

**6.2 County Highways Development Management - No comment**

**6.3 Conservation Officer – Objection.** Clearly, the aim of supplying more energy to the College sustainably is a beneficial one. In the supporting statement the architects say, “The installation of a PV array can essentially be seen as visually substituting one backdrop for another. But it cannot visually distract and must be muted, constant and uniform.” The concern is that these later criteria are not fully met. Rather than damage to historic fabric, the effect of the proposal on the Chapel’s architectural interest or significance would be the principal impact. The PV panels would effectively form a roof covering of different character and appearance than the lead roof and the visual differences would be apparent albeit in a limited way. The degree of harm to the Chapel’s significance would be modest (ie “less than substantial” harm in the terminology of the NPPF) but given the building’s importance (and noting NPPF para 199 below), this harm has to be of concern and would conflict with the Local Plan policies referred to above.

Arising from the harm to the Chapel itself, there would also be some related limited, harm to the significance of the historic buildings surrounding the Chapel, and to the Central Conservation Area. However, this would be secondary to the impact of the proposal on the significance of the Chapel. Both Local Plan policy and NPPF (para 202) indicate that any harm to the setting of the Listed Building, or other heritage assets, should be weighed against the public benefits of the proposal (including the carbon reduction).

**6.4 Environmental Health – No objection.** Have no comments or recommended conditions to make regarding this application

**6.5 Historic England – Objection.** King’s College Chapel, a masterpiece of the Perpendicular style, is one of the most exceptional of England’s buildings. The proposed installation of solar panels on its roof would form part of King’s College’s strategic response to the climate crisis. Historic England considers that the work would harm people’s appreciation of the Chapel’s extraordinary architectural character – that is, harm its significance.

Its impact would be both upon the fabric of the Chapel and on its appearance and character; it would also give rise to questions of maintenance and management.

Historic England considers that the effect of the proposal on people’s appreciation of the Chapel’s architectural interest would be the principal impact.

In our judgement, however, the application is wrong to conclude that the lead covering is a thing apart from the architectural interest of the Chapel.

It is intrinsic to that interest. The Chapel is Cambridge's greatest monument, visible across the city. The part played in views of the Chapel by the parapets and by the lead roof covering is varied, on account both of the direction of the views and their distance. In some views, the Chapel roof can either not be seen or plays little part. These include both distant views from the surrounding countryside and the most celebrated view of the Backs, with the Chapel at its centre, as well as oblique views from the Market Square and the direct view of the east end from King's Parade. In others, the roof can be seen, almost always as part of a larger whole. The north slope is visible from Garret Hostel Bridge, which affords the best public views along the Cam. In the view from the southern end of King's Parade – the most expansive town view – the roof can be clearly seen as part of the skyline, as it can within the Great Court – which provides the best frontal view of either of the long elevations. It also plays an important part in the views of the Chapel from Trinity and Queens Lanes.

The roof features prominently in the view from the tower of Great St. Mary's Church, which affords the best opportunity to appreciate the boldness and richness of the Chapel's skyline. It can be seen, but not clearly, in the prospect over Cambridge from Castle Mound. From these views one can draw the following conclusions. a) Skyline and roof form part of a coherent architectural composition; the role of the roof's lead covering is intrinsic to the overall effect. b) Views of the roof may be limited but contribute to the appreciation of the Chapel's architecture. c) The roof covering plays no part in the most celebrated view of the Chapel – that from the Backs – but is present in other important views. While the contribution of the skyline, and of the relationship between the lead covering of the roof and the stonework of turrets, finials and parapets, to the Chapel's significance is important, it is also modest, when considered in the context of the Chapel's significance as a whole.

Skyline and roof covering form part of the Chapel's magnificent exterior. Arguably, this is, above all, a prelude to what lies within. The discipline and richness of the Chapel's fan-vaulted interior – the supreme example of its kind, the excellence of the Renaissance screen and stalls, and the remarkable quality and survival of the Henrician glass, combine with the building's exterior to make the Chapel a transcendent work of art. It remains, in form and detail, remarkably true to the conception of its founder and creators. This consideration of the Chapel's significance has dealt essentially with the building's architectural interest. Significance may be considered to comprise archaeological, architectural, artistic and historic interests.

These are best seen not as discrete interests but as overlapping lenses. Architectural interest is the most relevant here, although the Chapel is rich in all these interests. The Chapel is listed at grade I.

The exceptional character of the Chapel should not obscure the interest and significance of King's College as a whole. It comprises a group of primarily 18th and 19th century buildings which are themselves of very high

architectural and historic interest, as their landscape setting is of artistic and historic interest. The Chapel stands in the heart of Cambridge and at the heart – but not the geographical centre – of the Cambridge Historic Core Conservation Area. The account of views of the Chapel has encompassed those places in the conservation area that would be affected by the proposal. The largely collegiate townscape, and the Backs, in the vicinity of the Chapel, form only a small part of what is an extensive conservation area. The effect of the proposed installation would be felt in only a small part of the area, albeit its most remarkable part.

The proposed solar installation would harm the significance of King's College Chapel. Its harmful impact would be primarily to the Chapel's architectural interest. The harm would be caused by the visibility of the solar panels, the difference between their character and that of lead, and their consequent effect on the architectural character of the Chapel. Indirectly, this would also affect the Chapel's historic interest. Broadly, the installation would seem unlikely to harm the historic fabric of the building, although we hope to explore this aspect of the proposals further with the applicants.

Wherever one can now see the Chapel's lead roof covering, the solar panels would be visible. Their visibility would be limited, and in every view, they would form part of a much larger composition. Their presence would nevertheless damage the viewer's appreciation of the Chapel's architectural interest. The appearance and character of the solar panels would be very different to that of lead. Although the panels themselves would be dark, the evidence of the mock-ups now in place shows that their appearance would change with the weather, due to their reflective quality. They would pick up the changing tone – and perhaps colour – of the sky, shifting from light to dark under changing skies.

On account of its reflective quality, it would become a conspicuous part of the view of the north slope from Garret Hostel Bridge and in that from the southern end of King's Parade. It would be conspicuous from within First Court, and in the views of the Chapel from Trinity and Queen's Lanes.

In the view from the tower of Great St. Mary's Church, the exceptional prospect of the Chapel's roofscape and skyline would be transformed by the application of this contemporary material, forming a reflective screen. It would damage the unity of the architectural composition dating from the Middle Ages.

The prospect over Cambridge from Castle Mound would be less obviously affected.

Considering the presence of the solar installation in these views prompts the following conclusions, on which the proposition at the heart of this letter – that the proposed solar installation would harm the significance of the Chapel – rests. a) Wherever they would be visible, the solar panels would be discordant: their appearance would shift with the weather and be alien to that of the Chapel's historic materials. The degree to which the solar

panels would, or would not, be conspicuous would depend on the changing skies. b) Their discordant character would detract from the Chapel's appearance and erode its authenticity and integrity. c) While the solar panels would be visible only in some views, their impact would not be insignificant: some of the affected views are of great importance, and all contribute to the dynamic way in which the Chapel's architecture is best appreciated. When the full significance of the Chapel is considered, the degree of harm to the sum of the Chapel's significance would be modest. This does not mean that it would be either inconsequential or of little importance, for reasons set out below. The proposed installation would also cause some, very limited, harm to the significance of the fine historic buildings surrounding the Chapel, and to the townscape of central Cambridge. Historic England considers that this limited harm would add little to the harmful impact of the proposals on the significance of the Chapel.

The proposed installation of solar panels on the slopes of King's College Chapel would harm the significance of what is an exceptionally significant building, would damage the architectural character and interest of the building, by over-laying much of the renewed lead roof covering with an additional covering of radically different character. Indirectly, they would also harm the Chapel's historic interest. The reflective quality of the extensive solar installation would make it quite different in appearance to the lead roof covering itself, which it would largely obscure. The changing tone and colour of the panels would attract attention, detracting from the architectural character the roof and skyline, which together make an important contribution to the Chapel's architectural interest and, therefore, to its significance.

While the architecture of its exterior is monumental and bold, and while the Chapel's skyline, one of the richest parts of the exterior, makes an important contribution to the architecture of the exterior, the Chapel's interior contributes still more to the building's significance. The Chapel's significance is also enriched by the landscape and townscape in which it stands. Given the richness of the Chapel's significance, it must be the case that the impact of the proposals on its significance as a whole would be modest. In the terminology of the Framework, the harm would be "less than substantial" (NPPF, 202). That does not, of course, mean that the harm following from the proposals would be of modest, or less than substantial, consequence.

The Max Fordham Decarbonisation Report suggests that the installation would secure a reduction of about 1.4% in the College's carbon emissions. Historic England considers that the limited contribution that the proposals would make to the reduction of the College's carbon emissions, the indication within the Framework that impacts can be unacceptable, and the Framework's promotion of a strategic approach to the provision of renewable energy generation, raise questions about the justification for this proposal.

Historic England recommends that the application should be refused, unless the Council concludes that the harm it would cause to the significance of the Chapel would be outweighed by the public benefit which this instance of renewable power generation would provide.

**6.6 The Gardens Trust – do not wish to comment on the proposals at this stage.** Have considered the information provided in support of the application and liaised with colleagues in Cambridgeshire Gardens Trust, would however emphasise that this does not in any way signify either approval or disapproval of the proposals.

**6.7 Nature Conservation Projects Officer – No objection** The Preliminary Bat Appraisal identifies the building as having high bat roost potential, but only relatively low use by bats species visiting mainly at night. There is no evidence of a maternity roost. Content with the survey effort and rationale for proceeding under a precautionary method statement with ecological supervision as set out in the report.

If minded to approve, would request that the method statement within the Preliminary Bat Appraisal is included within the approved documents or if required submitted under condition as a technical document to be complied with.

Given the high bat roost potential, if the works are not commenced within one year of permission would request follow up surveys to ensure the bat roost status has not changed in the interim and any method statement or license requirement reviewed accordingly and submitted to the LPA for approval

**6.8 Society for the Protection of Ancient Buildings (SPAB) – Object Supportive of the principle of the proposal, do not consider the justification for the harm caused to be sufficiently robust in this case.**

In examining proposals for listed buildings where the justification is framed primarily in terms of carbon reduction, the SPAB aims for a balanced approach. We recognise and support the need to improve the sustainability of buildings of all ages. Where there are clear and convincing public benefits in terms of sustainability, we accept that a measure of harm may sometimes be justifiable to achieve this. Equally, if an applicant seeks to justify harm to the significance of a designated heritage asset on the basis of sustainability improvements, the public benefits in terms of carbon reduction must be clearly demonstrated.

Any harm in this case would be primarily visual and would flow from the presence of PV arrays on the north and south roof slopes, the roof slopes being partially visible from numerous vantage points on the College estate and surrounding area. Any harm caused would therefore be primarily to the architectural significance of the Chapel and, to a lesser extent, the other buildings that sit in close proximity to it.

We concluded that the panels will be slightly visible through the perforations of the parapet, but that this will not be obvious to most taking in a general view of the building. We also noted that, as the panels would cover the whole of the slope, there would be no contrast between lead and PV panel, a factor which may help to reduce the visual impact. We were, however, struck by the way that the reflective surface of the panels changes as clouds pass overhead, showing as white with cloud cover, and black when the sky cleared.

When observed on site, it is beyond doubt that they are reflective of the changing weather conditions overhead, and that this gives them a dynamic nature that is very different to the more static and recessive nature of a lead roof. With arrays in place, the roof would become a more prominent feature of the building. We consider that this alteration of the balance of architectural composition would result in a measure of harm to the architectural significance of the building. However, in our view, the level of harm would be less than substantial and may therefore be acceptable if a clear and convincing justification can be provided.

The College has commissioned a detailed report by building services consultancy Max Fordham, which outlines a number of options for achieving decarbonisation. However, while the application refers to this report as the College's sustainability strategy, it is in fact a set of recommendations, many of which the report assesses as difficult to deliver without substantial harm to the highly listed historic assets that form the greater part of the estate.

The scope of change outlined in the report would necessitate very considerable funds to be deployed by the College. While the Max Fordham report is informative, we can see no evidence in the application or elsewhere that the College has an adopted and funded sustainability strategy. This is a key point as, in order to provide the clear and convincing justification of carbon reduction required, a proposal of this type must form part of a whole building/estate approach articulated in a sustainability policy which sets out the range of measures that will be taken to reduce the carbon footprint. We do recognise that the College has carried out a number of actions in this respect, but evidence is needed of an holistic approach that explains what other actions the College intends to take to reduce carbon emissions.

We think this is particularly important in the current case given that the reduction in emissions that would result from the PV array is calculated by the Max Fordham report as being in the order of only 1.4%. What other measures involving lesser harm does the College intend to take, and what will the comparative impact be? Examples of this type of action might be better draught proofing, using LED lightbulbs, using A+++ appliances, lowering heating temperatures, installing TVRs on radiators, etc.

Output from the combined arrays will considerably exceed the chapel's usage requirements and in fact the Chapel's electricity usage would be more than met by the south array. This calls into question the justification for the north array as well as the requirement for a south array of the extent

proposed. While the College has said that that this will be addressed by using the excess electricity for other buildings, it is not clear what the benefit will be or whether this could be achieved in other, less harmful ways.

The College has more than one mains electricity connection and it has been suggested that the array will be wired back into the one that serves the Chapel and adjacent buildings. However, a key detail missing from the proposal is a clear profile of the expected generation against the electrical demand through the meter into which the array will be connected. There has been some attempt to estimate expected generation against the chapel usage, and the entire College use, and the reality will be somewhere in between. As the proposed panels' output will far exceed the electricity demand of the chapel itself, the benefit from an array of the size intended will be primarily in supplying the rest of the college estate which uses electricity through the same meter to which the chapel is connected. However, it is not known what measures have been taken to reduce the electricity demand from the 'non-chapel' usage (such as installing LED lighting and the like), nor is it clear what other, less visible, roofs may be viable to generate further electricity for this supply.

The applicant has provided us with data showing the performance and embodied carbon impact of the north and south arrays respectively. This demonstrates that the north side would take 6.4 years to pay back from the electricity generated. This would mean that the proposal would emit more carbon into the climate between now and 2030, not less. The calculations presented suggest that the north side array will produce only 60% of the electricity of that of the south side.

The north side array also has a higher potential for visual harm in the key view from Trinity Lane as the mock up demonstrates that the top edge of the panels would mask the ridge line. This is due to the more acute angle of sight at the point at which the building first becomes visible from the Lane. The north side array will also be clearly visible when viewed from the tower of the Church of St Mary the Great.

While we are supportive of the principle of the proposal, for the reasons given above, we do not consider the justification for the harm caused to be sufficiently robust in this case. The benefit of the north side array in particular has not been demonstrated clearly enough. Were the building in question to be less important and prominent then it might be possible to accept a finer balance.

**6.9 Sustainability** - Although we would generally offer support for renewable energy generation of this type, and see no issues with the system proposed, mindful of the chosen location for the technology and question its possible impact on such a significant heritage asset. Support would be offered from a sustainable construction point of view, only if it was deemed that the renewable energy/sustainability benefits of the scheme outweighed the possible negative impacts on the heritage asset and historic environment,

for which, advice should be sought from appropriate colleagues in heritage/conservation

The scheme does seek to reduce carbon emissions associated with energy use in response to the climate emergency and as part of the College's transition to net zero carbon. While it will be difficult for the college to fully decarbonise using onsite measures due to the nature of the College's estate, the Decarbonisation Report prepared by Max Fordham does identify a range of measures that the College can implement, from fabric improvements, energy efficiency measures, renewable heat, and energy generation in the form of photovoltaic panels. This approach, which considers the College's estate as a whole, is welcomed. As the covering design report notes, every tonne of carbon reduced has a value.

Micro inverters are to be used, which will enable each roof slope array to operate independently. The generation potential of the panels is 105,864 kWh/year with a carbon saving over approx. 23 tonnes of carbon per year for the next 30 years.

Given the carbon saving being achieved and the care with which this proposal has been designed and tested through the development of the trial PV array, the proposals are supported from a sustainable design and construction perspective.

#### **6.10 Cambridge Past, Present and Future**

Note that the panels would only reduce the College's carbon emissions by 1.4% compared to other energy efficiency measures.

Consider that the low angle of the roof and the parapets significantly minimises the visual impact of the panels.

However appreciate the points made by Historic England in their representation (12 October 2022) that currently, when the roof is visible, the lead provides a matt, unchanging background. With solar panels though, the 'colour' of the roof would change with the panels reflecting the light and dark of changing skies. Although when one is admiring the building, one looks at it as a whole, with all its architectural features, the fact that the view of the roof would look at times out of place by the use of 21 century materials, may draw the eye to the roof over other features.

There appear to be key factors that are particular to this development - the piggybacking on the roof repairs, the limited visual impact and being part of a wider plan to reduce energy across the college estate. Although we consider that there is modest visual impact on the building, it is being made on a building of great significance.

#### **7.0 Third Party Representations**



One response in support received - Decarbonisation is an important process and King's College has a large roof to install solar panels. The photos they have produced show minimal visual impact and believe the additional of solar panels outweighs any impact.

## **8.0 Member Representations**

Not applicable

## **9.0 Local Groups / Petition**

Not applicable

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

## **10.0 Assessment**

### **10.1 Principle of Development**

10.2 Policy 55 of the Local Plan seeks to ensure that all new development responds appropriately to its context. Policy 61 of the Cambridge Local Plan seeks to ensure that proposals for development preserve or enhance Cambridge's historic environment and demonstrate a clear understanding of the significance of the asset, the wider context within which the asset sits and any impact upon it. This reflects National Planning Policy Guidance and the clear legal obligations on the Council to have special regard to the desirability of preserving the special architectural or historic interest of buildings or their setting in line with S66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

10.3 Policies 29, 61 and 63 of the Local Plan are supportive of environmental improvements and energy generation subject to the impact on the heritage asset being minimised.

10.4 Policy 29 of the Local Plan states proposals for development involving the provision of renewable and/or low carbon energy generation, will be supported, subject to the acceptability of their wider impacts. Potential impacts may be acceptable if they are minor, or are outweighed by wider benefits, including the need for energy from renewable and low carbon sources, which will contribute to reducing carbon and other emissions. While the Council wishes to promote renewable and low carbon energy generation, there is also a need to balance this desire against other objectives for Cambridge, such as... protection and enhancement of the historic environment" (CLP, paragraph 4.14).

10.5 Policy 63 of the Local Plan seeks to encourage "proposals to enhance the environmental performance of heritage assets", provided that their "design

and specification ensures that the significance of the asset is not compromised by inappropriate interventions”.

- 10.6 As the Local Plan 2018 states at 7.32 & 33, the Council is committed to tackling climate change and reducing the carbon emissions of Cambridge. At the same time, the Council is committed to conserving the city’s historic environment, particularly preserving and enhancing the character and appearance of its heritage assets. The Council’s aim, therefore, is to ensure a balanced approach between protecting the heritage assets of Cambridge and ensuring that they contribute to tackling climate change and reducing the carbon emissions of the city. Acceptable levels of intervention will vary dependent upon the impact on the significance of the heritage asset in question. Where works would harm the building's integrity or significance, that harm will be weighed against the public benefit of the proposal.
- 10.7 In respect of the climate crisis, the Framework’s policies promote the provision of renewable energy, recognise constraints, and encourage a strategic approach. These policies should be understood in the light of the Government’s target for the United Kingdom to reach net zero carbon by 2050. Any increased provision of renewable energy is to be taken as a public benefit. The National Planning Policy Framework’s policy in respect of the determination of applications for renewable energy generation states this clearly (NPPF, 158, a), and it accords with the Government’s target for the United Kingdom to reach net zero carbon by 2050.
- 10.8 Paragraph 158 states “When determining planning applications for renewable and low carbon development, local planning authorities should:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - b) approve the application if its impacts are (or can be made) acceptable...”
- 10.9 Here, both the Framework’s policies, which, while promoting the provision of renewable energy, encourage a strategic approach to this objective and recognise constraints, and the Local Plan’s policies, and advocacy of a “balanced approach”, are pertinent (NPPF, 155, 158, CLP, paragraph 7.32).

### **Impact of proposal on Heritage Assets**

- 10.10 The application falls within the Historic Core of the Central Conservation Area. The application relates to the Grade I listed chapel, which is within the setting of Grade II listed buildings and is within a registered Parks and Gardens of Special Historic Interest at Grade II\*. 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.

- 10.11 The National Planning Policy Framework describes how local planning authorities should identify and assess the particular significance of any heritage asset and take this into account to avoid or minimise conflict between conservation and any aspect of a proposal (paragraph 195). It establishes the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the desirability of new development making a positive contribution to local character and distinctiveness, (paragraph 197).
- 10.12 Paragraph 199 of the National Planning Policy Framework (NPPF 2021) requires 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

#### **Significance of heritage assets**

- 10.13 The heritage assets in this case are of the finest quality. King's College Chapel, begun in 1446 and completed in 1531, stands as one of England's most remarkable buildings. It is a building of local, National, European and international significance. The chapel within the college complex, Registered Garden, and the Historic Core of the Cambridge Central Conservation Area, is Grade I Listed for its exceptional architectural/historic interest and is generally held to be the most instantly recognisable and iconic building in Cambridge.
- 10.14 The Chapel is, above all, an extraordinary work of architecture and art, one of the outstanding manifestations of the Perpendicular style – England's late Gothic architectural manner. The Chapel is a monumental structure, simple in form but bold in architectural expression. Its twelve bays are articulated by colossal buttresses separating vast traceried windows; its towering walls rise to a dramatic skyline; the single bay elevations to east and west are equally powerful. The Chapel's skyline makes an important contribution to its architectural interest. With its turrets, finials and openwork parapets, it is among the richest elements of the exterior. The parapet is of considerable scale. It is pierced with tall, lozenge-shaped openings, cusped at top and bottom; the pattern of the opening is repeated in the merlons (the upward projections of the parapet).
- 10.15 The appearance of the Chapel's skyline plays its part in the viewer's complex appreciation of the Chapel, from within the College and in views from the surrounding streets, the Backs, the river and beyond. The changing

relationships of the components of the skyline, as the viewer looks at the Chapel from changing positions, help to make the viewer's experience of the Chapel dynamic. The openwork parapet appears solid when viewed obliquely, opening as the viewer moves to obtain a more direct view.

- 10.16 When one can see through the parapets, they are seen sometimes against sky, and sometimes against the roof's lead covering. Both sky and lead contribute to the Chapel's skyline, and to the experience of its architecture. Lead is the proper covering to the Chapel roof. The roof was built for, and has always been roofed with, lead; and it has always been seen roofed with lead. The lead roof covering contributes to the Chapel's architectural character.
- 10.17 King's Parade / Senate House Hill section of the Cambridge Historic Core Appraisal states, "Today, King's Parade and Senate House Hill are exceptionally busy and probably the most photographed streets in Cambridge." and "King's College Chapel is the most visually important building with its east end rising well above the other buildings and its vast east window framed by corner towers." The exceptional significance of the Listed building is well described by Historic England and in the assessments submitted by Caroe and Turley.
- 10.18 The College lies within the conservation area where it is appreciated in conjunction with the other colleges along the river. The Conservation Area Appraisal illustrates the key positive views to the focal features of the Gibbs Building, the Chapel and south range of Clare College. It states 'the views across The Backs are the most frequently reproduced images of Cambridge, with the view of Clare College and King's College Chapel being the iconic image used to represent the university and city around the world. The quality of these views is a combination of the green setting of manicured lawns with wilder paddocks, the river with its traditional activity of punting and architecturally elaborate bridges, the spectacular architecture of the historic college buildings as the focus of the view (without interruption of discordant structures), and the clear space behind, again without interference of structures that might draw attention away from historic college buildings'
- 10.19 The heritage assets identified especially the Grade I Chapel are of the very highest significance, with high evidential, historical, aesthetic and communal values. King's College as a whole comprises a group of primarily 18th and 19th century buildings which are themselves of very high architectural and historic interest, and their landscape setting is of artistic and historic interest. Subsequently, the weight that the Council should give to their conservation should therefore be very considerable. The Framework is also clear that any harm, requires clear and convincing justification.
- 10.20 Officers as well as Historic England and SPAB have identified that harm to the significance of the listed building will occur as a result of the proposal and that this would be less than substantial to a moderate degree.

- 10.21 It is acknowledged that the roof itself is only a part of the overall appearance of views of the chapel and is not prominent in terms of architectural elements. In general, glimpses of the roof can be seen through piercings of the parapets and between the pinnacles and turrets from various street level vantage points. However wherever one can currently see the Chapel's lead roof covering, the solar PV panels would be visible. The installation of a PV panels can essentially be seen as visually substituting one backdrop for another.
- 10.22 It is the observation of conservation specialists from the evidence provided from the mock-ups in place on the roof, that although the PV panels are black and their specification is of low reflectivity, they have a shiny surface and are reflective. It is considered that the solar panels would pick up the changing tone and perhaps colour of the sky, shifting from light to dark under changing skies. The appearance of the panels and by extension the roof, would change as clouds pass overhead, showing as white with cloud cover, and black when the sky cleared.
- 10.23 The solar panels would therefore have a dynamic nature that is very different to the more static and recessive nature of a lead roof. The proposal would, in effect, lay a reflective screen across the greater part of both roof slopes. The visual impact of the panels would vary according to viewpoint and brightness. There is concern that the panels would not appear recessive in the way the light toned, existing lead covering does, would be a shinier surface, and would be capable of detracting from the appearance of the building.
- 10.24 With the PV panels in place, the roof would become a more prominent feature of the building, with the roof attracting attention. Officers consider that this alteration of the balance of architectural composition, from the lesser role played by the roof covering to the significance of the overall building, to a more prominent role would harm the architectural significance of the building. The 'colour' of the roof would change with the panels reflecting the light and dark of changing skies. The PV panels would produce a livelier and more animated roof slope, which is likely to draw the observer's eye away from appreciating the building as designed as a whole, with all its architectural features in unison and complementary. The changing tone and colour of the panels would attract attention, detracting from the architectural character the roof and skyline, which together make an important contribution to the Chapel's architectural interest and, therefore, to its significance.
- 10.25 The PV panels would not extend across the full roof length with an area of lead roof towards the corner turrets. The two different types of surface material on the roof slopes will be distinguishable. A contrast would exist between the majority of the roof covered as it would be by PV panels and the ends left clear of panels, where the lead covering would be visible. The new lead will be dark grey at first but as the lead lightens/weathers or the panels reflect light, the contrast would be apparent.

- 10.26 The applicant argues it is in any case not true to say that a lead roof appears precisely the same in all weather conditions, nor is it a homogenous surface where patched or weathered. The appearance of a lead roof looks different when it is wet: the patination of the roof will not be even, and there is often 'distraction' when the sun casts shadows from the pinnacles and turrets across the lead roof. This could be argued to be just as conspicuous as any change in tone of sky picked up by the solar panels, which has been raised as harm to the detriment to the heritage significance.
- 10.27 Officers note these comments, however, consider there would be a perceivable difference between the shiny appearance of the PV panels and the duller appearance and patina of the lead covering where the shadows cast by the clouds would not have a comparable impact. The concern is that the PV panels would not have the same neutral/benign background appearance as the lead roof material but would instead have a stronger tone and a more reflective surface and that this would have a harmful impact on the appearance of the chapel. The new roof covering would visually distract and would not be muted, constant and uniform.
- 10.28 Officers consider that on account of their reflective quality the solar PV panels would become a conspicuous part of the view of the north slope of the Chapel from Garret Hostel Bridge and Trinity Lane. They would be conspicuous part of the view of the south slope from within Great Court which provides the best frontal view of either of the long elevations and in that from the southern end of King's Parade. A section of the roof would also be seen and highly visible from Queens Lane to the south.
- 10.29 The concern is that the PV panels would detract from the Chapel's architectural qualities. The roof of the Chapel features prominently in the view from the tower of Great St. Mary's Church, which affords the best opportunity to appreciate the boldness and richness of the Chapel's skyline as well the unity of the architectural composition dating from the Middle Ages which is of high significance. In this view, the exceptional prospect of the Chapel's roofscape and skyline would be transformed by the application of this contemporary material, forming a reflective screen would be discordant with the unity of the architectural composition. The full extent of the north roof slope would be visible from this elevated viewpoint which is important to the appreciation of this building.
- 10.30 The contrast between the lead roof and the PV panels would also be apparent from higher vantage points. Although there would be limited opportunities for seeing it, from this vantage point this would also be potentially a somewhat detrimental one.
- 10.31 In the views of the Chapel in which the lead roof covering cannot be seen, or plays little part, the solar PV installation would have no or little impact. These include distant views from the surrounding countryside and the most celebrated view of the Backs, as well as oblique views from the Market Square and the direct view of the east end of the Chapel from King's

Parade. The prospect over Cambridge from Castle Mound would be less obviously affected.

- 10.32 Although it is not established planning practice to take into account aerial or drone views, today, these are another way the chapel and its setting are experienced publicly via for example, online videos with thousands of viewings. As this building is so emblematic of Cambridge, Officers consider this ought also to be taken into account - clearly, in these the roof is more visible and seen along with the roof of other college and city centre buildings.
- 10.33 When the full significance of the Chapel is considered, the degree of harm to the sum of the Chapel's significance is considered to be modest.
- 10.34 To conclude, the proposed solar PV installation would harm the significance of the Chapel as wherever they would be visible, the solar panels would be discordant, and the application of this contemporary material would detract from the Chapel's appearance and erode its authenticity and integrity.
- 10.35 While the solar panels would be visible only in some views, their impact would not be insignificant, some of the affected views are of great importance, and all contribute to the dynamic way in which the Chapel's architecture is best appreciated. In every view, they would form part of a much larger composition. Their presence would nevertheless damage the viewer's appreciation of the Chapel's architectural interest.
- 10.36 The proposed installation would also cause some, very limited, harm to the significance of the historic buildings surrounding the Chapel, and to the townscape of central Cambridge. Apart from the impact on the chapel itself, the core of the conservation area will also be affected in that the panels will be a stronger colour black than the majority of lead roofs on nearby buildings. More generally, the comparison with other lead roofs nearby would be seen from higher level vantage points.
- 10.37 Officers and Conservation advisors are satisfied that any harm to the building's historic fabric would be minimal, as the lead roof is already to be re-laid, and careful consideration has been given to the method of fixing the panels in order to minimise impact and the works are reversible.
- 10.38 The proposal does not comply with policy 61 of the Cambridge Local Plan 2018.

### **Carbon reduction**

- 10.39 National government has set a target of carbon neutrality by 2050, Cambridge City Council have declared a climate emergency whilst the University has set clear and ambitious targets on its pathway to absolute zero carbon by 2048.

- 10.40 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.
- 10.41 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.
- 10.42 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.
- 10.43 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal from a carbon reduction point of view.
- 10.44 The scheme seeks to reduce carbon emissions associated with energy use in response to the climate emergency and as part of the College's transition to net zero carbon. While it will be difficult for the college to fully decarbonise using onsite measures due to the nature of the immediate College's estate, the Decarbonisation Report prepared by Max Fordham does identify a range of measures that the College can implement, from fabric improvements, energy efficiency measures, renewable heat, and energy generation in the form of photovoltaic panels.
- 10.45 The College's strategy is explained in the supporting statements from Caroe and from Turley and a Decarbonisation Report commissioned for the College from Max Fordham. The latter report shows chapel roof slopes "Moderately Suitable" and "Slightly Suitable" (North) for solar panels. This information suggests that although the PV panels will contribute to carbon reduction it will be a very small percentage reduction.
- 10.46 The proposed solar panels would provide public benefits through generation potential of 105,864 kWh/year with a carbon saving over approx. 23 tonnes of carbon per year for the next 30 years.
- 10.47 However the Max Fordham Decarbonisation Report suggests that the installation would secure a reduction of about 1.4% in the College's carbon emissions. The calculations presented suggest that the north side array will produce only 60% of the electricity of that of the south side.
- 10.48 Any increased provision of renewable energy is to be taken as a public benefit. The National Planning Policy Framework's policy in respect of the determination of applications for renewable energy generation states this clearly (NPPF, 158, a), and it accords with the Government's target for the United Kingdom to reach net zero carbon by 2050.



- 10.49 There is no evidence put forward in the application or elsewhere that the College has an adopted and funded sustainability strategy. Officers consider that in order to provide the clear and convincing justification of carbon reduction required, a proposal of this type must form part of a whole building/estate approach articulated in a sustainability policy which sets out the range of measures that will be taken to reduce the carbon footprint.
- 10.50 Although this planning application is to be assessed on its own merits, it is considered that there may be other suitable areas for renewable and low carbon energy sources/alternative means of energy generation or saving, and supporting infrastructure, elsewhere in the college's wider ownership, that would be less harmful than the impact of the PV on the Chapel roof. There are many measures that can be taken to reduce carbon emissions that will cause low, or no, harm and that should be adopted before more harmful interventions are contemplated. Therefore, whether there is sufficient justification for the panels is in question.
- 10.51 The application has not demonstrated how this marginal benefit could be achieved elsewhere with similar or greater benefit which is less harmful than the proposed PV panels on the chapel roof. The College is a supporter of the emerging option for sustainable energy generation in central Cambridge through the District Heat Network. It is still in early stages and could provide an alternative to the PV panels.
- 10.53 It is considered that the proposal to install solar panels to enhance the environmental performance of the heritage asset would be an inappropriate intervention to the Grade I listed building and would result in the significance of the listed building being compromised. The proposal would not accord with Policy 63 of the Cambridge Local Plan 2018.
- 10.54 The proposal to install solar panels would have an adverse impact on the historic environment and the harm caused is not outweighed by wider environmental benefits. The proposal would not accord with Policy 29 of the Cambridge Local Plan 2018.

## **Conclusions**

### **10.55 Summary of harm**

- 10.56 King's College Chapel, a masterpiece of the Perpendicular style, is one of the most exceptional of England's buildings and emblematic of Cambridge. The proposed solar PV installation would harm the significance of King's College Chapel.
- 10.57 The harm would be caused by the visibility of the solar panels, the difference between their character and that of lead, and their consequent effect on the architectural interest of the Chapel. Indirectly, this would also affect the Chapel's historic interest.

- 10.58 The concern is that the PV panels would not have the same neutral background appearance as the lead roof material but would instead have a stronger tone and a more reflective surface that would detract from the Chapel's architectural qualities.
- 10.59 The presence of PV panels on the north and south roof slopes, would be harmful to the architectural significance of the Chapel and, to a lesser extent, to the setting of listed buildings nearby.

### **10.60 Summary of benefits**

- 10.61 Any increased provision of renewable energy is to be taken as a public benefit. The National Planning Policy Framework's policy in respect of the determination of applications for renewable energy generation states this clearly (NPPF, 158, a), and it accords with the Government's target for the United Kingdom to reach net zero carbon by 2050.
- 10.62 The proposed solar panels would provide public benefits through generation potential of 105,864 kWh/year with a carbon saving over approximately. 23 tonnes of carbon per year for the next 30 years. In this instance there are public benefits in terms of sustainability, the proposal would result in a cleaner environment in the city centre through the reduction in carbon emissions.
- 10.63 The proposal would provide environmental objectives as described in the National Planning Policy Framework (paragraph 8).

### **Planning Balance**

- 10.64 In this case, Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Acts requires that the LPA to have special regard to the desirability of preserving the special architectural or historic interest of buildings or their setting and to the conservation area.
- 10.65 Para 199 of the NPPF states 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.66 As harm has been identified, to the significance of the Grade I listed chapel, and by extension the park/garden and conservation area, any harm or loss requires clear and convincing justification in accordance with paragraph 200 of the NPPF. In this case, Officers have concluded that the proposals give rise to less than substantial harm of moderate significance – engaging paragraph 202 of the NPPF which requires that the identified harm should be weighed against the public benefits of the proposal.

10.67 The Planning Practice Guidance Paragraph: 020 Reference ID: 18a-020-20190723, Revision date: 23 07 2019 states:

*Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.*

10.68 Increased provision of renewable energy is a public benefit and an important part of reaching net zero carbon targets and responding to the climate emergency. Determination of whether to grant planning permission should involve consideration of the scale or quantity of this benefit and any other benefits in relation to guidance in the National Planning Policy Framework (NPPF).

10.69 Clearly, the aim of supplying more energy to the College sustainably is a beneficial one. The PV panels to the chapel roof would contribute a 1.4% reduction in carbon consumption across the entire measures proposed for the estate. This is considered a marginal benefit which ought to be achieved elsewhere with similar or greater benefit which is less harmful than the proposed PV panels on the chapel roof. The harm to the significance of the Grade I Listed Building is therefore not outweighed by the sustainability improvements that would arise.

10.70 Officers consider that on balance owing to the limited contribution that the proposals would make to the reduction of the College's carbon emissions, against the unacceptable impact the proposal would have on the significant special interest of the Grade I Listed chapel, the public environmental benefits of carbon reduction are not sufficient to outweigh the identified harm to the Chapel.

10.71 As such the proposal does not accord with policies 29, 61 and 63 of the Cambridge Local Plan 2018.

## **11.0 Recommendation**

11.1 **Refuse** planning permission for the following reason:

1. By virtue of the addition of PV panels, the proposal would apply a roof covering of a radically different character and appearance than the traditional lead roof. The application of the PV panels would visually detract from the architectural character of the roof and skyline and be discordant with the architectural composition of this exceptional and historically iconic medieval building. Important views of the Chapel would be harmed, damaging the appreciation of the Chapel's architectural interest, and

eroding its authenticity and integrity. In doing so, the proposal would result in less than substantial harm to the significance of the Grade I listed Chapel, particularly its aesthetic and historical values but also its setting. The proposal would thus also harm the character and appearance of the Central Conservation Area, through harm to the appearance of the listed building and its impact on important views of the Chapel, the setting of the Chapel and other nearby listed building.

The public benefits from the proposal arising from its carbon reduction potential and thus its wider environmental benefits to the sustainability of the College Estate are not sufficient and are without clear and convincing justification to outweigh the identified less than substantial harm to the Grade I Listed Chapel which would arise.

The proposal is therefore contrary to policies 29, 61 and 63 of the Cambridge Local Plan 2018 and the NPPF, paragraphs 199 – 200 and 202 of the National Planning Policy Framework 2021.

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#### 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



<b>Planning Committee Date</b>	7 February 2023
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference</b>	22/03861/S73
<b>Site</b>	1 Mere Way, Cambridge
<b>Ward / Parish</b>	Arbury
<b>Proposal</b>	S73 Variation of condition 2 (Approved plans) of planning permission 17/1894/FUL (Demolition of existing garage. Erection of attached dwelling and extension to existing house)
<b>Applicant</b>	Mr Oliver Trisic
<b>Presenting Officer</b>	Nick Westlake
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Impact on the Character of the Area 2. Neighbour Amenity
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The S73 variation of condition application seeks to vary Condition 2 (Approved plans) of planning permission 17/1894/FUL. The 2017 permission approved the demolition of the existing garage on site and the erection of a new attached dwellinghouse and an extension to the existing dwellinghouse.
- 1.2 The proposal is not considered to cause harm to the character and appearance of the area and is appropriately designed.
- 1.3 The proposal is not considered to cause undue harm to the amenity or living conditions of neighbouring occupiers and would provide an acceptable level of amenity for future occupiers.
- 1.4 The proposal would not have any significant adverse effect upon the Public Highway and would not result in any undue highways safety implications.
- 1.5 Officers recommend that the Planning Committee APPROVE the proposal.

## 2.0 Site Description and Context

None-relevant	X	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1	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 subject site is located within the northern half of the side garden of No. 1 Mere Way, the host or doner dwelling. No. 1 Mere Way is a two-storey end of terrace gable-fronted dwellinghouse finished in red brick. It is located on the eastern side of Mere Way near the junction with Arbury Road. The surrounding area is residential in character and is former primarily of similarly sized properties.
- 2.2 Development has commenced at site, originally for the approved development 2017 application. However, the footing and wall positions indicate that development has partly commenced for the current application not the original approval 17/1894/FUL layout. Planning Enforcement action against this undertaking has occurred and requested a stop in development

via a Breach of Condition Notice. Any further Enforcement Action is on hold until the outcome of this current application is known.

- 2.3 There is an overgrown hedge along part of the northern rear boundary, adjacent to the rear garden boundaries of 231 to 327 Arbury Way. The hedge appears to be partly within the ownership of the applicant and partly within the neighbours land.
- 2.4 The site is not within a Conservation Area and falls outside the Controlled Parking Zone.

### **3.0 The Proposal**

- 3.1 The proposal is a Section 73 application also known as a 'variation of condition' application. The application seeks to change or vary condition 2 (Approved plans) of planning permission 17/1894/FUL that approved the demolition of existing garage and the erection of attached dwellinghouse, including an extension to the existing dwellinghouse.
- 3.2 The original 17/1894/FUL application approved a new 2 bedroom dwellinghouse, with a front facing two storey projection. The original 2017 also allowed for a two-storey side extension to the host dwelling, No. 1 Mere Way. Thus allowing the host dwelling to become a 3 bedroom dwelling (currently a 2 bedroom). Both dwellings had one off street parking space each.
- 3.3 Within the 2017 approval, the new dwellinghouse had a rear building line at both ground and first floor level, flush with the existing rear building line of the host dwelling. The flank elevation of the new dwellinghouse was staggered at both ground and first floor levels. Following the original approval, an initial Section 73 application (similar to the host proposal), was submitted via application 22/02714/S73, this was refused in 2022 for the following reason:

*'The proposal by virtue of its form, scale and mass would result in an overly dominant form of development and thereby give rise to significant harm to the appearance of the existing dwelling and the character of the area including the terrace within which it is situated. The unduly large, bulk and domineering addition to the approved dwelling and the existing property. The totality of the alterations proposed would constitute a poor standard of design that would have an unacceptably detrimental impact on the character and appearance of the host dwelling and the wider area.'*

*The proposal is not compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59.'*

- 3.4 Despite this reason for refusal, the initial refused S73 application, (22/02714/S73) within the Officer report, concluded there was no reason to object to that application on grounds any significant impact on neighbouring residential amenity. Furthermore, as there were no changes to approved

parking arrangement, there was deemed no impact on highway safety or drainage, relative to originally approved planning permission Ref: 17/1894/FUL.

- 3.5 The current application is an attempt to overcome the single reason for refusal associated with the earlier S73 application, 22/02714/S73. Officers note that there has been a raft of planning conditions discharged relating to the original 2017 approval. However, as the layout plans and footprint differ in this current application to the original approval. Officers would recommend that the original planning conditions are re-introduced in the event the current application is successful.
- 3.6 The applicant states the justification for the alterations stem in part from the requirement to work from home in recent times and the need for associated office floor space. Also, the need to provide a suitably sized kitchen/dining room that can accommodate a dining table. The host building 1 Mere Way, shall have some internal alterations though remain as a three bedroom dwelling, with the proposed dwelling shall remain as a two bedroom dwelling. This was as originally approved in the 2017 application. The new dwelling is proposed to increase in size from circa 66 sqm to 89 sqm (both figures rounded up excluding internal wall measurements). Almost all the enlargement is at ground floor in the current application.
- 3.7 The alterations within host submission differ from the 22/02714/S73 refusal and the original 17/1894/FUL approval, in the following ways:
- i) There is a proposed reduction in depth of the first floor rear building line on the proposed dwellinghouse from the 22/02714/S73 refusal. The first floor rear building line on the proposed dwellinghouse is flush with the rear building line of the host dwelling, 1 Mere Way.
  - ii) A flank wall hip roof is proposed, rather than the originally approved gable end design in 2017, as shown on the plan view drawing on the decision notice, ref: 1505A-S-06 REV A. (Although the approved elevation drawings showed a hipped design).
  - iii) There are no changes to the front or side elevations from the 22/02714/S73 refusal. No flank fenestration is shown. There is a slight widening of the overall width from the original 2017 approval, however this was the case with the 22/02714/S73 refusal. The width of the front elevation was not considered a reason to object to the 22/02714/S73 refusal. In terms of distances, from the boundary with 3 Mere Way. At ground floor, the original approval was 13.6 m wide, the current plans show a distance of 14.1m. At first floor the width was 12.1m, the current plans show a 12.4m width.
  - iv) Differing from the 2017 approval (although identical to the 22/02714/S73 refusal). The current proposal shows changes to the rear elevation of the existing house, include converting the glass conservatory to a single storey rear extension with brick walls and a tiled roof. The existing



Conservatory is 4.3m in depth; the proposed single storey rear extension is 4.8m in depth. The elevation on the shared boundary with No 3 Mere Way is currently a solid wall, this will be extended out 0.5m. The lean-to roof would have a ridge of 3.5m on the shared boundary, similar to the current height. The plans also include the removal of a ground floor W.C window and first floor en suite from the 2017 plans.

v) The current application also includes changes to the proposed dwellinghouse from both the 2017 approval and the 22/02714/S73 refusal. This includes the relocation of the staircase internally to the side of the house with two obscured glass windows to the rear. This allows for a larger Kitchen /Dinning area and an internal Office space at ground floor. The single storey rear outshot would have a depth 0.5m greater than that of the host dwelling, again brick built with a tiled roof to overcome overlooking from above. There are no windows on the flank elevation. A single first floor rear ensuite window is removed on the current plans.

vi) The current application proposes a minor straightening to the alinement of the rear garden boundary between the host dwelling and the proposed dwelling. This differs slightly from the 2017 approval. No new boundary treatments are proposed. The 2017 approval allowed for new timber panel fences and concrete posts to rear at a height of 1.83 metres. These have not been installed. The condition relating to this aspect, namely 17/1894/COND5, has however been discharged.

#### 4.0 Relevant Site History

Reference	Description	Outcome
EN/00264/22	Development not constructed as approved plans application ref 17/1894/FUL	Breach of Condition Notice Served - Work Stopped on Site, awaiting outcome of current application (22/03861/S73).
22/02714/S73	S73 variation of condition 2 (Approved plans) of planning permission 17/1894/FUL (Demolition of existing garage. Erection of attached dwelling and extension to existing house)	Refused
17/1894/COND5	Boundary Treatment	Discharged in Full
17/1894/COND11	Surface Water Drainage	Discharged in Full
17/1894/COND12	Drainage	Discharged in Full
17/1894/COND14	Hard and Soft Landscaping	Discharged in Full

17/1894/COND17	Cycle Parking and Refuse Strategy	Discharged in Full
19/1771/FUL	Extension to existing conversion to form 4 flats and 1 studio apartment.	Non- determination Appeal Dismissed
17/1894/FUL	Demolition of existing garage. Erection of attached dwelling and extension to existing house.	Permitted
09/1156/FUL	Erection of two storey side extension with integrated garage (following demolition of detached garage)	Permitted

4.1 The principal of the construction of the new dwelling and the enlargement of the host dwelling was established under application 17/1894/FUL. This case went to Planning Committee on the 10<sup>th</sup> January 2018 the decision was resolved to grant planning permission in line with the Officers' recommendation. This included the removal of permitted development rights for both the proposed dwelling (Class A, B, E) and the existing dwelling (Class A and E). Both new and enlarged dwelling had one off street parking space.

## 5.0 Policy

### 5.1 National

National Planning Policy Framework 2021  
National Planning Practice Guidance  
National Design Guide 2019

Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)  
Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)

### 5.2 Supplementary Planning Documents

Greater Cambridge Biodiversity – Adopted February 2022

### 5.3 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use  
 Policy 29: Renewable and low carbon energy generation  
 Policy 30: Energy-efficiency improvements in existing dwellings  
 Policy 31: Integrated water management and the water cycle  
 Policy 32: Flood risk  
 Policy 34: Light Pollution Control  
 Policy 35: Protection of human health and quality of life from noise and vibration  
 Policy 50: Residential space standards  
 Policy 51: Accessible Homes  
 Policy 52: Protecting garden land and subdivision of existing dwelling plots  
 Policy 55: Responding to context  
 Policy 56: Creating successful places  
 Policy 57: Designing new buildings  
 Policy 58: Alerting and extending existing building  
 Policy 59: Designing landscape and the public realm  
 Policy 69: Protection of sites of biodiversity and geodiversity importance  
 Policy 70: Protection of priority species and habitats  
 Policy 80: Supporting sustainable access to development  
 Policy 81: Mitigating the transport impact of development  
 Policy 82: Parking management

#### **5.4 City Wide Guidance**

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (2001).  
 Buildings of Local Interest (2005)  
 Cambridge and Milton Surface Water Management Plan (2011)  
 Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (2010)  
 Greater Cambridge Sustainable Design and Construction SPD (2020)  
 Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste  
 Cambridgeshire Design Guide For Streets and Public Realm (2007)  
 Cycle Parking Guide for New Residential Developments (2010)  
 Roof Extensions Design Guide (2003)

#### **6.0 Consultations**

##### **6.1 Local Highways Authority**

6.2 The proposed alterations do not change the Highway Authority's original comments and it is requested that conditions 8 and 9 sought by the Highway Authority and required by the Planning Authority under application 17/1894/FUL be reapplied.

##### **6.3 Environmental Health**

6.4 No objections. The comments detailed within the memo dated 01/12/2017 remain pertinent to this application.

6.5 The proposed development incorporates two off-street car parking spaces for the proposed dwellings, one existing for the proposed extended property and one new. As of 15th June 2022, Building Regulations require that all new dwellings with allocated car parking require at least one active electric vehicle charge point (EVCP) with a minimum charging capacity of 7kW as detailed in Approved Document S 'Infrastructure for the charging of electric vehicles'.

## **6.6 Sustainable Drainage Officer**

6.7 No objections, the conditions dated 08/12/2017 for application 17/1894/FUL remain valid.

## **7.0 Third Party Representations**

7.1 3 representations have been received.

7.2 The 2 objections have raised the following issues:

- Single storey too close to the neighbouring dwellings
- Cramp development negatively effecting the character, appearance and scale
- Residential amenity impact (impacts on daylight, overlooking, privacy, noise and disturbance, privacy, light pollution)
- Construction impacts
- Traffic Increase
- Highway Safety with a new dwelling near Arbury Road, Mere Way junction.
- Car parking and parking stress
- Impact on and loss of hedgerow

7.3 One supporting comment from the immediate neighbour 3 Mere Way, simply offering support to the current plans.

## **8.0 Member Representations**

8.1 Not applicable

## **9.0 Assessment**

### **9.1 Principle of Development**

9.2 This application is made under Section 73 of the Town and Country Planning Act 1990. Consideration has therefore been given to the question of the conditions subject to which planning permission should be granted if this Section 73 is approved. Due regard has been had to the development plan and any and all material considerations including any changes to

policies and circumstances since the granting of the original planning permission. This includes the adopted 2018 Cambridge City Local Plan and the 2021 NPPF in particular.

9.3 The principal of the construction of the new dwelling was established under the original application 17/1894/FUL. The 2017 application is considered extant due to the fact the original garage has been demolished and cleared. This is in accordance with Section 56 of the Town and County Planning Act 1990. Furthermore, the recent 2022 refusal 22/02714/S73 was not refused on grounds of the 17/1894/FUL application being out of date. The original application, 17/1894/FUL, was approved on 10/01/2018 and would have expired 10/01/2021 unless development had commenced. Officers are content development has commenced on the original approval therefore, the original 2017 application remains extant and can be built out in full today if the applicant so wishes (subject to the discharging of all relevant planning conditions).

9.4 The key issues to consider in the determination of this application relate to whether the proposal would represent appropriate development in terms of visual amenity, impact on the character of the area, neighbouring residential amenity, drainage and highway safety.

### **9.5 Design, Layout, Scale and Landscaping**

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

9.7 The application site relates to an end terrace property. Most noticeably from the most recent refusal, the current application reduces the depth of the first floor rear building of the proposed new dwellinghouse, to be in line with the existing dwelling. This was as established in the 2017 approval. The flank elevation is staggered as was the case in the original approval in 2017.

9.8 In Officers opinion, the reduction in first floor depth proposed at the new dwellinghouse, significantly reduces the overall massing, scale and depth of the new dwellinghouse. Allowing the new dwellinghouse to appear in keeping with the proportions of the existing terrace. The roof form with the hipped design to the side and rear is considered subservient and in keeping with the existing terrace, acceptable in terms of impact on character and appearance in the locality. The reduction in fenestration to the rear is welcomed, the windows within the W.C features and stairwells shall be conditioned to be of obscured glass.

9.9 The proposed front elevation is largely indistinguishable from the approved 2017 scheme. There is a slight widening of the ground floor overall width of the front elevation (from the boundary with 3 Mere Way) from 13.6 m to 14.1m, while at first floor from 12.1m to 12.4m. The ground floor width in particular leaves a circa 300mm gap to the side boundary fence. However,

this aspect was not objected to in the recent 2022 refusal, and it would be considered unreasonable to object to this aspect now. In any event, it could be demonstrated that via the host buildings original permitted development rights (before the 2017 approval). An outbuilding could have been built up to the boundary (at less than 2.5m in height), to together with a two storey side extension. This would have enclosed the gap to the boundary in a similar fashion. Overall, the proposed width is not objectional.

- 9.10 In design terms there are no objections to the single storey rear extensions / outshots proposed at either the host or proposed dwelling. A suitable amount of rear useable garden space is retained. The host dwelling has an area of some 69 sqm, 14m in depth and the proposed some 68 sqm, just under 14m in depth. These sizes are considered acceptable for 3 and 2 bedroom dwellings respectively.
- 9.11 The Cambridge Local Plan includes a design guide for roof extensions at Appendix E. This recognizes that roof extensions should relate well to the proportions, roof form and massing of the existing building and should not dominate the existing roof or overwhelm the immediate setting. The proposed rear hipped roof on the proposed dwelling (as opposed to a rear facing gable end on the existing dwelling) was approved in the 2017 application. The proposed design has an element of subservience to the host dwelling, in that the ridge is lower than the main ridge of the terrace and lower than the gable ended existing rear projection on No. 1 Mere Way. The reintroduction of a side hipped roof is welcomed matching the angle of the existing. Overall, subject to materials to match the existing, the proposed roof alterations to the proposed dwellinghouse would not be out-of-keeping to the character demonstrated locally.
- 9.12 The changes to the fenestration would be acceptable from a character and appearance perspective. Under approved application 17/1894/FUL permitted rights were removed for both the proposed dwelling (Class A, B, E) and the existing dwelling (Class A and E). Officers considered these should be reapplied in order to manage any further extensions on site carefully, in the interests of local amenity and character. Officers are mindful about the neighbour comments regarding the boundary hedge. The boundary treatment condition of the extant 2017 approval, 17/1894/COND5 has been approved. A new boundary treatment condition is recommended as the layout of the plots differ, also a hedge row management plan during construction is recommended as a separate condition.
- 9.13 In conclusion, it is considered the alterations are modest in scale, bulk and mass. They are considered sympathetic additions to the approved 2017 scheme, that would not have a detrimental impact on the character and appearance of the host dwelling or wider area. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57,58 and 59.

#### **9.14 Amenity**

- 9.15 Policy 34, 35, 50, 52 and 58 seek to preserve the amenity of neighbouring and/or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

### 3 Mere Way

- 9.16 As part of achieving well designed places, the NPPF recognizes that new development should provide a high standard of amenity for existing and future occupiers. Policy 58 of the Cambridge Local Plan also requires that extensions do not unacceptably overlook, overshadow or visually dominate neighbouring properties.
- 9.17 The application involves a ground floor rear extension on the existing dwelling of approx. 4.8 meters in depth adjacent to the shared boundary with 3 Mere Way. The ground floor extension has a lean to roof, with ridge of 3.5 meters, there is to be a side brick wall located on the shared boundary that is to be remodelled to accommodate the new extension. Effectively, a single storey rear extension 0.5m greater in depth than the existing Conservatory (that has a similar walled finish on the shared boundary) is to be created. The neighbouring dwelling has specifically written to support the proposal in its current form. Officers do not consider the proposed single storey rear extension would lead to any significant material harm to neighbouring amenity by virtue of overlooking, loss of light or overbearing in comparison to the existing arrangements.
- 9.18 There are no side windows that would face upon 3 Mere Way. The 1st floor windows would face into the site. Therefore, the proposal would not lead to material harm to neighbouring amenity by virtue of overlooking into 3 Mere Way.
- 9.19 The application site is located to the north side of No.3. Therefore, the proposed extensions would not give rise to negligible loss of daylight and sunlight to the attached neighbours.

### 233-235 Arbury Road

- 9.20 There are two objections from neighbours along Arbury Road. The proposal would bring development of a greater scale than the original 2017 approval closer to the rear gardens of 233 and 235 Arbury Road. However, the majority of the enlargements would be at ground floor level. Furthermore, given the separation distances between the properties (approximately 23m and 27m respectively), it is not considered the proposal would result in an overbearing relationship or cause an unreasonable sense of enclosure. The previous recently refused 2022 application 22/0271/S73, that was significantly greater in mass and bulk at first floor for the proposed new dwellinghouse, did not include a reason for refusal that focused on loss of residential amenity to the neighbouring properties. Officers are in agreement with that conclusion and consider it would be both unreasonable

and unwarranted to object to this, reduced in scale submission, on such grounds.

9.21 Officers accept that the proposed extensions would be located to the south of No.233 and 235 Arbury Road. Whilst the proposal would bring development closer to the common boundary with these properties and therefore create some overshadowing of the rear gardens, due to the separation distances, it would not impact upon light into the dwellings themselves. Consideration also should be given to the footprint and scale of the original 2017 approval that is not altering significantly at first floor level on the proposed dwelling house in particular. Therefore, is not considered the proposal would be detrimental to the amenity of these residents by virtue of loss of daylight or sunlight.

Overlooking 223-235, 229 and 231 surrounding area.

9.22 It is acknowledged that the variations will bring forward the rear windows from the approved 17/1894/FUL on the proposed dwelling. However, it is considered a degree overlooking is inevitable in a residential area and the existing and approved upper floors windows already provide some opportunities to view into neighbouring gardens. Therefore, it is considered the proposal will not lead to material harm by virtue of overlooking impacts to neighbouring amenity.

9.23 Due to the proposed removal of permitted development rights, classes A (extensions), B (roof alterations) and E (outbuildings) for the new dwelling and classes A and E for the existing dwelling. Further developments at the site that could affect residential amenity, would be controlled.

9.24 As such, subject to planning condition, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 34, 35, 52 and 58.

9.25 Amenity of future occupiers

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

9.27 The gross internal floor space measurements for the new dwellinghouse in this application are shown in the table below, (figures rounded up excluding internal wall measurements):

<b>New Dwelling House</b>	<b>Number of bedrooms</b>	<b>Number of bed spaces (persons)</b>	<b>Number of storeys</b>	<b>Minimum Policy Size requirement (m<sup>2</sup>)</b>	<b>Proposed size of unit</b>	<b>Difference in size</b>
	2	4	2	79	89.2	12.2



9.28 The proposed variations to the 2017 approval, are shown below (figures excluding internal wall measurements). Officers note, the original 2017 approval would have been considered too small to be a 2 bed for 3 people dwelling (the minimum space requirement being 70 sqm).

<b>Proposed Dwelling Total Size</b>	<b>Ground Floor</b>	<b>First Floor</b>	<b>Approved Dwelling 2017, Total Size</b>	<b>Ground Floor</b>	<b>First Floor</b>	<b>Difference in size</b>
89.2 sqm	56.7 sqm	32.5 sqm	65.7 sqm	34.2 sqm	31.5 sqm	Circa 23.5 sqm

9.29 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. A garden area of 68sqm would be provided for the new dwellinghouse and circa 70 sqm for the host dwelling, which is sufficient for the size of the properties.

9.30 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings. The new dwelling has an increased level of ground floor accommodation, including a toilet and living space. This could be converted to a bedroom if required. Officers consider that the layout and configuration enables inclusive access and future proofing.

9.31 The proposal provides an adequate level of residential amenity and outdoor amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

9.32 Refuse Storage Arrangement

9.33 The refuse storage arrangement does not alter with the proposed arrangements previously approved with the variations. Planning conditions are recommended to see confirm the exact details.

9.34 Construction and Environmental Impacts

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

9.36 The Council’s Environmental Health team have assessed the application and recommended that they have no objections to the development subject to the imposition their original 2017 conditions as well as an Electrical Vehicle Charging point for each dwelling. Noise and disturbance during construction would be minimized through a Construction Management plan

and limiting construction hours to protect the amenity of neighbouring occupiers. These conditions are considered reasonable and necessary to impose.

- 9.37 Subject to Planning Condition, 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.

### **9.38 Highway Safety and Transport Impacts**

- 9.39 Policy 82 states that planning permission will not be granted for developments that would be contrary to the parking standards set out in Appendix L. The site is located outside of a controlled parking zone. The Policy states outside of controlled parking zone no less than a mean of 0.5 spaces per dwelling, up to a maximum of 2 spaces per dwelling.

- 9.40 The Highway Authority was consulted on the application and stated the proposed alterations do not change the Highway Authority's original comments and it is requested that conditions 8 and 9 sought by the Highway Authority and required by the Planning Authority under application 17/1894/FUL be reapplied which is considered to be reasonable if the application was recommended for approval.

- 9.41 The application proposes two car parking spaces, one for each dwelling, as previously approved. The application also shows cycle storage in a similar location to the previously approved dwellings. 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. It is considered that this can be achieved via a planning condition for the new dwelling. Therefore, the proposal meets the requirements of policy 82.

- 9.42 The proposal is compliant with Cambridge Local Plan (2018) policy 80, 81 and 82.

### **9.43 Biodiversity**

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

- 9.45 Officers do not consider the application would, subject to planning conditions in relation to the protection of the neighbouring hedge during construction, result in any harm to biodiversity in the area. Taking the above

into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

**9.46 Carbon Reduction and Sustainable Design**

9.47 The Council’s Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimize their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

9.48 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.

9.49 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimized as far as possible.

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

**9.51 Other Matters**

9.52 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimize flood risk. The Drainage Officer had no objections subject to the original conditions being reapplied.

9.53 Officers consider that all the original conditions of the 2017 approval should be reapplied due to the changes in footprint and layout throughout the current scheme.

**9.54 Third Party Representations**

9.55 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
Impact on highway safety	The Highway Authority has been consulted and stated the proposed alterations to not alter their previous comments and condition should be reapplied. Which is considered to be

	reasonable if the application was recommended for approval. The application is considered compliant with Local Plan policy 80 and 81.
Office Space could be converted into an additional bedroom	The Office space is proposed to be on the ground floor of the new dwelling. The space is too small to accommodate a bedroom. Officers consider that objection unwarranted and erroneous.
Loss of Hedgerow	This can be protected during construction via a hedgerow management plan.

### 9.56 Planning Balance

9.57 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). This application has been made under Section 73 of the Town and Country Planning Act 1990. Consideration has been given to the question of the conditions subject to which planning permission should be granted if the s.73 application is approved. Due regard has been had to the development plan and any and all material considerations including any changes to policies and circumstances since the granting of the original planning permission.

9.58 The principle of a new 2 bedroom dwelling and an extension to the host property has been approved via the original extant 2017 application. The proposal before members, in Officers opinion subject to planning conditions, would not cause harm to the character and appearance of the area or significantly impact on the amenity of any neighbouring occupiers. The proposal would also not have any highways safety implications and would comply with the parking and cycle parking guidance set out within Appendix L of the Local Plan.

9.59 Having taken into account the provisions of the 2018 development plan, the 2021 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.

### 9.60 Recommendation

9.61 **Approve** subject to:

-The planning conditions as set out below:

### 10.0 Planning Conditions

1. The original permission 17/1894/FUL is considered extant. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

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

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

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

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

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 Policy 35 and 58).

4. No development shall take place 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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2018 Policy 35 and 58).

5. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the hereby approved attached dwellinghouse; the construction of dormer windows/roof extensions; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenities of adjacent residents. (Policies 55, 56 and 57 of the Cambridge Local Plan and Section 12 NPPF).

- 6 Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of No. 1 Mere Way, and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling and to protect the character of the area. (Policies 55, 56 and 57 of the Cambridge Local Plan and Section 12 NPPF).

- 7 Before occupation of the dwelling, the access to the existing dwelling shall be provided in accordance with the approved drawings and shall be retained in accordance with these details and free of obstruction thereafter.

Reason: In the interests of highway safety

- 8 The new access and driveway shall be constructed from an unbound material and with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: In the interests of highway safety

- 9 The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Policies 55, 56 and 57 of the Cambridge Local Plan)

- 10 No development hereby permitted shall be commenced until a foul water and surface water drainage scheme based on sustainable drainage principles and following the drainage hierarchy has been submitted to and approved in writing by the local planning authority. The drainage system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding or flooding of third party land for a 1 in 100 year event + 40% allowance for climate change. The submitted details shall:

- A) identify the proposed method of surface water disposal;
- B) include infiltration testing results and calculations in accordance with BRE Digest 365

C) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to achieve greenfield equivalent runoff rates;

D) provide information on the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

E) provide a management and maintenance plan for the proposed SuDS features.

F) Details of the foul water drainage arrangements.

Reason: To ensure appropriate surface water and foul water drainage. To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69 and the National Planning Policy Framework 2021)

- 11 No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2021)

- 12 The scheme hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

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

- 13 No development shall take place until full details of both hard and soft landscape works to the frontage of the development have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed 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. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

- 14 All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

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

- 15 The ground floor front facing toilet window and first floor bathroom window on the hereby approved new dwellinghouse and the first floor ensuite window on the front elevation of the existing dwellinghouse shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 Policy 35 and 58).

- 16 The ground floor and first floor rear facing stairwell windows on the hereby approved new dwellinghouse shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 Policy 35 and 58).

- 17 Prior to the occupation of the new dwelling, hereby permitted, details of facilities for the covered, secured parking of bicycles and storage of bins for use in connection with both the existing and proposed dwellings shall be submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details before occupation of the dwelling and maintained as such thereafter.



Reason: To ensure appropriate provision for the secure storage of bicycles and bins (Cambridge Local Plan 2018 policies 31).

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

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

19. The development, hereby permitted, shall not be used or occupied until, carbon reduction measures have been implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:

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

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

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

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

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

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

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

21. The new dwelling hereby approved shall not be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

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

22. Prior to commencement a hedge protection methodology in the form of an Arboricultural Method Statement (AMS) and Hedge Protection Plan (HPP) shall be submitted to the local planning authority and written approval given, before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and HPP will consider all phases of construction in relation to the potential impact on neighbouring hedges, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any hedge 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 hedges neighbouring the site are protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with the Biodiversity SPD (2022).

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

The principle areas of concern that should be addressed are:

- i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- ii) Contractor parking, with all such parking to be within the curtilage of the site where possible

- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

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

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

### **Informatives**

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.
2. To satisfy the condition requirements the applicant / developer will need to demonstrate that practical consideration has been given to all aspects of Electric Vehicle (EV) charge point infrastructure installation and that the provision of an operational EV charge point or multiple points is deliverable, as part of the residential and/or commercial development. The intention or commitment in principle to install an active EV charge point will not be considered acceptable. Information should include numbers of charge points, intentions for active and passive provision, location, layout (including placement of EV infrastructure), Charge Rates of active EV charge points (slow, rapid or fast) and availability of power supply.
3. The Council recommends the use of low NOx boilers i.e. appliances that meet a dry NOx emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality.
4. In order to facilitate the upgrade of heating systems to efficient (i.e. heat pump) electric heating, radiators shall be sized and fitted on the basis of running at a maximum of 45°C flow temperature to all residential units. In addition, for all residential units identify an appropriate space for external

air source heat pump units that are acceptable within permitted development requirements for noise, proximity to boundaries and physical size and provide valved and blanked pipe work connections between the external unit and the primary heating installations (heating pump and hot water tank) to enable the use of the heat pump system with minimum disruption upon gas boiler removal. The hot water tank is to incorporate sufficient heat exchanger area and storage volume to allow a designated heat pump system with domestic hot water capabilities to be used without the need for replacement or upgrade.

5. The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level.

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

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

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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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