



Cambridge City Council Planning

Date: Wednesday, 1 March 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 operates as a single committee meeting but is organised with a two part agenda and will be considered in the following order:

- **Part One**
Major Planning Applications
- **Part Two**
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

(Pages 7 - 32)

Part 1: Major Planning Applications

5 22-02081-FUL Timberworks Public Art 10am

(Pages 33 - 46)

Part 2: Minor/Other Planning Applications

| | | |
|---|---|----------------------|
| 6 | 22-00265-OUT 72-74 St Philips Road 11am | (Pages 47 - 66) |
| 7 | 22-05472-FUL 36 Amwell Road 11:45am | (Pages 67 - 88) |
| 8 | 22-02162-FUL 315 Milton Road 12:30pm | (Pages 89 - 104) |
| 9 | 22-05430-FUL 2 Elizabeth Way 1:15pm | (Pages 105 - 122) |

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

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

Information for the public

The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

For full information about committee meetings, committee reports, councillors and the democratic process:

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

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

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

Appendix 1 – Planning Policies and Guidance

(Updated September 2020)

1.0 Central Government Advice

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

1.2 Planning Practice Guidance (NPPG)

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

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

Planning Obligations

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

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

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

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

2.0 Development Plans

2.1 The Cambridgeshire and Peterborough Minerals and Waste Plan 2011

2.2 Cambridge Local Plan 2018

3.0 Supplementary Planning Documents

3.1 Sustainable Design and Construction 2020

3.2 Cambridge Flood and Water 2018

3.3 Affordable Housing 2008

3.4 Planning Obligations Strategy 2004

Development Frameworks and Briefs

3.5 The New Museums Site Development Framework (March 2016)

3.6 Ridgeons site Planning and Development Brief (July 2016)

3.7 Mitcham's Corner Development Framework (January 2017)

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

3.9 Land North of Cherry Hinton (February 2018)

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

4.0 Use Classes

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

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

PLANNING

7 December 2022

10.05 am - 1.45 pm

Present:

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

Also present:

Officers:

Interim Development and Planning Compliance Manager: Toby Williams

Legal Adviser: Keith Barber

Head of 3C Building Control Consultancy: Heather Jones

Principal Planning Officer: Katie Christodoulides

Planning Officer: Dominic Bush

Senior Planning Officer: Alice Young

Committee Manager: Chris Connor

Meeting Producer: Claire Tunnicliffe

FOR THE INFORMATION OF THE COUNCIL

22/127/PlanApologies

Apologies were received from Councillors Page-Croft and Bennett.

22/128/PlanDeclarations of Interest

| Name | Item | Interest |
|--------------------|-------------|---|
| Councillor Baigent | All | Personal: member of Cambridge Cycling Campaign. |
| Councillor Porrer | 5 | Ward Councillor - unfettered |

22/129/PlanMinutes

The minutes of the meeting held on 05 October 2022 and 02 November 2022 were approved as a correct record and signed by the Chair.

22/130/Plan22/02761/HFUL 45 Barrow Road - 10:45am

The Committee received an application for full planning permission.

The application sought approval of the demolition of a single garage and the erection of a one and a half storey side extension including an integrated single garage, single storey rear extension and alterations to fenestration.

Applicant addressed the Committee in support of the application.

The Committee received a written representation in objection to the application from a resident of Barrow Road which was read out by the Committee Manager:

Number 45 is in its original structural state. Neighbours' smaller developments were before the designation of the Conservation Area.

The Conservation officer states that "With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 194, 195, 199, 200, 202 apply".

Cambridge City Local Plan

Policy 58

The appearance is transformed, front and back. It is not sympathetic to the existing building, (with "unashamedly modern" rear); or the Conservation Area; in scale (more than doubling the footprint); or, by the use of materials or character (using rendering and big sections of glazing on both the ground floor and the first floor).

Number 43's garden would be overlooked.

The Conservation officer says the proposals do not comply with policy 58.

Policy 61

Number 45 sits where the footpath in the Hobson's Brook designated Cambridge City Wildlife site runs closest to the Conservation Area, and all floors are clearly visible from it.

The development would spoil views within the Conservation Area, and from outside it. According to a comment from a Long Road resident, the "public path is used all through the day by people who enjoy the timeless peace and space it offers. To have a frankly enormous structure advancing down the garden would significantly impact the pleasure of a very significant number of members of the public".

The proposals overwhelm the original house. The rear alterations blur the distinction between buildings in and outside the Conservation Area.

The Conservation officer says the proposals don't comply with Policy 61.

Barrow Road Conservation Area

The Conservation Area Guidance recognises the gardens' sense of enclosure and privacy. Due to its orientation, Number 45 has windows on its north side overlooking the top of Number 43's garden. Privacy at the bottom of the garden is especially valuable. The picture windows over two floors and extended terrace would overlook the bottom and full width of Number 43's garden.

As one public comment says: "If this proposal goes ahead there will be no point in the Conservation Area at all."

The Conservation officer says, "the proposal would not preserve or enhance the character or appearance of the Conservation area."

Considering the NPPF, Local Plan Policies, the Barrow Road Conservation Area Appraisal, the Conservation officer's assessment, the views of Cambridge Past Present and Future, and strong public opposition, we urge you to reject this planning application.

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

I called planning application 22/02761/HFUL (Extension to No.45 Barrow Road) in for scrutiny at a full Planning Committee meeting because it raises several material concerns with respect to the Barrow Road Conservation Area, the Local Plan and the National Planning Policy Framework.

- i. The proposal's scale and design seem wholly inappropriate in a Conservation Area.
- ii. It could spoil the public view from the street as well as from the public footpath in the wooded area in the back.
- iii. The neighbours have valid concerns relating to being overlooked by the proposed picture windows at the rear.
- iv. The large areas of glazing on two floors may cause light pollution.

I refer the Committee to the response to this application of Conservation Officer Paul Robertshaw, who concludes that the development "would not preserve or enhance the character or appearance of the Conservation Area". Paul's response form of 4 August 2022 describes the property and its current positive contribution to the Barrow Road Conservation Area, assesses the proposals and concludes that they would not comply with Local Plan policies

58 and 61. He states that with reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 194, 195, 199, 200, 202 apply. I find his assessment compelling.

The Committee:

Resolved (by 6 votes to 1) to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to two informatives as listed below:

- i. In relation to cycle parking, referencing possible use of garage and encouraging a planning application for cycle parking to be made for the front of the property.
- ii. In relation to solar panels.

22/131/Plan18/2013/FUL 78 Arbury Road - 11:30am

The Committee received an application for full planning permission.

The application sought approval for the change of use of 78 Arbury Road (C3 Class Use) to a 9-bed 10 person House of Multiple Occupation (sui generis). The application is solely for the change of use, not any extensions to the existing dwelling.

The Senior Planner updated her report by referring to updated condition 4 regarding cycle storage, details were included in the Amendment Sheet.

The Committee:

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

- i. the conditions set out in the Officer's report as updated by the amendment (to condition 4) as contained within the Amendment Sheet.

22/132/Plan22/02969/FUL 73 Newmarket Road - 10am

The Committee received an application for full planning permission.

The application sought approval of a mixed-use development comprising a ground floor commercial unit (Use Class E) with nine residential units on the

upper floors along with associated infrastructure following demolition of existing buildings.

The Committee received a representation in objection to the application from Cambridge Past, Present & Future (CPPF).

- i. The Officer's report in front of you states that weight placed on the heritage value of the site is finely balanced. CPPF wish to speak up in favour of greater weight being placed in the historic significance of the building and that permission should be refused.
- ii. The Riverside and Stourbridge Common Conservation Area Appraisal describes the area of Newmarket Road from Parsonage Street to Elizabeth Way. It describes the attractive terrace of two storey houses, the Burleigh Arms Public House, the decorative three storey Burleigh House, the substantial villas, leading up to the modern buildings adjoining this site. It describes these latter buildings as of little visual interest, unrelated to each other and creating an uninspiring street scene. Number 73 Newmarket Road is a small island of history within this sea of bland redevelopment in an otherwise historically important street. It needs to be preserved and not replaced.
- iii. We support the views of the Conservation Officer who raises the importance of the building reflecting the historical use of this site as a public house. He also describes the visually positive relationship the building has to the street due to its human, domestic scale and attractive architectural detailing. The replacement building does not replicate this detailing and human scale. The fact that the building is surrounded by modern development is not a reason to continue this approach but makes it more important to preserve this building.
- iv. We consider that the application does not meet the requirements of policies relating to development in a Conservation Area and should be refused.

The Committee received a representation in objection to the application from representative from Cambridge Riverside (Midsummer Common) Residents' Management Company Ltd.

- i. Heritage Impact – we are in strong support of the Conservation Officer's submission and that of the Cambridge Past Present and Future statement. The two previous applications allowed for both the

- preservation of the historic frontage and the provision of 6 or 9 apartments.
- ii. Neighbourhood amenity - Height and Mass – The proposed 4 storey vertical facing building is proposed to be very close to the Kingsley Walk boundary and artwork. It effectively doubles the height of the existing building. This will adversely impact on the privacy of residents in Brooke House and Newton Court and change the current open approach to Kingsley Walk.
 - iii. Highway Safety – We are very concerned about the traffic safety during the demolition and building phases as well as in the longer term.
 - iv. Our development comprises 196 apartments and 10 five-bedroom townhouses and this junction between Kingsley Walk and Newmarket Road is very busy and we have already had to fit a mirror to assist drivers exit Kingsley Walk on to the busy Newmarket Road. This new plan will make the junction more hazardous.
 - v. The junction is already made complex by the 7 day per week dental surgery which was a Class E provision for our developer. The issues are drop offs, cars idling waiting to collect patients and unauthorised parking on Kingsley Walk.
 - vi. The artwork at the junction was especially commissioned for the development and refers to the education heritage of Brunswick School and the Regional College. There is also a foundation stone from 1927 to the Council Education Committee. Walking tours visit the site and the planning conditions must support protecting the wall from damage.

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

- i. Would like Conservation officer's advice to be given more weight.
- ii. Proposed replacement building, thought modern, detracts from the environment of the area.
- iii. Wants historical domestic areas, such as this public house, to be preserved.
- iv. Though he understands the principal of re-development believes that the current architecture of the building should be maintained.

- v. Wants existing building to be used when constructing the new to reduce carbon usage.
- vi. Benefits do not outweigh the harm of caused by re-developing this heritage sight.

The Committee:

Resolved (by 4 votes to 3) to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to the conditions in the Officer's report and a further condition recommended by the Officer in relation to cycle parking provision.

22/133/PlanGCSP Planning Compliance Policy Report - 12:15pm

GCSP Planning Compliance Policy Report

The Committee received an information report from the Assistant Director of Planning and Building Quality.

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

Assistant Director of Planning and Building Quality said the following in response to Members' questions:

Stated that they will include case studies on the report and will include flow charts to make it easier to follow on the website.

With regard to new complaints procedure, there has been a great improvement. Officers were able to be more responsive and able to deal with complaints in a timelier manner. Officers are checking workloads to ensure the complaints caseload is allocated fairly across the team.

Officers have recently recruited a permanent Compliance Manager who has over twenty years of experience who will be starting in the January 2023.

The Committee:

Noted the Officer's report.

22/134/PlanSite Visit Policy City Report - 1pm

The Committee received a report from Interim Development and Planning Compliance Manager.

It is proposed to introduce this Protocol across the three Planning Committees of the Shared Planning Service, viz, for South Cambridgeshire District, the City and the Joint Development Control Committee. The Protocol is being presented to all three Committees for Member comment and approval ahead of implementation. Officers recommend that the Committee:

- i. Notes this report and the accompanying Planning Committee Protocol for Officer-Led Site Visits.
- ii. Confirms implementation of the protocol for the Cambridge City Council Planning Committee.

Interim Development and Planning Compliance Manager said the following in response to Members' questions:

1. If a developer has approached a Member about a site visit there should always be an officer present, whether online or in person.
2. Would need to give thought to where a document would record be so it is available to applicants. However, saw no reason why it could not be shared with applicants.
3. Where Officers have suggested a site visit, there is a good reason for it and Councillors should make every effort to attend. However, if a Planning Committee Member is unable to attend they are welcome to share their experiences with other Councillors of the Committee.

4. Noted that Members would like notice period for site visits to be a “couple of weeks”. Officers will strive to give Members reasonable notice of site visits.
5. Of the view that mini-bus tours of sites are unnecessary for Councillors in Cambridge City.

The site visit protocol is applicable to equally to Members of the Planning Committee and Alternates.

The Committee:

In relation to the report’s recommendations:

Section 2.1 (i): **Noted** the Officer’s report.

Section 2.1 (ii): **Approved (by 8 votes to 0 with 1 abstention)** the Officer recommendation therein.

22/135/PlanAppeals Overview 2021-2022 - 1:45pm

Members are asked to note the statistical outcomes and individual decisions on cases.

Interim Development and Planning Compliance Manager said the following in response to Members’ questions:

1. to investigate whether it is practical to have all appeal decisions sent to Members.
2. The Council should not be afraid of defending Planning Committee decisions that believes it has made it decision reasonably and democratically.

The Committee:

Noted the Officer’s report.

The meeting ended at 1.45 pm

CHAIR

Public Document Pack

Planning

Plan/1

Wednesday, 11 January 2023

PLANNING

11 January 2023

10.00 am - 6.15 pm

Present:

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

Also present Councillors: Bick, Collis, Nethsingha and Smith

Officers:

Interim Development and Planning Compliance Manager: Toby Williams

Principal Planner: Tom Gray

Senior Planner: Mary Collins

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Meeting Producer: Sarah Steed

Other Officers Present:

Guy Belcher – City Council Nature’s Conservation Officer

Adam Finch and Greg Kearney – City Council Environmental Health Officers

Susan Smith – GCSP Conservation Officer

Trovine Monteiro – GCSP Urban Design Officer

Helen Sayers – GCSP Landscape Officer

Emma Davies – GCSP Sustainability Officer

Jon Finney – County Council Local Highway Authority Development Management Engineer

Jez Tuttle – County Council Transport Assessment Team

Hilary Tandy – Lead Local Flood Authority

FOR THE INFORMATION OF THE COUNCIL

23/1/Plan Apologies

Apologies were received from Councillors Bennett and Dryden. Councillor Howard attended as Alternate to Councillor Bennett.

23/2/Plan Declarations of Interest

| Name | Item | Interest |
|------|------|----------|
|------|------|----------|

| | | |
|--|-----------|---|
| Councillor Baigent | All | Personal: Member of Cambridge Cycling Campaign. |
| Councillor Collis | 23/3/Plan | Personal and Prejudicial: Was the Executive Councillor with responsibility for local nature reserves. Withdrew from Committee and spoke as a Ward Councillor. |
| Councillor Howard | 23/3/Plan | Personal and Prejudicial: The Green Party (he was a Member) had objected to the application. Withdrew from Committee and spoke as a Ward Councillor. |
| Councillor Page-Croft | 23/5/Plan | Personal: Application in her Ward. Discretion unfettered. |
| Councillor Porrer | 23/5/Plan | Personal: General contact with residents as Ward Councillor. Discretion unfettered. |
| Councillors Collis, Page-Croft and Smart | 23/7/Plan | Personal and Prejudicial: Met with Objector on site visit without a Planning Officer present. To avoid the perception of fettered discretion/bias, would withdraw from discussion and decision. |

23/3/Plan 22-02066-FUL Owlstone Croft

The Committee received an application for full planning permission.

The application sought approval for the demolition of the nursery building, part of outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings.

The Principal Planner updated his report by referring to the amendment sheet, this contained amendments to

- i. The officer report at paragraphs, 1.9, 9.55, 9.90 and 9.233.
- ii. Condition 18: c) delete “entire”.

The Committee received a representation in objection to the application from a resident of Chedworth Street:

- i. Queens’ College had submitted a plan that would blight the area.
- ii. Expressed concern about:
 - a. The impact of the development on neighbouring garden and school.
 - b. How construction work would affect the neighbourhood, possibly for years.
- iii. There was a need to balance:
 - a. Growth against quality of life and the environment.
 - b. Needs of the University and residents.
- iv. Asked for the application to be rejected or to set the stage where parties on all sides could negotiate a settlement.

The Committee received a representation in objection to the application from the Chair of Friends of Paradise Nature Reserve (FPNR):

- i. They were not consulted on these plans as claimed only shown them. Concerns were raised not just by FPNR, but by every local resident association, the Forum, the school and Councillors.
- ii. FPNR views were ignored, the plans submitted were unchanged, and the opposition to them widespread.
- iii. It was not an exaggeration to say that this development, with construction lasting around 2 years, would have a disastrous impact on wildlife and biodiversity in this small area.
- iv. There had been no environmental assessment and FPNR worked to raise funds to pay for consultants to give their expert opinions. The City’s Ecology officer said in his report that the plans were acceptable based on the information supplied by the applicant.
- v. FPNR consultants found the Applicant had provided inadequate and misleading information; there had been a lack of scrutiny of the important issues regarding the Nature Reserve and the impact on the neighbourhood.

- a. It was claimed that bat activity was ‘negligible’ but the Bioscan bat surveys found at least 8 species including the endangered Barbastelle.
 - b. It was claimed that there would be no harm to the bats as they were accustomed to high levels of light. This had been proven to be incorrect.
 - c. It was claimed that the line of trees to be felled for the drainage scheme were in poor condition but this was untrue. They were vital for the bats as a conduit and foraging ground.
 - d. It was claimed that there was no flood risk to the site or surrounding area, but consultant hydrologists GWP had said the flood risk assessment and proposed drainage scheme was inadequate.
 - e. It was claimed that the access to Owlstone Croft was a highway, but it was a footpath, and the safety of the many pedestrians using it to visit the Nature Reserve, including people with disabilities, has not been considered.
- vi. These issues were not mentioned by the Council’s Access Officer in his report. He failed to look at this development in its context.
 - vii. The Council declared Climate and Biodiversity Emergencies. It had policies in the Local Plan and the Biodiversity SPD that should offer protection.
 - viii. The decision made by Committee on this application would be seen as a test of whether the policies could be upheld..
 - ix. The plans may be deemed acceptable based on the information supplied by the applicant but this had been shown to be inadequate at best and misleading in many cases. It did not stand up to scrutiny and could not be a basis on which to approve this Planning Application.

Mr Bainbridge (Applicant’s Agent) addressed the Committee in support of the application.

A resident of Owlstone Croft addressed the Committee in support of the application.

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

- i. Expressed concern about:

- a. Site context.
- b. Adverse impact of the application on Paradise Nature Reserve. Specifically habitat, biodiversity and bats.
- ii. Referred to petition from Objectors.
- iii. The Supplementary Planning Document set out policies where the City Council would not accept applications due to impact on biodiversity.
- iv. Referred to National Planning Policies 199 and 200 plus Local Plan Policies 8, 31, 32, 34, 52, 55, 57, 59, 61, 67, 69, 70, 71; and said the application did not meet criteria.

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

- i. Expressed concern regarding the risk to children attending Newnham Croft School as a result of a large development on the immediate boundary of the site. The British Lung Foundation and Asthma UK published a report - "The invisible threat" - in February 2021 which described the huge harm done due to a lack of action on air pollution, how there were huge risks of breathing in polluted air, and that there was still far too little being done to protect those at risk. As a medical doctor, to hear a fellow medical doctor - Professor Sir Stephen Holgate - Special Advisor to the royal college of Physicians on Air Quality describe how serious the problem was using the following words "These toxic gases and tiny particles cut thousands of lives short every year and affect the lives of many more" makes me compelled to share these concerns. The report uses the strongest possible terms - that this was a health emergency and it demanded urgent action.
- ii. Their research attached to the report showed that over a third of schools in England were located in areas with air pollution (specifically fine particulate matter or PM2.5) over levels recommended by the World Health Organisation, and that in Cambridge their modelling indicated there were 39 schools and colleges in areas above the WHO's guideline for PM2.5. Newnham Croft School was in the current Air Quality Management Area for Cambridge indicating this was within a wider area of increased air pollution. Air pollution has a huge impact on children's developing lungs and their risk of having further respiratory problems. In 2021, during the inquest of Ella Kissi-Debrah, it was finally recognised that air pollution was a major cause of the tragic loss of life for this young girl with severe asthma, and air pollution featured on her death certificate.
- iii. If this development was permitted, 250 children would be forced to play and exercise on a daily basis just metres from the building of the next

door development for at least two years, exposing them to dust and particulate matter which represents air pollution and avoidable harm. The need for Queens' College to have 40 additional bedrooms cannot possibly outweigh the risks presented to 250 children for a long period of their formative development. Pointed out to the college there was a 36-bed student property currently for sale less than half a mile away on Grange Road that could readily meet Queens' College's accommodation needs, with significantly reduced harm.

- iv. Urged the committee to reject the application.

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

- i. Over the last year, had spent many hours listening to Newnham residents' views on this planning application.
- ii. While there had been some residents who had expressed their support for the application, the overwhelming majority appear to be opposed.
- iii. There were some advantages to the proposed development – it would provide much-needed housing on a very conveniently located site and would in many senses be highly sustainable.
- iv. Was grateful to Queens' College for their willingness to engage with residents on issues that had been raised.
- v. On balance, opposed the application, based on two major areas of concern: the impact on the safety and wellbeing of children at Newnham Croft school, and the increased flood risk posed to the school and Paradise Nature Reserve.

Newnham Croft School

- vi. Newnham Croft Primary school was within 50m of the proposed development, with the classrooms and play area for the youngest children immediately adjacent.
- vii. Construction would cause air pollution through the emission of harmful particulates such as PM10, NO2 and PM2.5. Air pollution poses a major health risk to young children, including through increased susceptibility to respiratory illness and reduced lung function. International Air Quality Guidance classifies children as 'High Risk'.
- viii. The applicant's Air Quality Statement uses incorrect and out of date assessments. There were no site-specific criteria on air pollution and Condition 8 does not set any standard or show how this could be achieved. The proposed criterion for particulate matter PM2.5 was 5 times higher than considered safe. Before this application can be determined, reliable evidence was required of the air pollution risks to

children at Newnham Croft School, as well as proposals for their mitigation.

- ix. The buildings would also overlook the school and its playing field, creating potential safeguarding issues.
- x. Once complete, the development would cause increased traffic, including from visitors, taxis and delivery vehicles. This increased traffic could increase risks for children arriving at and leaving the school.

Flood risk

- xi. The proposed development would potentially significantly increase the flood risk to Newnham Croft School and Paradise Nature Reserve.
- xii. Consultants with expertise in flood risk assessment, management, and mitigation design had reviewed the submitted Flood Risk Assessment and Drainage Strategy on behalf of the Friends of Paradise Nature Reserve. The consultants identified seventeen failures, including:
 - a. **Failure to carry out the flood risk assessment in accordance with best practice and national guidance for a major site.** The fluvial flood risks for the 1 in 100 and 1 in 1000 annual probability events were not adequately assessed. It remains to be proved that the site, development and adjacent properties would not be subjected to high levels of flood risk and adverse impacts.
 - b. **Failure to demonstrate the effectiveness and reliability of the stormwater drainage scheme.** Winter groundwater monitoring data was required to inform a robust design of effective attenuation and infiltration systems. The consultants felt that such data would be likely to demonstrate the proposed on-site stormwater run-off scheme would be ineffective.
 - c. **Failure to assess adequately assess winter groundwater flooding risks.** An assessment was required to establish the impact of the foundations on existing groundwater flows and the potential to exacerbate groundwater flood risk to adjacent properties.
 - d. **Failure to assess interaction with fluvial flooding.** In the absence of a correctly defined fluvial flood level for the site that accounts for climate change, it has not been proved that the proposed swales would not be impacted by flooding.
 - e. **Failure to demonstrate no adverse impact on biodiversity as required by Local Plan policy 69.** In the absence of evidence about the flow of storm water from the ditch into the nature reserve, the reserve's biodiversity should be considered highly vulnerable

due to changes in existing run-off characteristics and volumes, and low-level pollution.

- xiii. The consultants concluded: 'in the absence of an adequate flood risk assessment including a demonstrably viable drainage scheme, planning permission should not be granted.'
- xiv. For these reasons, and for those set out by others opposing the application, did not believe the application should go ahead.

Councillor Howard (Abbey Ward Councillor) addressed the Committee about the application:

- i. There was no political motive behind the Green Party's objection to this development as suggested by the Applicant, it failed to meet planning policies.
- ii. Paradise Nature Reserve was loved by local groups and wider stakeholders.
- iii. Expressed concern about the impact of the application on habitat, biodiversity and rare species in particular.
- iv. A full impact assessment, not a preliminary assessment, was required to demonstrate the impact of the development. Took issue with some details submitted by the Applicant as they were erroneous. This made it difficult to assess which planning conditions could effectively mitigate the impact of the development (if approved).
- v. Queried the use of Local Plan Policies if they did not protect the Paradise Nature Reserve and nearby school.
- vi. Agreed there was a need for affordable and sustainable homes, but on suitable sites which this was not.

Councillor Collis (King's Hedges Ward Councillor) addressed the Committee about the application:

- i. Quoted from David Attenborough speech: How do we fit into the natural world?
- ii. This was an important consideration when looking at the impact of the application on the local area eg biodiversity and loss of open space.
- iii. Cambridge Colleges were rich and had alternative sites they could turn to, biodiversity did not have these alternatives.
- iv. Paradise Nature Reserve was a special area and could not be replaced if lost. It was an important habitat for bats, particularly red listed (rare) ones.

- v. The Ecology Officer based comments on information supplied by the Applicant. If there was any doubt about details, they should be reviewed.
- vi. Proposed accommodation blocks were too near the Paradise Nature Reserve.
- vii. Referred to City Council policies to protect the natural world. These should be followed. Requested the application be refused.

Councillor Nethsingha (Newnham Ward Councillor) addressed the Committee about the application:

- i. Expressed concern about:
 - a. Impact of application of nearby school and children's' health.
 - b. Construction.
 - c. Relationship between Paradise Nature Reserve and development site. Specifically impact on biodiversity. It was not possible to over emphasise the benefit of Paradise Nature Reserve to the area, and the Applicant appeared to downplay this.
 - d. Light pollution from site.
- ii. There was cross-party objections to the application from different political groups.
- iii. This was the wrong application for the site. Costs outweighed benefits.

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

- i. Owlstone Croft was part of the green river corridor which stretched from the city centre to Grantchester Meadows. It adjoined Newnham Croft Primary School playing field, a protected open space, and Paradise Nature Reserve, a city and county wildlife site and local nature reserve (LNR).
- ii. The committee report gave little weight to this wider site context.
- iii. The Conservation Officer's assessment focussed on the existing built form and street pattern and impact on the original Owlstone Croft buildings. The assessment paid no regard to the garden's place in the river corridor, and its significance in the urban/rural interface which was recognised as a key characteristic in the conservation area appraisal.
- iv. The only mention of the LNR was the reference to the 'good landscape linkages back to the Paradise Nature Reserve'. This sees the LNR only

as a visual backdrop to the proposed development, diminishing its significance.

- v. The Planning Officer's opinion that large blocks a few metres away would enhance the view from the LNR boundary was not shared by the hundreds of people who had objected. The proximity of the buildings to this boundary was one of the most opposed elements of the proposal.
- vi. Cambridge Past Present and Future sum up the harm that would be caused, stating: 'The development of 3 storey high buildings in close proximity to the local nature reserve would had an adverse impact on the character and amenity of the reserve.'
- vii. It would affect the experience of people visiting the Reserve, especially when using the boardwalk next to the boundary. This was installed by the City Council and provides one of the few places it was possible for people with disabilities to access and enjoy unspoilt green space. The adverse impact of this development would be greatest for people with disabilities as they cannot use the alternative path by the river.
- viii. They would also be at particular risk on the access track to Owlstone Croft, which was not a highway as claimed by the applicant and has no segregated footpath. Construction traffic using this narrow lane over a likely 2 year period raises serious concerns about the safety of the many pedestrians visiting the LNR. In the event of fire this lane would be the evacuation route for people and access route for fire engines.
- ix. The committee report noted in points 243 and 244 that, 'Following discussion with Cambridgeshire Fire and Rescue Department, the presence of parked cars on the double yellows along Owlstone Road was currently presenting difficulties for the turning of fire vehicles into the application site'.
- x. The applicant asserts that, 'the City Council had a responsibility to ensure Short Lane was adequate for fire tender access'. However, ownership of this lane was unknown, parking controls cannot be enforced and the Council's legal liability was unclear.
- xi. These issues of legal responsibilities and liability were complex and could not be left to conditions. They needed to be decided before planning permission was granted as it may not be possible to resolve them afterwards.

Councillor Baigent proposed an amendment to the Officer's recommendation that fire safety provision should be adequate i.e. ensure fire engines could use the access road and access the buildings.

This amendment was **carried by 6 votes to 0**.

Councillor Gawthrope Wood proposed an amendment to the Officer's recommendation regarding electric vehicles accessing the site during construction.

This amendment was **carried by 6 votes to 0**.

Councillor Porrer proposed an amendment to the Officer's recommendation that the Applicant should have a single point of contact for residents and nearby school regarding general/construction management.

This amendment was **carried by 6 votes to 0**.

The Committee:

Resolved (by 5 votes to 1) to reject the Officer recommendation to approve the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, (as amended in debate).

Resolved (by 6 votes to 0) to refuse the application contrary to the Officer recommendation (as amended in debate) for the following reasons:

- i. By virtue of the proposed development's excessive height, scale, massing and lack of subservience, and siting in close proximity to the Paradise Local Nature Reserve, it would result in a cramped and imposing form of development and loss of openness experienced by users from the local nature reserve. As such, the proposal would be out of context with its immediate surroundings. The proposal would result in harm upon the recreational and amenity value of Paradise Local Nature Reserve, which is a protected open space within the local plan set within the wider River Cam corridor. Consequently, the proposal would be contrary to policies 8, 55, 56, 57, 59 and 67 of the Cambridge Local Plan 2018 and paragraph 174 of the NPPF 2021.
- ii. Incomplete bat survey information has been provided to demonstrate that protected species would not be unduly harmed, contrary to Policies 69 and 70 of the Cambridge Local Plan 2018 and paragraph 180 of the NPPF 2021.

- iii. By virtue of the layout of the site for future students, the associated seasonal on-site wetland habitat would be adversely affected and the ecological relationship with the local nature reserve would be diminished. Furthermore, there is insufficient evidence to demonstrate that the scheme would not result in harm upon the biodiversity within Paradise Local Nature Reserve, contrary to policies 55, 56, 59, 69 and 70 of the Cambridge Local Plan 2018.

23/4/Plan 20-04261-FUL Synagogue, Thompsons Lane

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

Councillor Howard was present as an Alternate member for Councillor Bennett for the duration of the item.

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing Synagogue and Jewish Community facility and the erection of a new Synagogue and Jewish Community facility including replacement parking spaces and new cycle storage and associated works.

The Senior Planner updated her report by referring to the amendment sheet regarding Amends to condition 1 (time limit) and 16 (noise insulation) and additional condition 40 (Demolition and Construction Environmental Management Plan condition).

The Committee received a representation in objection to the application from a resident of Portugal Place to express the following concerns:

- i. Loss of amenity.
- ii. Close proximity of rear of existing building so impact of development would be magnified: Height, mass, sense of enclosure and loss of view/outlook.
- iii. There was no consultation between the Synagogue and local residents since the 2021 Development Control Forum. The 'costs' of the scheme outweighed the 'benefits'. The 'benefits' were irrelevant if they could be gained by a (more appropriate) amended scheme.

A Thompson's Lane resident and Mr Perlman [speaking on behalf of the Trustees of the Synagogue (the Applicant)] addressed the Committee in support of the application.

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

- i. Had no objection to the application in principle.
- ii. Questioned if the impact of application on local residents meant it may not be appropriate for the site.
- iii. The Synagogue and Portugal Place Residents' needs had to be balanced equally.
- iv. The existing Synagogue was built in a time with different planning regulations. This did not mean it could expand its height/mass now.
- v. Neighbouring residents reported a lack of consultation on options to address their concerns after the 2021 Development Control Forum.
- vi. Rejecting the application would give the Applicant an opportunity to rethink the design.
- vii. If the application was approved, asked the Committee to be mindful of the impact of demolition and construction activity on Portugal Place residents. This would negatively impact them as many people worked at home after lockdown. Requested a single point of contact and regular updates on application development as part of condition 40.

Councillor Baigent proposed an amendment to the Officer's recommendation that residents be consulted on the roof colour.

This amendment was **carried by 7 votes to 0**.

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. To take into account trees to safeguard against soil subsidence and climate change consequences.
- ii. Contractor parking / management plan.
- iii. No roof lights at night or controls on using them.

The amendments were **carried by 7 votes to 0**.

The Committee:

Resolved (by 7 votes to 0) to reject the Officer recommendation to approve the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report (as amended in debate).

Resolved (by 7 votes to 0) to refuse the application contrary to the Officer recommendation (as amended in debate) for the following reasons:

- i. By virtue of the scale and massing of the proposal, the confined nature of the site and the building's close proximity to Portugal Place properties which have small and confined rear amenity spaces and windows in close proximity to the boundary of the site, the proposal would result in additional significant harm as a result of enclosure to the outlook from the rear of Portugal Place properties. The proposal would therefore not have a positive impact on its neighbours and is therefore contrary to Cambridge Local Plan 2018 policies 55 and 57 and the NPPF 2021 para. 130.
- ii. The proposed design of the building would fail to assimilate itself successfully into its surroundings and therefore fail to respond successfully to its historical context. As such it would harm the character and appearance of the Conservation Area and be contrary to policy 61 of the Cambridge Local Plan 2018 and the NPPF paras. 200 and 202 amounting to less than substantial harm. The public benefits would not outweigh the harm that would arise to the Conservation Area.
- iii. The proposal has failed to demonstrate that the scheme could be delivered without harm and or the loss of trees on or adjacent to the site. The potential harm and loss trees of high amenity value would result in wider harm to the setting of the Conservation Area that is not outweighed by the public benefits arising from the scheme. Thereby the proposal is contrary to policies 55, 56, 61 and 71 of the Cambridge Local Plan 2018 and para 131 of the NPPF 2021 which seeks for existing trees to be retained wherever possible.

23/5/Plan 22-03076-FUL Edeva Court

The application was deferred to the next Committee.

23/6/Plan 22-02936-FUL 208-208a Cherry Hinton Rd

The application was deferred to the next Committee.

23/7/Plan 22-01971-FUL 346 Milton Road

The application was deferred to the next Committee.

The meeting ended at 6.15 pm

CHAIR

This page is intentionally left blank



| | |
|-------------------------------------|---|
| Planning Committee Date | 01 March 2023 |
| Report to | Cambridge City Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 22/02081/FUL |
| Site | Development Land at 75 Cromwell Road |
| Ward / Parish | Romsey |
| Proposal | Installation of public art including Bird Boxes, Finger Posts, Tree Stakes, The Hive and Sunray Trellis, Railings and a Pavilion. |
| Applicant | Hill Partnerships |
| Presenting Officer | James Truett |
| Reason Reported to Committee | Land within ownership of the Council/Employee |
| Member Site Visit Date | N/A |
| Key Issues | 1.Design, Layout, Scale, and Landscaping 2.Amenity |
| Recommendation | APPROVE subject to conditions |

0.0 BACKGROUND

- 0.1 This application follows the grant of planning permission to the Cambridge Investment Partnership for development of this site for the erection of 295 dwellings including 40% affordable housing; a nursery and community facility (D1), access, car and cycle parking, including basement car park, play equipment and landscaping, substation and associated works under planning permission reference 19/0288/FUL. The application was heard by the planning committee on 11th June 2019 who resolved to grant planning permission, and the decision notice was issued on 16th October 2019.
- 0.2 The Cambridge Investment Partnership (CIP) is a joint venture company set up by Cambridge City Council and Hill Investment Partnership and was set up in 2017. One of the original goals of the partnership was to deliver 500 net new Council rented homes across the City using mainly council owned sites/assets. The City Council has received £70 million support from central government as part of the Devolution Deal to help achieve this target.

- 0.3 This application is being referred to the planning committee as it is a major application (by virtue of site area) and in the interests of transparency as the land is in the ownership of the City Council.

1.0 Executive Summary

- 1.1 The application seeks planning permission for the installation of public art on development land at 75 Cromwell Road, known as the Timberworks. This includes bird boxes, finger posts, tree stakes, The Hive and Sunday Trellis, and a pavilion.
- 1.2 The proposals are of a modest scale and relate directly to a planning condition attached to the original planning consent (condition 8 of planning permission 19/0288/FUL), which required the development to be carried out in accordance with an agreed public art strategy.
- 1.3 Officers recommend that the Planning Committee approve planning permission for application 22/02081/FUL, subject to the conditions and informatives set out in section 12 of this report.

2.0 Site Description and Context

- 2.1 The application site is an irregular shaped plot of land with a strong north-south orientation, and occupies approximately 3.27 hectares in area.
- 2.2 The site is bound to the west by railway lines, to the south by residential properties along Cavendish Place and Cavendish Road, to the east by residential properties along Cromwell Road together with a small parade of shops, and to the north by residential properties along Cromwell Road and Winstanley Court.
- 2.3 Planning permission was granted in 2019 for a residential led development comprising 295 dwellings, and construction on the site is at an advanced stage.
- 2.4 The approved site layout can broadly be described as having apartment blocks along the western railway edge, with an open space separating the flats from houses along the eastern and southern sides of the site.

3.0 The Proposal

- 3.1 The application seeks planning permission for the installation of public art including bird boxes, finger posts, tree stakes, The Hive and Sunray Trellis, railings and a pavillion.

- 3.2 The proposed artwork has been designed to sit within the open space that flows through the centre of the site in order to allow for the art to be experienced most widely.
- 3.3 The pieces of artwork are designed to provide a variety of interests – from musical railings to a pavilion with a roof that plays different audio depending on the prevailing weather. Further to this there are poems on the tree stakes, birdboxes, beehives, and decorative trellis features are also included.
- 3.4 The application has received supplementary information to address representations and consultations comments.

4.0 Relevant Site History

| Reference | Description | Outcome |
|--------------|---|--------------------|
| 19/0288/FUL | Erection of 295 dwellings including 40% affordable housing; a nursery and community facility (D1), access, car and cycle parking, including basement car park, play equipment and landscaping, substation and associated works. | Permission granted |
| 19/0288/NMA1 | Non-material amendment on application 19/0288/FUL to improve the function of the early years/community facility in Block A including minor adjustments to the internal layout, the creation of an external entrance for the community room and relocation of a buggy store. | Permission granted |
| 19/0288/NMA2 | Non material amendment of planning permission 19/0288/FUL: increased height of 6 houses, change of 1 house to be wheelchair adaptable and minor changes to elevations including brick details, windows, parapet heights (reduced) and door colours. | Permission granted |

- 4.1 There is an extensive planning history on this site however the above application is most relevant to the current proposal.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 8: Setting of the city

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 59: Designing landscape and the public realm

Policy 65: Visual pollution

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Landscape in New Developments SPD – Adopted March 2010

Open Space SPD – Adopted January 2009

Public Art SPD – Adopted January 2009

5.5 Other Guidance

Not applicable

6.0 Consultations

6.1 County Highways Development Management

6.2 No objection to the proposal as it would not impact upon highway safety.

6.3 Ecology Officer

6.4 The Councils Ecology Officer raises no objections to the proposal, despite noting that the bird boxes are not necessarily ideally located but appreciates the need for the poetry on them to be able to be read.

6.5 Urban Design Officer

6.6 No objection raised.

6.7 Environmental Health Officer

6.8 As amended: No objection raised subject to the imposition of a condition relating to noise management.

6.9 As submitted: Further information/clarification required in relation to noise impact, noise management and mitigation, locational impact of the pavilion.

6.10 Ministry of Defence Safeguarding

6.11 No objection raised.

6.12 Network Rail

6.13 No objection raised.

6.14 Anglian Water

6.15 No objection raised.

6.16 Cambridge Airport

6.17 No objection raised.

6.18 **Archaeology**

6.19 No objection raised.

6.20 **Cambridgeshire Constabulary**

6.21 Concerns raised regarding the Pavilion and the potential of Antisocial behaviour, and the public art structure's being used as climbing aides. It is understood that these items of public art are for the benefit of the residents.

6.22 **Landscape Architect**

6.23 As amended: No objection subject to conditions regarding hard and soft landscape management, and lighting and sound controls.

6.24 As submitted: Further information and clarifications requested in relation to planting, boardwalks, gravel/mulch finish, speakers weatherproofing, and lighting.

6.25 **Lead Local Flood Authority**

6.26 As amended: No objection raised subject to pollution control informatives.

6.27 As submitted: The public art is required to funnel rain water, therefore confirmation of where the surface water collected will be discharged, and how it will drain into the surface water management scheme is required.

6.28 **Public Art Officer**

6.29 No objection. We recommend the approval of the proposals contained within this Planning Application. They have been developed from the principles of the approved site wide Public Art Strategy and therefore comply with the Council's criteria and policy. The proposals as works of art, are of quality with rigorous and strong thinking to underpin their development. The proposals have the support of the Council's Public Art Panel.

7.0 Third Party Representations

7.1 1 representation has 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)

8.0 Member Representations

8.1 Not applicable

9.0 Local Interest Groups and Organisations / Petition

9.1 Not applicable

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

10.0 Assessment

10.1 Planning Background

10.2 A full planning application was approved for the Timberworks site in October 2019 (19/0288/FUL) for the development of 295 dwellings a nursery and community facility, access, car and cycle parking, including a basement car park, play equipment and associated works. As part of this application a Public Art Strategy and Delivery plan was secured under condition 8 of this permission. The current application is for the Public Art proposed as part of the approved Public Art Strategy and delivery plan for the Timberworks site (19/0288/FUL).

10.3 Condition 8 of the planning permission for the Timberworks development reads as follows:

“The public art provision shall be fully implemented in accordance with the submitted Public Art Strategy and Delivery Plan V2 dated May 2019, unless otherwise approved in writing by the Local Planning Authority. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) (Cambridge Local Plan 2018, Policy 56).”

10.4 The applicant has been working with the council's Public Art Officer to deliver a scheme of public art which complies with the approved strategy.

10.5 **Principle of Development**

- 10.6 Policy 56 of the Cambridge Local Plan 2018 public art should be embedded into development proposals in order to deliver successful places.
- 10.7 The proposal is for the installation of pieces of public art, to implement the strategy approved as part of an application for a residential led development at the Timberworks. The proposal does not seek to change the use of the land on which it would form part of, or otherwise conflict with the wider approval for the site, and as such the proposal is considered acceptable in principle.

10.8 **Design, Layout, Scale and Landscaping**

- 10.9 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.
- 10.10 Policy 59 encourages a coordinated approach to public art on new developments. This proposal is a result of ongoing collaborative work between the applicant and the council's Public Art Delivery Officer.
- 10.11 The proposed artwork is all located within the approved public open space, this is considered appropriate as this is where the artwork would have the most public benefit and most interaction with the public. The different pieces of artwork are designed to provide a range of stimulus and interest therefore encourage interaction.
- 10.12 The Council's Urban Design officer raises no objections. The Council's Landscape Officer raises no objection subject to **conditions 4 and 5** related to hard and soft landscape management, and lighting and sound controls.
- 10.13 The council's Ecology Officer has no objections, however, does raise that the Sparrow and Swift boxes are not in the most optimal position. It is recognised that these could still be used and that they integrate into the public art scheme.
- 10.14 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

10.15 **Highway Safety and Transport Impacts**

- 10.16 There are no highway safety and transport impacts as a result of this application.

10.17 **Amenity**

- 10.18 Policy 35, 36, 56, 59, and 65 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.
- 10.19 The impact on neighbouring properties from light pollution is expected to be minimal considering the area will already be well lit from street lighting so will not cause an increase in the existing light pollution. Further to this the lighting will be directed down into the unit with limited overspill and will be on a light sensor/timer. The Environmental Health team have raised no concerns from the lighting of the Pavilion feature.
- 10.20 The impact of noise on neighbouring properties is expected to be minimal and is unlikely to cause significant negative impacts on residents. The speakers, which will enhance natural sounds such as birdsong, will operate at set times between 8am and 8pm to further mitigate against any potential noise nuisance.
- 10.21 The comments from the design out crime officer in regard to anti-social behaviour are acknowledged and understood, however, the pavilion structure itself has been designed to enable full through visibility, alongside being located in a busy main entrance area. Further to this the maintenance/management plan ensures that the landscaping management around the structure should retain visibility and covers potential issues of fly-tipping, graffiti, and repairing and replacing any damages. The purpose of the pavilion is to provide a space to encourage new residents to socialise and the measures suggested are considered sufficient to reduce the perception/fear of crime and mitigate against anti-social behaviour.
- 10.22 The Council's Environmental Health team have assessed the application and originally raised concerns over the location proposed for the pavilion structure. As a result, the applicant provided a Noise Mitigation and Management Scheme which has overcome the Officer's concerns regarding potential disturbance to residents in the flat block nearby.
- 10.23 A condition has been recommended (**Condition 3**) requiring compliance with the submitted Noise Mitigation and Management Strategy.
- 10.24 Summary
- 10.25 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, 56, 59, and 65.

10.26 **Flood Risk and Drainage**

10.27 The submitted information demonstrates that the proposed artwork and infrastructure will sit on stilts within the existing SuDs basin which ensures safe access and egress during extreme rainfall events. Therefore, the proposals cause no increased flooding risk for the site. The Lead Local Flood Authority recommends an informative for pollution control.

10.28 **Third Party Representations**

10.29 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 |
|---|---|
| Support for parkland and environmental/eco-features | Acknowledged |
| Lack of consultation | Site notices for the application were displayed at key visible locations in May 2022 (still visible in January 2023) and again in January 2023. |
| Objection to Pavillion/Pergola feature (Noise, lighting, and anti-social behaviour) | The lighting and audio elements of the pavilion feature are set on a timer to reduce operation hours. Mitigation measure are suggested including 360 degree through visibility and being located in a busy area, are proposed to reduce the likelihood of anti-social behaviour. Vandalism and fly-tipping are addressed in the Public Art Management Plan Version 1.0 March 2022 through regular monitoring and quick repairs/remediation. |

10.30 **Planning Balance**

10.31 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).

10.32 **Summary of harm**

10.33 There is the potential that the public art, specifically the pavilion element could attract anti-social behaviour if not properly managed. This is proposed to be mitigated through design of the public art features, provision of lighting, and noise management measures.

10.34 **Summary of benefits**

- 10.35 The proposal would provide public art into the new development which would provide interest and enjoyment to residents and visitors across a spectrum of ages. The audio-visual public art would also create a space for community members to meet and socialise.
- 10.36 Whilst it is not possible to eliminate the risk of the site attracting anti-social behaviour, it is considered that, taking into account the mitigation measures proposed, the benefits of the proposals in relation to developing an attractive, and inclusive space, as well as fostering a sense of community outweigh any residual risks of noise or nuisance which may be generated by the proposals. 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.

11.0 Recommendation

11.1 Approve subject to:

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

12.0 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 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 noise mitigation and management scheme for the development as approved shall be implemented in accordance with the principles, operational noise levels and noise management detailed in the submitted document "Response to comments regarding Environmental Health 3058/22 31st May 2022 on Development Land at 75 Cromwell Road Cambridge Planning Application 22/02081/FUL" (Hill, 10th June 2022).

The details as approved shall be fully implemented prior to completion of the development and shall be maintained and retained thereafter.

Reason: To protect the amenity of adjoining / nearby properties from noise in accordance with the National Planning Policy Framework Feb, 2019 paragraphs 170, 180, 182 and Cambridge Local Plan 2018 policy 35.

- 4 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 full occupation of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

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

- 5 Prior to installation of any lighting or audio equipment a lighting and sound control strategy shall be submitted and approved in writing by the Local Planning Authority.

This strategy shall include details of lighting and audio equipment hours of operation, and a mechanism for the hours of operation and light / sound levels to be reviewed in response to resident feedback.

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

Reason: To protect the amenity of adjoining / nearby properties from noise and light disturbance in accordance with policies 34 and 35 of the Cambridge Local Plan 2018.

13.0 Informatives

Pollution Control

- 1 Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

This page is intentionally left blank

Agenda Item 6



| | |
|-------------------------------------|---|
| Planning Committee Date | 1 st March 2023 |
| Report to | Cambridge City Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 22/00265/OUT |
| Site | 72-74 St Philips Road, Cambridge, CB1 3DB |
| Ward / Parish | Romsey |
| Proposal | Outline application for 1 No. one and a half storey dwellinghouse with no matters reserved. |
| Applicant | Mr David Watters |
| Presenting Officer | Jane Rodens |
| Reason Reported to Committee | Called-in by Councillor and a Neighbour |
| Member Site Visit Date | Objections |
| Key Issues | N/A |
| Recommendation | 1. Character and appearance 2. Heritage Impacts APPROVE subject to conditions |

1.0 Executive Summary

- 1.1 The application seeks outline permission for 1 No. one and a half storey dwellinghouse with no matters reserved.
- 1.2 The application is considered to be in a sustainable location, it is one and half stories in height. It is to be clad in wood and located along St Phillips Road.
- 1.3 Due to the scale of the proposal it is considered that there would be no harm to the Conservation Area.
- 1.4 Officers recommend that the Planning Committee Approve the application.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The application site comprises of an area of land approximately 120 square metres in size. Directly to the east of the site is no.76 St Philips Road, a two-storey semi-detached dwelling, and the site abuts the rear garden of no. 50 Hemingford Road to the west. To the rear (south) of the site is the residential garden of no. 48 Hemingford Road. To the north the site faces the public highway. The application site falls within the Mill Road Conservation Area. To the east of the site is no.76 and no.78 St Phillips Road.
- 2.2 Within the site is a small shed with a pitched roof and an open lean-to. The boundary to St Philips Road is marked by a corrugated metal fence. The remainder of the site is open and appears to have been used in connection with storage of building materials.

3.0 The Proposal

- 3.1 Outline application for 1 No. one and a half storey dwellinghouse with no matters reserved.
- 3.2 The proposed dwelling is north facing towards St Philips Road. It is to be 5.6m in height, 3m to the eaves. The proposal is approximately 14m long and 5.3m in width. The dwellings is to be clad in vertical larch timber.

- 3.3 There is to be a fence surrounding the dwelling and mainly along the boundary of St Philips Road, which is 1.8m. There is to be three access through this fence, including one access to the dwelling, one to the garden and one for the bin storage.
- 3.4 There is an area of garden space, bin storage and cycle parking to the west of the proposed dwelling.
- 3.5 The dwelling is a two bedroom dwelling, with bedrooms on the 1st floor and living accommodation on the ground floor.
- 3.6 The application has been amended through the process to include Reserved Matters to change it from all matters reserved to none reserved. This is to provide detail on the design and the location of the dwelling within the site. This led to a re-consultation of the description and the drawings.

4.0 Relevant Site History

| Reference | Description | Outcome |
|-------------|--|-----------|
| 18/1321/OUT | Outline application for the development of 3 studio flats. | Refused |
| 16/1223/OUT | Outline planning permission for 4 new 1 bedroom flats. | Withdrawn |
| C/90/0373 | Use of vacant land for a builders yard | Refused |
| C/66/0406 | Use for wireless rental set storage | Refused |

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act 2010

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

Technical Housing Standards – Nationally Described Space Standard (2015)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development
Policy 2: Spatial strategy for the location of employment development
Policy 3: Spatial strategy for the location of residential development
Policy 28: Sustainable design and construction, and water use
Policy 29: Renewable and low carbon energy generation
Policy 31: Integrated water management and the water cycle
Policy 32: Flood risk
Policy 33: Contaminated land
Policy 35: Human health and quality of life
Policy 36: Air quality, odour and dust
Policy 41: Protection of business space
Policy 50: Residential space standards
Policy 51: Accessible homes
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 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 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

5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

5.4 **Other Guidance**

Mill Road Conservation Area Appraisal (2011)

6.0 **Consultations**

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

6.2 No objection to the application subject to conditions for:

- Visibility Splays
- Dropped kerb
- Bound material
- Contractors parking

6.3 After the revision of the plans and the description, there was no change to the comments that were made.

6.4 **Sustainable Drainage Officer – No Objection**

- 6.5 No objection subject to conditions for:
- Surface water
 - Foul Water
- 6.6 After the revision of the plans and the description, there was no change to the comments that were made.
- 6.7 **Conservation Officer – No Objection**
- 6.8 Comments on the 2nd set of Plans as there was an objection to the 1st set of plans due to the lack of information.
- 6.9 No objection subject to a condition for
- Details of the materials that are to be used in the cladding.
- 6.10 **Environmental Health – No Objection**
- 6.11 No objection subject to conditions for:
- Construction / demolition hours
 - Demolition / construction collections / deliveries
 - Piling
- 6.12 After the revision of the plans and the description, there was no change to the comments that were made.
- 7.0 Third Party Representations**
- 7.1 On the 1st plans one representation has been received.
- There is not enough information to be able to consider the application
 - The information that has been provided is out of date, there are other buildings in the rear gardens of the dwellings in the area.
 - This site has been used for employment.
 - There will be harm to the amenity of the area.
- 7.2 On the 2nd Plans, two representations have been received:
- There will be harm to the Conservation Area, the application is not in conformity with 127 c of the NPPF, 4/11b of the Local Plan.
 - The timber clad building is not the same as the surrounding properties, it is similar to others that have been built in the area, but these are not acceptable in the Conservation Area.
 - This does not meet the need for affordable dwellings in the area.

- There is not enough parking in the area, this will harm the area, there is a lack of on and off road parking. This is not in accordance with 102e and 127 a of the NPPF.
- There will be an impact on the parking in the area through the development of the site.
- A smaller structure would be better in a green space.
- There would be overlooking to no.76 and no.78 St Phillips Road and harm to the side access for no no.76 St Phillips Road.
- This dwelling will appear crammed into the site.

8.0 Member Representations

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

8.2 On the original plans:

- There is a lack of detail here to identify how this proposal will impact on the conservation area. Without this detail it will need to go to planning committee

8.3 On the 2nd Plans:

- That it is to be called into committee if it is to be recommended for approval.

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

9.0 Assessment

9.1 Planning Background

9.2 As detailed in the site history section of this report there have been two other applications on the site for residential dwelling, for 4no. flats (16/1223/OUT) and 3 flats (18/1321/OUT). This application is for one dwelling.

9.3 Principle of Development

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

- 9.5 This application is proposed to erect one dwelling within the application site, which once formed part of the rear garden of number no.50 Hemingford Road. The site is currently separated from the residential curtilage of no.50 and appears to have been used for storage of building materials.
- 9.6 Policy 41 of the Cambridge Local Plan 2018 states that there will be a presumption against the loss of any employment uses outside protected industrial sites. Development (including change of use) resulting in the loss of employment uses will not be permitted unless:
- c. the loss of a small proportion of floorspace would facilitate the redevelopment and continuation of employment uses (within B use class or sui generis research institutes) on the site and that the proposed redevelopment will modernise buildings that are out of date and do not meet business needs; or*
- d. the site is vacant and has been realistically marketed for a period of 12 months for employment use, including the option for potential modernisation for employment uses and no future occupiers have been found.*
- 9.7 Officers note that a 1990 application at the present application site sought the change of use of 'vacant land' to builder's storage and was refused (ref. C/90/0373). There have been no subsequent planning applications approved for any change of use at the site. As such there is no compelling or substantive evidence to suggest that the lawful use of the site is a commercial/employment use, or that there is any ensuing conflict with Policy 41 of the Local Plan 2018.
- 9.8 Officers therefore consider the principle of residential development at this site to be acceptable, subject to all other material planning considerations.
- 9.9 **Design, Layout, Scale and Landscaping and Heritage Assets**
- 9.10 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 9.11 The application falls within the Mill Road Conservation Area.
- 9.12 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.13 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more

important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

- 9.14 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 9.15 The character of the area is of Victorian/Edwardian housing that are two stories in height, they face the main highway in a very strong liner pattern. There are outbuildings, extensions to the dwellings and other subservient buildings that are located in the rear long gardens of the properties.
- 9.16 This proposal is for one dwelling that is to be one-and-a-half stories in height, it is to run along the length of the site and St Phillips Road. The proposal is considered to read more as an outbuilding behind the proposed timber fence. This is as there is a space between the proposed dwelling and no. 50 Hemingford Road, and the openings onto St Phillips Road are obscured into the fence.
- 9.17 The reduced height to one and half stories, the cladding and the roof form give the proposed building the appearance as an outbuilding. This leads it to appear subservient to the Victorian/Edwardian housing in the local area and therefore does not compete with these buildings which are important to the character of the conservation area.
- 9.18 A condition (Condition 3) has been recommended by the Conservation Officer who has expressed that they have no objection to the proposal provided that details of the timber to be used in the construction of the development are agreed with the Local Planning Authority.
- 9.19 It is considered that the proposal will preserve the character and appearance of the conservation area for the reasons set out above and will not cause harm.
- 9.20 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area
- 9.21 The proposal is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 56, 57, 58, 59, 60 and 61.
- 9.22 **Carbon Reduction and Sustainable Design**

- 9.23 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.
- 9.24 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 9.25 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 9.26 This application has not provided details of the carbon reduction scheme; therefore, this is to be conditioned.
- Carbon Reduction (Condition 7)
 - Water Efficiency (Condition 8)
- 9.27 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.
- 9.28 Subject to the conditions being applied to the application the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 9.29 **Biodiversity**
- 9.30 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 9.31 The application has not provided detail of the Biodiversity Net gain on the site, this is to be conditioned (Condition 9).
- 9.32 Subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats,

protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

9.33 **Water Management and Flood Risk**

- 9.34 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 9.35 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 9.36 The Council's Sustainable Drainage Engineer has advised that there is no objection to the application, subject to conditions for surface water (Condition 4) and foul water (Condition 6).
- 9.37 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

9.38 **Highway Safety and Transport Impacts**

- 9.39 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 9.40 Paragraph 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.41 In the original plans of the application, a car parking space was being proposed. This has been removed in the current iteration of the plans and therefore the conditions that are being recommended by the Local Highways Authority are not considered to be necessary, apart from the Contractors Parking Plan (Condition 5).

9.42 **Cycle and Car Parking Provision**

- 9.43 Cycle Parking
- 9.44 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 and encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 9.45 This proposal includes an area of cycle storage in the rear garden, a condition (Condition 10) is recommended to ensure that the cycle storage is acceptable. The proposal is considered to accord with policies 80 and 82 of the Local Plan and the Greater Cambridge.
- 9.46 Car parking
- 9.47 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.
- 9.48 This proposed does not include a parking space and due to the sustainable location it is considered that this is acceptable. The proposal is considered to accord with policy 82 of the Local Plan.
- 9.49 **Amenity**
- 9.50 Policies 35, 50 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 9.51 Neighbouring Properties
- 9.52 Impact on No. 48 Hemingford Road, to the south of the site.
- 9.53 It is considered that there would be minimal harm and overlooking to the dwelling to the south. The proposal is located to the end of the garden and therefore would not create a level of overshadowing that is unacceptable.
- 9.54 There are to be four roof lights that are to be located on this elevation. Two are for a stairwell and the other two are for the en-suites. It is recommended that these are to be conditioned (Condition 11) to ensure that if they are less than 1.7m then they are to be fixed shut and obscurely glazed.
- 9.55 Impact on No. 50 Hemingford Road, to the west of the site.

- 9.56 As the dwelling is to be located at the end of the garden for this dwelling it is considered it would result in no overshadowing or overbearing impact. There are to be windows on the ground floor for the kitchen diner. As there is to be a separation distance of approximately 17m there would be minimal overlooking. A condition (Condition 12) is recommended to ensure that there is an adequate boundary between these two properties.
- 9.57 Impact on no.76 and no.78 St Phillips Road, to the east of the site
- 9.58 This dwelling is to be located close to the boundary with no.76, there is to be a 1.8m high boundary fence between the proposal and the neighbouring dwelling. Therefore, there would be no overlooking from the proposed windows that are to serve the office and the WC. There would be no overshadowing from this proposal to the neighbouring property.
- 9.59 Future Occupants
- 9.60 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).
- 9.61 The gross internal floor space measurements for units in this application are shown in the table below:

| Unit | Number of bedrooms | Number of bed spaces (persons) | Number of storeys | Policy Size requirement (m ²) | Proposed size of unit | Difference in size |
|------|--------------------|--------------------------------|-------------------|---|-----------------------|--------------------|
| 1 | 2 | 4 | 1.5 | 79m ² | 100m ² | +21m ² |

- 9.62 Bedroom one is 13m² and bedroom two is 13m², both of these are considered acceptable to be able to meeting the requirements of Policy 50 part d).
- 9.63 As from the table above it is considered that the internal space is acceptable and in conformity with Policy 50 of the Local Plan.
- 9.64 Garden Size
- 9.65 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.
- 9.66 There is a garden space to the west of the dwelling that has an area of 31m² that is to include the bin storage and cycle storage. This is considered to be an acceptable size for a 2 bedroom dwelling.
- 9.67 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. Officers consider that the layout and configuration enables inclusive access and future proofing. A condition is recommended to ensure this, condition 13.

9.68 Construction and Environmental Impacts

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

9.70 The Council’s Environmental Health team have assessed the application and recommended conditions for:

- Demolition/Construction hours (Condition 14)
- Demolition/Construction collection/delivery hours (Condition 15)
- Piling (Condition 16)

9.71 There are no known contamination issues associated with this site.

9.72 The proposed development does not include any off street parking. Should this change 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*’.

9.73 Summary

9.74 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 and 57.

9.75 **Third Party Representations**

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

| | |
|--|--|
| Harm to the Conservation Area, form and material | The building will appear subservient and will be clad in a material that will be acceptable in this area, as it will appear as an outbuilding. The distance between the proposal and the neighbouring properties will reduce the potential over development of the site. |
| Parking | This application is considered to be in a sustainable location and there is cycle parking available to the |

| | |
|---|---|
| | dwelling. |
| Parking through the development of the site | A condition is recommended for the contractor parking. |
| Impact on no.76 and no.78 St Phillips Road. | Due to the boundary treatments and the height of the windows it is considered that there would be no harmful overlooking and overshadowing impacts. |

9.77 Other Matters

9.78 Bins

9.79 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The bins are to be located within the garden area of the dwelling. A condition (Condition 10) is recommended to ensure that this is an acceptable size. On that basis the application is considered to be in conformity with Policy 57 of the Local Plan.

9.80 Planning Balance

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

9.82 On balance it is considered that there would be no harm to the Conservation Area through the location of the development and the subservient nature of the proposal. There would be minimal impact on the amenity of the neighbouring properties and the dwelling is a scale that is acceptable for this location.

9.83 Conditions have been recommended as detailed in this report.

9.84 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval.

10.0 Recommendation

10.1 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. Time limit

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. Plans

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. Materials

No development shall take place above ground level, other than demolition, until details of the timber 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 and 61).

4. Surface Water Drainage

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

The scheme shall include:

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

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

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

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

5. contractors parking

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 in accordance with Cambridge Local Plan (2018) Policy 81.

6. Foul drainage

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

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

7. Carbon Reduction

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).

8. Water Efficiency

The hereby permitted 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).

9. BNG Plan (On or Off-site) MINOR

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. Bikes and Bins Compliance

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).

11. Windows

The windows on the southern roof slope are to be

- (a) obscure-glazed, and
- (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;

Reason: To safeguard the privacy of adjoining occupiers (Cambridge Local Plan 2018 policies 52, 55, and 57).

12. Boundary treatment

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).

13. M4(2) Accessible and Adaptable Dwellings

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)

14. Noise Construction Hours

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).

15. Demolition and Construction Deliveries

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).

16. Piling

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)

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

This page is intentionally left blank

Agenda Item 7



| | |
|-------------------------------------|---|
| Planning Committee Date | 1 st March 2023 |
| Report to | Cambridge City Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 22/05472/FUL |
| Site | 36 Amwell Road |
| Ward / Parish | Kings Hedges |
| Proposal | Demolition of existing bungalow and erection of 3no 2-bed terrace dwellings. |
| Applicant | Sebastian Macmillan |
| Presenting Officer | Amy Stocks |
| Reason Reported to Committee | Third party representations |
| Member Site Visit Date | N/A |
| Key Issues | <ol style="list-style-type: none">1. Character of the Area2. Design3. Car parking |
| Recommendation | APPROVE subject to conditions |

1.0 Executive Summary

- 1.1 The application seeks permission for the demolition on a bungalow with the subsequent erection of 3 dwellings. The site does not have any site constraints.
- 1.2 A similar application was granted permission at committee in March of 2019 (18/1582/FUL). Due to Covid the applicant did not implement the permission and let the permission lapse, therefore the application has been re-submitted with two minor changes.
- 1.3 The first difference is a slight change in the internal organisation of the rooms, a toilet has been added on the ground floor and one of the first floor bathrooms now benefit from a shower rather than a bathroom. While the second difference is the porch roofs over the front door are now smaller than what was previously approved. As the proposed changes are minor and will not adversely impact the appearance of what was previously approved, officers do not consider proposed development to be in keeping with the character of the area and be of acceptable appearance
- 1.4 The overall development is in accordance with local and national policies and remains broadly unchanged from what was previously approved at committee.
- 1.5 Officers recommend that the Planning Committee Approve the application.

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 | |

*X indicates relevance

- 2.1 The site comprises 36 Amwell Road which currently contains a single-storey dwelling. The bungalow is set back behind the semi-detached pair Nos. 32 and 34 Amwell Road due mainly to the set in of the road at this point. There is a vehicle access to the south-west of the house with a single garage attached to the garage of No.34 Amwell Road. The application site has a shared boundary with a parking area to the north-east and another parking area to the rear (north-west) in Armitage Way.
- 2.2 The surrounding area is residential in character with short terraces and semi-detached properties predominating although there are also back-to-back two-storey duplex houses. Nearby to the north is King Hedges Road,

beyond which is the Science Park Campus and to the south/east lies the commercial area in Kilmaine Close.

3.0 The Proposal

- 3.1 Demolition of existing bungalow and erection of 3 no 2 bed terrace dwellings.
- 3.2 Each house would have 2 bedrooms and be on three storeys with bedrooms on the first and roof levels (served by a dormer window) with a kitchen and living room on the ground floor and two bathrooms at first floor level (one en-suite).
- 3.3 Each house would have access to a rear garden with the southern plot (House 1) also benefiting from the existing single garage. There would be no parking provision on site for Houses 2 and 3.
- 3.4 There would be a rear access to allow access to the gardens to bin stores and cycle stores.
- 3.5 A similar proposal (18/1582/FUL) was brought to Planning Committee on 6th March 2019. The application was approved. The applicant failed to start the development with the 3-year time limit due to covid restraints, therefore a new application has been submitted.

4.0 Relevant Site History

| Reference | Description | Outcome |
|------------------|---|-----------------------|
| 18/0823/FUL | Demolition of existing dwelling and erection of 6 houses | Refused |
| 18/1582/FUL | Demolition of existing bungalow and erection of three terraced houses | Approved at Committee |

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

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

Technical Housing Standards – Nationally Described Space Standard (2015)

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 3: Spatial strategy for the location of residential development
Policy 28: Sustainable design and construction, and water use
Policy 29: Renewable and low carbon energy generation
Policy 31: Integrated water management and the water cycle
Policy 32: Flood risk
Policy 35: Human health and quality of life
Policy 36: Air quality, odour and dust
Policy 50: Residential space standards
Policy 51: Accessible homes
Policy 52: Protecting garden land and subdivision of dwelling plots
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 58: Altering and extending existing buildings
Policy 59: Designing landscape and the public realm
Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

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

6.0 Consultations

6.1 Local Highway Authority–No Objection

6.2 Proposal is acceptable subject to the imposition of conditions relating to levels of paved areas in regard to surface water drainage, materials of areas of paved surfacing, submission of a contractor's plan, and an informative relating to works within the LHA boundary.

6.3 Sustainable Drainage Officer –No Objection

6.4 Proposal is acceptable subject to the imposition of conditions relating to a scheme of surface water and foul water drainage.

6.5 Urban Design–No Objection

6.6 No material Urban Design issues with this proposal.

6.7 Environmental Health –No Objection

6.8 Proposal is acceptable subject to the imposition of conditions relating to construction hours, piling and dust management and the imposition of an informative relating to dust.

7.0 Third Party Representations

7.1 1 representation has been received.

7.2 The objection has raised the following issues:

- Car parking and parking stress
- Existing drainage problems need to be addressed
- Residential amenity impact (impacts on privacy and overlooking)
- Bin Storage allocation
- Sale of properties

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

8.0 Assessment

8.1 Planning Background

8.2 An application was submitted for the demolition of existing dwelling and erection of 6 houses. The reasons for refusal relating to application 18/0823/FUL are in summary that:

- 1) The proposal would be unduly dominant due to bulk and height and as the block would occupy the majority of the site together with the proposed dormers being out of keeping resulting in perceived bulk.
- 2) The proposal would result in an overbearing and enclosing impact on the rear garden of No.34 Amwell Road and with 4 windows in the SW elevation facing this property would also result in overlooking.

- 3) Unacceptably limited amount and low quality of the internal space due to their size and single outlook and no private or communal amenity space.
- 4) Lack of cycle parking and inadequate refuse and recycling provision.
- 5) Insufficient information regarding surface water run off to prove that there would be no surface water flooding.

8.3 Following the refusal, a subsequent application 18/1582/FUL was submitted for the demolition of existing bungalow and erection of three terraced houses. This was presented and approved at committee in March 2019.

8.4 To date no discharge of conditions have been submitted for this application. The following application 22/05472/FUL has been submitted as the time condition has lapsed on the previous application. Due to covid constraints the applicant did not commence the development and therefore the previously approved permission cannot be implemented.

8.5 Principle of Development

8.6 The proposal is for the redevelopment of existing residential land to provide an additional 2 dwellings. Spatial Policy 3 supports the provision of additional dwellings in and around the urban area of Cambridge. Policy 52 seeks to protect garden land and the subdivision of dwelling plots and indicates that some forms of redevelopment will continue to be a valuable additional source of housing supply and need not be inappropriate. The proposal is for complete redevelopment which would be acceptable in principle, subject to meeting the criteria of Policy 52.

8.7 The criteria of Policy 52 are that the proposal to subdivide the existing residential plot will only be permitted where it is of a form, height and layout which is appropriate to the area, that sufficient garden space is retained and any existing trees are retained, amenity and privacy of existing and new properties is protected, provision is made for adequate amenity space, vehicle access and parking spaces for new and existing properties, and that there is no detrimental effect on the potential comprehensive development of the wider area.

8.8 The proposal is acceptable in principle in accordance with policy 3 of the Cambridge Local Plan 2018.

8.9 Design, Layout, Scale and Landscaping

8.10 Policies 55, 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.

- 8.11 The context is that the property already lies within an existing residential area where there are a variety of two-storey properties including semi-detached, short terraces and small back-to-back blocks in a wholly residential estate.
- 8.12 The proposal is for the demolition of the existing one-storey dwelling and its replacement with three terraced houses, similar to what has been previously approved under application 18/1582/FUL. The proposed terraces would each have a rear garden where bin and cycle stores would be contained.
- 8.13 The proposed 3 properties would be set back from the rear edge of the public highway and would be slightly taller than existing dwellings (200mm), nonetheless, of itself, this would not be out of character in this area which is neither a Conservation Area or other designated area nor has a regulated street-scene pattern of development.
- 8.14 The proposal would include three rear dormer windows (to each of the properties). These would be relatively large and a specific feature of each new house. The dormers would be located well within the proposed eaves and outer edge and shared boundaries of the properties. While the rear dormers would be visible from Armitage Way to the rear and there are no other visible dormers in the locality, their integrated nature and, providing suitable materials are chosen, would mean that the dormers would not be out of character with the proposed properties. They would not be unduly overbearing or obtrusive. Officers consider they are therefore acceptable in this location.
- 8.15 Some properties have parking within their boundaries and others rely on the parking court areas or park on street (there are no local parking restrictions). Therefore, the proposed garage and lack of parking for two of the properties is not out of character and is therefore considered to be acceptable in terms of the proposal's impact on visual amenities.
- 8.16 As mentioned previously, the same application was submitted and approved at committee in March 2019 (18/1582/FUL). This application is the same as the previous apart from two differences. The first difference is a slight change in the internal organisation of the rooms, a toilet and a cupboard has been added on the ground floor and one of the first-floor bathrooms now benefit from a shower rather than a bath and a cupboard has been added at first floor. While the second difference is the porch roofs over the front door are now smaller than what was previously approved. As the proposed changes are minor and will not adversely impact the appearance of what was previously approved, officers do not consider proposed development to be in keeping with the character of the area and be of acceptable appearance.

- 8.17 A hard and soft landscaping scheme condition (no.11) has been imposed to ensure positive visual amenity is produced and well-integrated into the surrounding neighbourhood.
- 8.18 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, 57, 58, and 59 and the NPPF.
- 8.19 Carbon Reduction and Sustainable Design**
- 8.20 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.
- 8.21 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 8.22 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.
- 8.23 The application is supported by limited information in relation to renewable and low carbon technologies. As per the design and access statement submitted, the applicant has confirmed high levels of fabric insulation in the walls and roof will be used and the dwellings will benefit from high specification glazing to the windows and doors. The dwellings will also benefit from efficient services such as LED lighting, programme controls and thermostats. Regarding climate change, the form of the dwellings will allow cross ventilation to prevent overheating including a rooflight to the front of the dwellings and windows to the rear of the top floor. The stairs will benefit from a rooflight to allow for summer ventilation. The dwelling will be constructed using brick and block walls will provide high levels of thermal mass and prevent overheating. To ensure water efficiency, low-flow water fittings will be installed.
- 8.24 However, further information as to how water efficiency and renewable energies will be incorporated is required. Officers consider these details can be achieved via conditions no. 20 and 21.
- 8.25 Subject to conditions, officers consider the application would address the issue of sustainability and renewable energy and the proposal is in

accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

8.26 Biodiversity

8.27 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.

8.28 Limited information has been provided in relation to the biodiversity net gain on site. As the existing site is a bungalow and surrounded by residential properties, the existing biodiversity is likely to be very low. However, officers will impose a biodiversity net gain condition no.19 to ensure biodiversity is maintained on the site.

8.29 Subject to conditions, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

8.30 Water Management and Flood Risk

8.31 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.

8.32 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

8.33 The applicants have commented on surface water drainage within their design and access statement. The applicant has directly contacted Anglia Water who have confirmed that the additional roof area implied by the proposed dwellings compared to the existing bungalow would be acceptable. Anglia Water confirmed that the additional water from the proposed 40m² extension could be connected to the existing drainage to the surface water sewer

8.34 The Council's Sustainable Drainage Engineer has advised the proposal is acceptable subject to the imposition of a condition no.7 in relation to the disposal of surface and foul water drainage. Officers consider the request of this condition to be acceptable and will be imposed.

8.35 Subject to conditions, the applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.36 Highway Safety and Transport Impacts

- 8.37 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.
- 8.38 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.
- 8.39 The proposal involves the demolition of an existing bungalow and the erection of a terrace of three dwellinghouses. As the two additional dwellings would not have any vehicle accesses, there would be no highway safety issues arising.
- 8.40 A shared rear pedestrian access would be formed to the back of the Armitage Way parking area. This access would lead directly onto the existing footpath and is considered to be acceptable in highway safety terms.
- 8.41 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.
- 8.42 Subject to conditions as applicable, the proposal accords with the objectives of policy 81 of the Local Plan and is compliant with NPPF advice.

8.43 Cycle and Car Parking Provision

- 8.44 Cycle Parking
- 8.45 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.
- 8.46 Cycle parking is proposed in the rear gardens of each of the three properties. There is space for a covered, secure facility for cycle parking with access to the public highway via a rear gate. Details of the cycle store would need to be provided which can be affected through a suitably worded condition no.13.

- 8.47 Car parking
- 8.48 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.
- 8.49 Only one of the three properties (House 1) would be provided with a parking space within the existing garage. This would mean that any vehicles associated with the other two properties together with their visitors and any additional vehicles associated with House 1 would park on-street. There are no parking restrictions on street and the Highway Authority raise no objections to the proposal subject to their being no noise or disturbance issues resulting.
- 8.50 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.
- 8.51 Subject to condition no. 22, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 8.52 Amenity**
- 8.53 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.
- 8.54 Neighbouring Properties
- 8.55 The proposal has been amended from the earlier refusal in 2018 to reduce the number of dwellings proposed and particularly, the depth of the building. There would be no windows in the elevation facing the adjoining occupier, No.34 Amwell Road.

8.56 While the proposed building would remain deeper into the plot than the adjoining semi-detached pair this reflects the line of the adjoining highway. To ensure neighbouring amenity remains unaffected officers are proposing to remove class A and E permitted development rights for these dwellings as per condition 18. Class A of the general permitted development order (GDPO) relates to extensions while class E relates to outbuildings, as the gardens of the proposed dwellings are suitable for the proposed dwellings, the addition of structure to these areas would make the gardens too small and would have the potential to impact neighbouring properties and occupants of the proposed dwellings.

8.57 Impact on No. 32

8.58 One neighbouring objection has been received. Concerns of existing drainage issues have been expressed; officers consider these elements have been addressed in the above section.

8.59 Concerns regarding parking have been expressed. As mentioned in the above sections, plot 1 will benefit from off street parking while plots 2 and 3 will not. As the dwellings are not located within a controlled parking zone and the Local Plan does not require parking to be provided as a minimum (maximum of 1), officers are unable to request the plots without parking to provide spaces of this nature.

8.60 Given this and the reduced depth into the plot than the existing bungalow and that the proposed building would be to the north of this neighbour, officers consider that there would be no undue loss of amenities as a result of overshadowing/loss of sunlight/visual intrusion or enclosure. As there would be no windows at first floor level, there would be no loss of privacy or overlooking resulting from the proposal.

8.61 Other properties in the locality are sufficiently distant from the application site or are across public areas such that officers consider there would be no harmful loss of residential amenities to the other nearest properties

8.62 Future Occupants

8.63 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).

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

| Unit | Number of bedrooms | Number of bed spaces (persons) | Number of storeys | Policy Size requirement (m ²) | Proposed size of unit | Difference in size |
|------|--------------------|--------------------------------|-------------------|---|-----------------------|--------------------|
| 1 | 2 | 4 | 3 | 79 | 88 | 9 |
| 2 | 2 | 4 | 3 | 79 | 88 | 9 |

- 8.65 The current space standards do not extend for three storey dwellings for 2-bedroom homes. As such the maximum standard of a dwelling of this type has been applied. The proposed dwellings meet residential standards.
- 8.66 Garden Size(s)
- 8.67 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.
- 8.68 Policy 50 requires that external space is of a reasonable size to provide for day-to-day living and for children's place space. Gardens are provided to each of the properties, the smallest being 4.7m deep and 4.1m wide (19m²) which is considered to generally provide for the occupiers' likely use.
- 8.69 The proposals would have reasonable outlook, light into rooms and a suitably sized, usable outdoor space (minimum garden size 19m²) which is not overshadowed or unreasonably overlooked. The proposed dwellings would have an acceptable level of privacy
- 8.70 Inclusive access
- 8.71 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. Condition 17 has been imposed to ensure compliance to the regulations.
- 8.72 Construction and Environmental Impacts
- 8.73 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.
- 8.74 The Council's Environmental Health team have assessed the application and recommended conditions relating to construction hours, piling and dust be imposed.

8.75 Summary

8.76 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, 57 and 58.

8.77 Other Matters

8.78 Bins

8.79 It has been indicated that refuse and recycling bins are to be provided in the rear garden areas. Condition no.13 requiring details has been attached. Officers consider the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

8.80 Neighbouring properties place their bins by the parking spaces on Armitage Way. The drag distance to this location from the rear gate of plot 1 is 13m, from plot 2 is 10m and from plot 3 is 7m. In line with the RECAP Waste Management Design guide, resident should not have to move waste more than 30m to any designated storage area within the boundaries of the property to a collection point. As these distances are not further than what is deemed suitable, officers consider the bins being located to the rear of the property to be acceptable. However further information regarding the exact location is required and has been secured via condition 13.

8.81 Subject to conditions, officers consider refuse and recycling can be successfully integrated into proposals and in accordance with policy 57.

8.82 Planning Balance

8.83 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).

8.84 The proposal would result in three additional houses which would help to meet the needs identified in the Local Plan. There would be no significant adverse impacts from the proposal in respect of residential amenity or highway safety. Officers consider that the proposal would be in character with the locality

8.85 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: planning conditions

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) Unless otherwise agreed in writing by the Local Planning Authority, the development, hereby permitted, shall be constructed in accordance with the materials specified within the planning application 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))

- 4) All the proposed areas of paved surfacing be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway

- 5) All the proposed areas of paved surfacing be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety

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

Reason: in the interests of highway safety

- 7) Prior to commencement of development a scheme for the disposal of surface water and foul water drainage that can be maintained for the lifetime of the development shall be provided to and agreed in writing with

the local planning authority. Information required to be submitted to satisfy condition above includes:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- c) A site plan identifying indicative locations for sustainable drainage features;
- d) Evidence to support b) which must include infiltration/percolation testing or written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable; and
- e) Details of foul discharge location

Reason To reduce the risk of flooding to the proposed development and future occupants (Cambridge Local Plan policies 31 and 32)

- 8) 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).

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

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

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

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

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

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

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

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

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

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

13) Prior to first occupation of the dwellings, details of facilities for the covered, secure parking of 3 number bicycles and bin stores for each dwelling for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure satisfactory provision for the secure storage of bicycles and storage of bins. (Cambridge Local Plan 2018 policies 52 and 82)

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

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

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

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

- 16) Prior to the occupation of the development, hereby permitted, the curtilage(s) of the approved dwelling(s) shall be fully laid out and finished in accordance with the approved plans. The curtilage(s) 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)

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

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

- 18) 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 the dwellinghouse(s), and the construction of outbuildings (other than any bin/bike stores approved by condition 13) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of occupiers of adjoining properties and to secure the provision of an acceptable amount of private external amenity space for future occupiers of the dwellings (Cambridge Local Plan 2018 policies 50, 52, 55, and 57).

- 19) 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, 69 and 70 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

20) 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, 29, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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

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

- 22) Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for one active charge point for plot 1. The active charge points should have a minimum power rating output of 3.5kW. The approved electric vehicle charge points shall be installed prior to first occupation of the relevant dwelling 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 2021) paragraphs 107, 112, 174 and 186, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

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, and that a separate permission must be sought from the Highway Authority for such works.
- 2) Before the existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's Shared Planning Service establishing the way in which they will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.
- 3) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works.

- 4) The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environment Planning Team.

This page is intentionally left blank



2

| | |
|-------------------------------------|--|
| Planning Committee Date | 1 March 2023 |
| Report to | Cambridge City Council Planning Committee |
| Lead Officer | Joint Director of Planning and Economic Development |
| Reference | 22/02162/FUL |
| Site | 315 Milton Road |
| Ward / Parish | Kings Hedges |
| Proposal | Retrospective change of use of dwelling to a Large Scale HMO, with conversion of garage to habitable space |
| Applicant | Mr Neil Stepney |
| Presenting Officer | Laurence Moore |
| Reason Reported to Committee | Third party representations |
| Member Site Visit Date | N/A |
| Key Issues | 1. Internal Space 2. Noise 3. Parking |
| Recommendation | APPROVE subject to conditions. |

1.0 Executive Summary

- 1.1 The application seeks to deliver a 7 bedroom HMO along 315 Milton Road which be for a maximum of 7 occupants. The site is not situated within a conservation area. The site is situated within the controlled parking zone.
- 1.2 The only external changes relate to the proposed garage conversion, which as shown in submitted image titled *Elevation Front – Proposed (received 9th of May 2022)*, will replace the existing garage door situated along the principal elevation with a wall and new window.
- 1.3 Following amendments provided throughout the course of assessment, all proposed bedrooms meet space standards as required by policy 50 of the local plan.
- 1.4 The application will deliver additional internal amenity areas through the conversion of the non-habitable room in the loft to a living room for all tenants and the conversion of the rear hall into additional kitchen space. The amended plans show a gross internal floor area of 149sqm, which is 7.4sqm larger than the space requirements outlined in policy 50 of the local plan, which would allow for 51.5sqm of internal amenity space for all tenants.
- 1.5 The property has a garden available for tenants, which equates to approximately 265sqm.
- 1.6 The hard landscaping to the front will remain as existing and would allow for no.2 car parking spaces in tandem. Whilst the application proposes accommodation for no.7 persons, the site is situated in close proximity to suitable public transport connections to the city centre and the area is well equipped with ample public transport connections. For these reasons, the development is considered to be situated within a sustainable location and therefore is not deemed car dependant. The proposed 2 parking spaces are considered acceptable.
- 1.7 Officers recommend that the Planning Committee approve this application subject to conditions.

2.0 Site Description and Context

Constraints

| | |
|---------------|---|
| None-relevant | X |
|---------------|---|

*X indicates relevance

- 2.1 The existing property consists of a 6 bedroom HMO serving 6 persons. The existing HMO has less internal amenity space than the proposed development, with the garage and loft room not currently in use at the property, and the rear hall being used solely for access means. The existing property has 2 communal bathrooms at first floor and a large

garden to the rear. The existing property has space for no.2 car parking spaces in tandem and includes cycle stores to the front.

- 2.2 The area is primarily residential, with local shops and public houses in close proximity to the site.
- 2.3 North of the site consists of residential gardens serving properties fronting Milton Road and Ramsden Square, further north of the site consists of Ramsden Square, a residential development with a central area of green open space.
- 2.4 East of the site consists of Milton Road whereas further east of the site consists of Browns Field Youth and community centre and the adjacent BMX track.
- 2.5 South of the site consists of Milton Road, and further south of the site consists of Kendal Way, a residential street.
- 2.6 West of the site consists of residential gardens serving properties fronting Milton Road and Ramsden Square, whereas further west of the site consists of Woodhead Drive.

3.0 The Proposal

- 3.1 Retrospective change of use of dwelling to a Large Scale HMO, with conversion of garage to habitable space
- 3.2 The application seeks to provide a large scale house in multiple accommodation including 7 bedrooms for 7 persons. The application proposes to convert the existing garage to a bedroom, the existing rear hall into additional kitchen space, the existing utility room to a communal toilet and shower room and change the unused loft space into a habitable living room.
- 3.3 The application has been amended to address concerns with internal amenity space and comments received from neighbouring occupiers, yet it was not felt this required re-consultation as the changes were internal only, and so would not have any additional impacts on neighbouring occupiers.

4.0 Relevant Site History

| Reference | Description | Outcome |
|------------------|--|----------------|
| 22/00718/FUL | Retrospective change of use of dwelling to a Large Scale HMO, with conversion of garage to habitable space | WDN |

- 4.1 The previous application was withdrawn.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

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

Technical Housing Standards – Nationally Described Space Standard (2015)

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 3: Spatial strategy for the location of residential development

Policy 13: Cambridge East

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 48: Housing in multiple occupation

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 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

5.4 Other Guidance

N/A

6.0 Consultations

6.1 Environmental Health –No Objection

6.2 “The development proposed is acceptable.”

6.3 Local Highways Authority – No objection

6.4 No Objection – Discussed in Highways Surgery 08/02/2023

6.5 No conditions suggested.

7.0 Third Party Representations

7.1 2 representations have been received.

7.2 Those in objection have raised the following issues:

- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Car parking and parking stress
- Internal Space for future tenants.

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

8.1 The application proposes a change of use to large house in multiple occupation (HMO). The plans show the property subdivided into 7 bedrooms and it would, subject to condition, serve a maximum occupancy of 7 persons. Policy 48 of the Cambridge Local Plan 2018 supports applications for the development of HMOs where they:

a. do not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area;

b. the building or site (including any outbuildings) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying

areas;

c. will be accessible to sustainable modes of transport, shops and other local services.

8.2 Parts a, b and c of the policy above will be addressed within the following sections of this report.

8.2 Design, Layout, Scale and Landscaping

8.3 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.

8.4 The only external changes relate to the proposed garage conversion, which as shown in submitted image titled *Elevation Front – Proposed (received 9th of May 2022)*, will replace the existing garage door situated along the principal elevation with a wall and new window. The development is not considered to have any adverse impacts on the character of the area in terms of design, and so the proposed external changes are considered acceptable.

8.5 The existing property is in use as a 6-bedroom HMO serving 6 persons. The application proposes an increase in the number of bedrooms at the property from 6 to 7, to allow for one extra tenant, through the conversion of the garage. The increase in maximum occupancy from 6 to 7 individuals is considered a marginal increase in the use of the property and so the proposed change of use to a large scale HMO is not considered to have any adverse impact on the character of the area and is therefore compliant with policies 55, 56 and 58 of the local plan.

8.6 A condition will be added to any permission granted, restricting the maximum occupancy of the HMO proposed to 7 persons.

8.7 Policy 48 part a) states that proposals for large scale HMOs will be supported where the development will not result in an over-concentration of such a use in the local area.

8.8 The authority's records show there to be less than 6 large scale HMOs to be situated along Milton Road, no large-scale HMOs at Ramsden Square and only 2 in the areas proximate to College Fields. For this reason it is not considered that there is an over-concentration of large scale HMOs in the area, and so the addition of no.1 large scale HMO as proposed is not considered to give rise to any adverse impacts on the character of the area. The development is therefore considered compliant with Policy 48 part a) of the 2018 local plan.

8.9 The application seeks to retain the existing hard landscaping to the front of the property in order to ensure the retention of no.2 car parking spaces.

The application does not include any changes to the rear amenity space, which will remain as approximately 265sqm of private green space. The application shows no intentions to alter the existing landscaping and so is considered acceptable with regards to policy 59.

8.10 The application site is situated along Milton Road, and is within an area subject to adequate public transport connections and ample active travel arrangements, for this reason the development is considered to be situated within a sustainable location, and so the application is compliant with policy 48(c).

8.11 The proposal is compliant with Cambridge Local Plan (2018) policies 48(a), 48(c), 55, 56, 58 and 59.

8.12 Highway Safety and Transport Impacts

8.13 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.

8.14 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.

8.15 Access to the site would remain as existing, and so there are no concerns on highway safety stemming from the proposed access arrangements.

8.16 There is a minimal amount of construction work required in order to complete the proposed development. The works would include minor internal re-arrangements in addition to the garage conversion. For this reason, the construction impacts of the proposals are considered to be of a minor nature and would not lead to adverse impacts on the safe operations of the public highway.

8.17 The highways officer shares this view, as discussed within the highways surgery on 08/02/2023.

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

8.19 Cycle and Car Parking Provision

8.20 Cycle Parking

8.21 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.

8.22 The applicant has demonstrated that there is sufficient space to the front of the property to accommodate a suitable enclosure for the accommodation of bikes for all inhabitants plus visitor parking. Whilst detailed designs of the secure enclosure for the safe and secure storage of bikes has not been provided, the officer believes it is suitable to secure the designs via condition. The condition to be added will require the addition of biodiverse roofs to any cycle store enclosure to be constructed.

8.23 Car parking

8.24 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.

8.25 The application seeks the retention of no.2 off-street, car parking spaces. Whilst the application proposes accommodation for no.7 persons, the site is situated in close proximity to suitable public transport connections to the city centre and the area is well equipped with ample public transport connections. For these reasons, the development is considered to be situated within a sustainable location and therefore is not deemed car dependant. The proposed 2 parking spaces are considered acceptable.

8.26 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.

8.27 Amenity

8.28 Policy 35, 50, 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.

8.29 Neighbouring Properties

8.30 Impact on No. 313:

Concerns have been raised regarding the potential adverse impacts on residential amenity arising from additional noise at the property from the addition of no.1 additional tenant. The increase in maximum occupancy from 6 to 7 persons is considered a marginal increase in use and is not considered to significantly exacerbate any issues with noise.

Whilst the addition of no.1 additional tenant has raised concerns for the neighbour situated at no. 313 Milton Road, their concerns stem largely from noise emittance from the garden of the HMO, resulting from a lack of internal amenity space. The proposed development would allow for a significant increase in the amount of internal amenity space available, and so the potential noise impacts to be witnessed by neighbouring occupiers are not considered sufficient to negatively impact quality of life.

The lack of an objection from the Environmental Health officer supports this point.

8.31 Impact on No. 309

Whilst the addition of no.1 additional tenant has raised concerns for the neighbour situated at no. 309 Milton Road, their concerns stem largely from noise emittance from the garden of the HMO, resulting from a lack of internal amenity space. The proposed development would allow for a significant increase in the amount of internal amenity space available, and so the potential noise impacts to be witnessed by neighbouring occupiers are not considered sufficient enough to negatively impact quality of life.

The lack of an objection from the Environmental Health officer supports this point, and the development is therefore considered to have no adverse impacts on the residential amenity of neighbouring occupiers and is compliant with policies 35, 48 (a), 50 and 58.

8.32 Future Occupants

8.33 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).

8.34 Concerns have been raised regarding internal space being too restrictive for seven persons, and bedroom sizes being too small. The gross internal floor space measurements for the proposed HMO equates to 149.1sqm, which exceeds the requirements of policy 50 for a 7-bedroom unit by 7.4sqm.

8.35 All bedrooms within the proposed development will exceed the national minimum space standards, as outlined in policy 50 of the Cambridge local

plan 2018. The size of each individual bedroom proposed is shown in the table below:

| Unit | Number of bed spaces (persons) | Policy Size requirement (m ²) | Proposed size of unit | Difference in size |
|------|--------------------------------|---|-----------------------|--------------------|
| 1 | 1 | 7.5 | 12.4 | +4.9 |
| 2 | 1 | 7.5 | 10.5 | +3 |
| 3 | 1 | 7.5 | 11.1 | +3.6 |
| 4 | 1 | 7.5 | 9.9 | +2.4 |
| 5 | 1 | 7.5 | 8.7 | +1.2 |
| 6 | 1 | 7.5 | 13.7 | +6.2 |
| 7 | 1 | 7.5 | 17.6 | +10.1 |

8.36 Garden Size = 265sqm

8.37 To ensure a satisfactory level of amenity and to ensure compliance with space standards, conditions will be added to any permission granted, requiring the proposed alterations to bedroom 5 and the proposed additional communal facilities/rooms to be delivered prior to the occupation of the 7th bedroom.

8.38 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.

8.39 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. While this is a policy requirement, the proposal is a conversion and would utilise the existing stairwells, 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.

8.40 Construction and Environmental Impacts

8.41 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.

8.42 The Council's Environmental Health team have assessed the application and recommended no conditions.

8.43 Summary

8.44 The development is considered suitable for use as a large HMO, subject to conditions regarding bins and cycle stores, and so is compliant with policy 48 (b) of the local plan.

8.45 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 48(b), 50, 51, and 58.

8.46 Third Party Representations

8.47 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 |
|----------------------------|--|
| Noise | <p>The increase in maximum occupancy from 6 to 7 persons is considered a marginal increase in use and is not considered to exacerbate issues with noise.</p> <p>Whilst the addition of no.1 additional tenant has raised concerns for neighbouring occupiers, their concerns stem largely from noise emittance from the garden of the HMO, resulting from a lack of internal amenity space currently in use at the property.</p> <p>The proposed development would allow for a significant increase in the amount of internal amenity space available, and so the potential noise impacts to be witnessed by neighbouring occupiers are not considered sufficient enough to negatively impact quality of life.</p> |
| Parking | <p>The application seeks the retention of no.2 off-street, car parking spaces.</p> <p>Whilst the application proposes accommodation for no.7 persons, the site is situated in close proximity to suitable public transport connections to the city centre and the area is well equipped with ample public transport connections. For these reasons, the development is considered to be situated within a sustainable location and therefore is not deemed car dependant.</p> |
| Internal Space | <p>The application includes amended plans which show the inclusion of the loft space to be used as amenity space and proposed alterations to bedroom 5, to ensure the room complies with space standards.</p> <p>The proposals would allow for a significant increase in the amount of internal amenity space available to each individual tenant, which is supported.</p> |

8.48 Other Matters

Bins

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

8.50 The applicant has demonstrated that there is sufficient space to the front of the property to host the required number of bins for the maximum occupancy. Whilst no plans identifying the design of the proposed bin store have been provided, it would be suitable to secure the designs via a condition. A condition will be added to any permission granted requiring the submission of details identifying the proposed design of the bin store, to include roof top planters and be situated to the front of the property.

8.51 Planning Conditions

8.52 Members attention is drawn to following key conditions that form part of the recommendation:

| Condition no. | Detail |
|----------------------|---------------------|
| 1 | Time |
| 2 | Drawings |
| 3 | Communal Areas |
| 4 | Kitchen Facilities |
| 5 | Bedroom 5 |
| 6 | Bike and Bin Stores |
| 7 | Max Occupancy |

8.53 Planning Balance

8.54 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).

8.55 Summary of harm

8.56 No.1 additional tenant and the potential noise implications rising from the additional tenant as discussed in section 8.26-8.29. The support received from Environmental health shows that from a professional perspective there will not be adverse impacts regarding noise which would lead to negative impacts on the quality of life of neighbouring occupiers.

8.57 Summary of benefits

8.58 27sqm of additional internal amenity space available to all tenants, which otherwise would not be made available due to the costs needed to ensure they're suitable.

- 8.59 Additional cooking facilities and communal toilet facilities available to all tenants.
- 8.60 1 additional room on the housing market in a period of heightened market pressure and lacking housing supply.
- 8.61 Increase in size to bedroom 5 which otherwise would not be conducted due to the costs needed to make alterations.
- 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 (subject to conditions).

9.0 Recommendation

9.1 **Approve** subject to:

| Condition no. | Detail |
|---------------|---------------------|
| 1 | Time |
| 2 | Drawings |
| 3 | Communal Areas |
| 4 | Kitchen Facilities |
| 5 | Bedroom 5 |
| 6 | Bike and Bin Stores |
| 7 | Max Occupancy |

10.0 Planning Conditions

1. Time Limit

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. Drawings

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. Communal Areas:

The internal communal areas as shown on the approved drawings shall be provided prior to occupation of the 7th bedroom and prior to the commencement of the proposed use and retained for communal uses and used for no other purpose(s).

Reason: To ensure adequate internal communal space is provided for future occupants (Cambridge Local Plan 2018 policies 48 and 50).

4. Kitchen Facilities:

The additional kitchen facilities shown on the approved drawings shall be provided prior to occupation of the 7th bedroom and prior to the commencement of the proposed use and retained for communal uses and used for no other purpose(s).

Reason: To ensure adequate internal communal space is provided for future occupants (Cambridge Local Plan 2018 policies 48 and 50).

5. Bedroom 5:

The proposed alterations to bedroom 5 will be provided prior to the occupation of the 7th bedroom and prior to the commencement of the proposed use and shall be retained at the approved size for the life time of the development.

Reason: To ensure compliance with space standards (Cambridge Local Plan 2018 policies 48 and 50).

6. Cycle/Bin Store

The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles and the covered, secure storage of bins 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 and bin stores. A cycle or bin 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).

7. Max Occupancy

The property within the site edged red, known as 315 Milton Road shall have no more than 7 people residing at any one time.

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

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

This page is intentionally left blank



| | |
|-------------------------------------|--|
| Planning Committee Date | 01 March 2023 |
| Report to Lead Officer | Cambridge City Council Planning Committee Joint Director of Planning and Economic Development |
| Reference Site | 22/05430/FUL Cambridge Service Station, 2 Elizabeth Way |
| Ward / Parish | East Chesterton |
| Proposal | Demolition of car wash and the creation of charging zone, erection of EV chargers, erection of canopy, sub-station enclosure, four jet wash bays and associated forecourt works. |
| Applicant Presenting Officer | Motor Fuel Group Phoebe Carter |
| Reason Reported to Committee | Called-in by Councillor Scutt Third party representations |
| Member Site Visit Date | N/A |
| Key Issues | Noise Impact Neighbour Amenity |
| Recommendation | APPROVE subject to conditions |

1.0 Executive Summary

- 1.1 The application seeks planning permission for the demolition of the existing car wash and the creation of charging zone, erection of EV chargers, erection of canopy, sub-station enclosure, four jet wash bays and associated forecourt works.
- 1.2 Officers recommend that the Planning Committee approve the subject to conditions.

2.0 Site Description and Context

| | | | |
|-------------------|---|-------------------------|---|
| Conservation Area | X | Controlled Parking Zone | X |
|-------------------|---|-------------------------|---|

*X indicates relevance

- 2.1 The existing MFG service station is located on the eastern side of Elizabeth Way, to the north of the junction with St Andrew's Road (a cycle and pedestrian access) and Elizabeth Way Bridge. There is no ability for traffic to cross the flow of traffic in this location.
- 2.2 The site is in a predominantly residential area sited on the edge the Chesterton and Ferry Path Conservation Area, the De Freville Conservation Area and Flood Zone 2.
- 2.3 To the east of the site is the dwelling of no1. St Andrews Road and shares the common boundary of the site. To the north is 2, 2a and 4 Elizabeth Way.

3.0 The Proposal

- 3.1 The application seeks planning permission for the demolition of the existing car wash and the creation of charging zone, erection of EV chargers, erection of canopy, sub-station enclosure, four jet wash bays and associated forecourt works.
- 3.2 The demolition of the existing car wash would allow for the development of the southern end of the site and the proposed works would lead to an increase in 3 jet washes on site and the introduction of 4 EV chargers. The existing petrol station forecourt and sales building are proposed to remain and no works are planned to this part of the site.

4.0 Relevant Site History

| Reference | Description | Outcome |
|--------------|---|-----------|
| 22/02679/FUL | Creation of charging zone including of EV chargers, canopy, sub-station enclosure, four jet wash bays and associated forecourt works. | Withdrawn |

| | | |
|-------------|---|-----------|
| 18/1139/ADV | Installation of 2 non-illuminated fascias, 1 externally illuminated fascia sign and 1 non-illuminated free standing sign to replace existing branding. | Permitted |
| 15/1541/FUL | Conversion of former Autoglass Unit to new Furniture Store including change of use to retail & installation of new air conditioning units | Withdrawn |
| 07/0636/ADV | Installation of 2 single sided free standing display units. | Permitted |
| C/98/0310 | Extension to shop (single storey extension 22.5m ²), alterations to frontage and installation of 1.2m high close-boarded fence to south boundary on existing dwarf wall 0.75m high. | Permitted |
| C/95/0235 | ERECTION OF CAR WASH AND JET WASH BUILDING (REVISED ELEVATIONS IN CONNECTION WITH PERMISSION C/0858/92). | Permitted |
| C/94/1015 | CHANGE OF USE OF REAR GARDEN TO VEHICLE PARKING IN CONNECTION WITH SALISBURY'S GARAG | Permitted |
| C/92/0858 | ERECTION OF CARWASH/JET WASH BUILDING AND ASSOCIATED WORKS (AMENDED BY LETTER AND PLANS DATED 19.01.93). | Permitted |
| C/86/1134 | PROVISION OF NEW PETROL PUMPS, CANOPY, RETAINING WALL & PETROL/DIESEL TANKS. (AMENDED BY LETTER & DRAWINGS DATED 17/11/86, 27/10/88 & 06/01/89). | Permitted |

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

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 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 40: Development and expansion of business space

Policy 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 69: Protection of sites of biodiversity and geodiversity importance

Policy 71: Trees

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Health Impact Assessment SPD – Adopted March 2011

5.4 Other Guidance

Chesterton conservation area

De Freville Conservation Area.

6.0 Consultations

6.1 County Highways Development Management – No Objection

- 6.2 No objection in principle as the level of traffic generated is unlikely to significantly change, as these are likely to be linked trips.
- 6.3 Awaiting confirmation regarding the meaning of the terms on the plans.
- 6.4 Condition regarded regarding construction vehicles over 3.5 tonnes service the site between 9:30 and 15:30.
- 6.5 Cambridge Water**
- 6.6 No comments received.
- 6.7 Environment Agency**
- 6.8 No comments received.
- 6.9 Anglian Water**
- 6.10 No comments received as the proposal is of a minor scale.
- 6.11 Drainage Officer**
- 6.12 No comments received.
- 6.13 Conservation Officer – No Objection**
- 6.14 The proposal is not considered to give rise to any harm to any heritage assets.
- 6.15 Environmental Health – No Objection**
- 6.16 The development is acceptable subject to the imposition of conditions regarding Construction Hours; Unexpected Contamination; and Acoustic Assessment Compliance.
- 7.0 Third Party Representations**
- 7.1 8 representations have been received.
- 7.2 Those in objection have raised the following issues:
- Hours of Opening of Jet Wash bays (7am – 10pm)
 - Residential Amenity Impact (noise and disturbance, light pollution)
 - Air Pollution
 - Increase in usage
 - Highway safety
 - Overdevelopment of site
 - Insufficient space for waiting/queuing vehicles/manoeuvring on site
 - Loss of trees
 - No facilities on site

7.3 A neutral comment has been submitted subject to the 3 trees adjacent to the current car was remain unharmed.

8.0 Member Representations

8.1 Cllr Scutt and Cllr Swift have made representations objecting to the application on the following grounds:

- Highway safety
- Overdevelopment
- Health and Safety – insufficient waiting areas for charging points and nowhere for people to wait other than in cars when charging.
- Public Health – no indication of public washroom facilities
- Neighbour amenity – Noise, opening hours

9.0 Local Interest Groups and Organisations

9.1 Friends of Elizabeth Way and St Andrews Road Resident Association have made a representation objecting to the application on the following grounds:

- Hours of Opening of jetwash bays (7am – 10pm)
- Residential Amenity Impact (noise and disturbance, light pollution)
- Air Pollution

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 Planning Background

10.2 The existing site has been in use as a petrol station since the mid 1960's and the erection of the existing carwash/jet wash building was permitted in 1993 (C/92/0858).

10.3 Principle of Development

10.4 The proposal does not change the function of the existing site as a petrol station and car wash and as such the application is about the principle of the siting of the charging equipment and jet wash bays at the site. In this regard the principle of development accords with the Council's Climate change policies which seek to reduce carbon emissions and supports the move to net zero carbon through facilitating electric vehicles.

10.5 The principle of the development is acceptable and in accordance with policies 28 and 29 whereby development should seek to reduce transport related carbon emissions.

10.6 Design, Layout, Scale and Landscaping

- 10.7 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 10.8 The proposal sites propose 4 charging points and support infrastructure within the existing site, to the southern boundary with St. Andrews Road. The charging points would be a minimum of 2.2 metres in height, 0.4 metres width and a maximum of 0.85 metres depth. The canopy over the chargers have a base of the 0.3 metres extending to 0.6 metres in depth and the canopy would extend to a maximum of 3.1 metres in height. The canopy would extend for 12.6 metres over the 4 charging car parking spaces and is made of glazed panels with a light over each space.
- 10.9 The electricity substation is approximately 2.8 metres x 2.8 metres with a height of 2.5 metres, located to the front of the site, adjacent to Elizabeth Way. The substation is set to the front of the existing forecourt, set 5 metres to the south of the egress to the site.
- 10.10 The existing car wash facility is to be removed and replaced by 4 jet wash bays. The bays would measure 4.8 metres in width, totalling 19.2 metres, 6.4 metres in depth and have a height of 3.1 metres. The bays are glazed on 3 sides. The bays are individually lit with Ansell – ANAPLED/B lights which are directed into the bays and are installed to achieve 100 lux to the charger points.
- 10.11 The proposed equipment is not considered to be out of character with this location and would be seen in the context of the petrol filling station and existing buildings and structures on site. The design and siting of the infrastructure would not be harmful to the character of the area.
- 10.12 The design and siting of the infrastructure would not be harmful to the character of the area. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

10.13 Trees

- 10.14 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 10.15 Three trees are sited within the petrol station, on the southern boundary with St Andrews Road. The trees are not protected and fall outside of the Conservation Area and therefore can be removed without notification to the Local Planning Authority. There are other more established trees on

Elizabeth Way however these fall on the Public Highway and therefore are outside of the ownership of the applicant.

10.16 One tree is shown within the canopy of the car charging zone and therefore would need to be removed from site. The other trees fall outside of the zone of works. A condition will be attached to any permission granted regarding the proposed tree works (Condition 8).

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

10.18 Heritage Assets

10.19 The application site does not fall within a Conservation Area however the eastern boundary adjoins the Chesterton Conservation Area and the western side of Elizabeth Way forms the boundary of the De Freville Conservation Area.

10.20 Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

10.21 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

10.22 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.

10.23 The Conservation Officer has advised that no harm would arise to the adjacent Conservation Areas or heritage assets.

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

10.25 Carbon Reduction and Sustainable Design

10.26 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.

- 10.27 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.
- 10.28 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.
- 10.29 The application proposes to introduce 4 ev chargers to the application site. The function of the equipment proposed would be to charge electric vehicles and will therefore support technology that will reduce carbon emissions.
- 10.30 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2018) policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

10.31 Biodiversity

- 10.32 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.
- 10.33 Subject to an appropriate condition (condition 7), 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).

10.34 Water Management and Flood Risk

- 10.35 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 10.36 The southern tip of the site, on the boundary of the Elizabeth Way and St Andrew's Road falls within in Flood Zone 2. The site however is elevated and the proposed development all falls outside of the Flood Zone.

- 10.37 The Council's Sustainable Drainage Engineer advised on the previously withdrawn application that the proposals have not indicated a detailed surface or foul drainage scheme however, as this is a minor development and there are no known flood risk issues, it is considered acceptable to obtain this information by way of conditions 9 and 10 regarding surface water drainage and foul drainage.
- 10.38 Anglian Water has advised on the previously withdrawn application that as the application is considered a minor application no comments were required to be submitted.
- 10.39 The Environment Agency have comments regarding the proposed connection into the mains sewer and confirmation of Anglian Water. As no formal comments have been submitted in objection from Anglian Water, Officers consider that the proposal is considered acceptable. Information has been provided regarding Contamination and Pollution Prevention. Officers consider it necessary to attach this information as informatives for the applicants reference.
- 10.40 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

10.41 Highway Safety and Transport Impacts

- 10.42 Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 10.43 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.
- 10.44 The application is supported by a Vehicle Tracking Plan. This has been submitted in response to the previously withdrawn application.
- 10.45 Access to the site would not be altered from the current arrangements. The existing site has a one way system with cars exiting and entering a single direction traffic flow onto Elizabeth Way.
- 10.46 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 vehicles over 3.5 tonnes limited to hours between 09:30 and 15:30 hours in regard to highway safety. Officers consider that this is a reasonable to attach condition 3 to any permission granted.
- 10.47 Officers note third party comments regarding the highway safety impacts of levels of visits to 2 Elizabeth Way, potential queues forming on Elizabeth Way and impacts on the public Highway. However, the Local

Highways Authority have assessed the application and have raised no concerns with the level and number of trips the jet wash bays and electric charging points would generate and they have stated that the level of traffic generated is unlikely to significantly change, as they would likely be linked trips. Officers are therefore satisfied that the proposal would not significantly impact highway safety.

10.48 No comments have been submitted in objection to the overdevelopment of the site and the turning circles for vehicles exiting the car charging or jet wash bays. The applicant has submitted a vehicle tracking plan and the Local Highways Authority has not raised any objections to vehicle tracking. Officers are therefore satisfied that the proposal is not overdevelopment of the site and would not lead to intervisibility issues within the site.

10.49 Subject to conditions as applicable, the proposal accords with the objectives of policy 81 of the Local Plan and is compliant with NPPF advice.

10.50 Car Parking Provision

10.51 Car parking

10.52 The existing site has no on site car parking available and the existing shop, in connection for the garage is a local convenience store or for drivers using the petrol station. Therefore, Officers consider that the development would not alter the current situation.

10.53 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

10.54 Amenity

10.55 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.

10.56 Neighbouring Properties

10.57 No. 1 St Andrews Road

10.58 No. 1 St Andrews Road is situated to the east of the site and shares a common boundary. The proposal is to remove the existing car wash and erect 4 jet wash bays close to the boundary. Due to the relatively low height of the proposal on the boundary it is not considered to lead to an overbearing impact. As the site is located to the west of the application it will lead to a degree of loss of light in the afternoon however, due to the proposed height and glazing it is not considered to lead to a significant level of harm to refuse the application. The proposal is not considered to

lead to a harmful level of overlooking due to the single storey nature and existing boundary treatments.

- 10.59 Officers therefore consider that the proposal would not lead to a harmful loss of amenity on the adjacent neighbour and accords with Policy 58 of the Cambridge Local Plan 2018.
- 10.60 Construction and Environmental Impacts
- 10.61 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.
- 10.62 The proposed site layout includes the erection of four new jet wash bays, situated to the east boundary of the site, adjacent to resident property and private amenity area of No. 1 St Andrews Road. It is acknowledged that the existing car wash operates on this boundary, however the introduction of the plant and jet washes has the potential to harm local amenity and quality of life.
- 10.63 The application is supported by a covering letter dated the 15th December 2022 from Carney Sweeny, which provides commentary on queries raised on the previous withdrawn application, 22/02679/FUL, and a Noise Impact Assessment Report by EEC, dated 7th October 2022 which establishes the impact from the jet wash bays, two new combined AWVS, substation and the EV Charging Bays.
- 10.64 The Council's Environmental Health team have assessed the information submitted in support of the application and consider that the negligible noise impact conclusion is acceptable. This is however dependent on the Jet Wash Bays and AWVS operating during the hours set out within the Noise Impact Assessment Report and Carney Sweeney covering letter, 07:00 and 22:00 Monday to Sunday. The predicted noise levels are also dependant on the exact plant specified within the Noise Impact Assessment Report being installed and maintained. Condition 6 is therefore recommended regarding Acoustic Compliance to ensure the hours or use and equipment specified within the Noise Impact Assessment Report are fully installed, maintained and not altered. Officers consider this condition is necessary to ensure neighbour amenity is not harmed by the proposal.
- 10.65 In addition, condition 4 is recommended that Construction Hours is imposed to protect neighbour amenity which will be attached to any permission granted.
- 10.66 Contamination

10.67 There is no objection to this application with respect to contamination. Whilst service stations are typically associated with a higher risk of contamination, the area of proposed development is located away from the underground fuel storage tanks and the amount of groundworks is minimal. However, as a standard precaution, an unexpected contamination condition has been recommended which Officers consider reasonable and would accord with Policy 33 of the Cambridge Local Plan 2018.

10.68 Summary

10.69 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, 57 and 58.

10.70 Third Party Representations

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

| Third Party Comment | Officer Response |
|----------------------------|---|
| Hours of Opening | The existing petrol station is open 24hrs a day. A Noise Impact Assessment has been submitted in support of the application. The opening hours have been considered in accordance with the Noise Impact Assessment and the Environmental Health Officers have raised no objection to the proposed opening hours in regard to noise impact. An informative will be included on any application proposed regard noise complaints. |
| Air Pollution | No comments have been raised by the Environmental Health Officers regarding air pollution levels which would lead to refusal of the application. |
| Facilities on site | This is not a planning concern. The proposed chargers are superfast chargers which would charge a standard electric car in approximately 15 minutes. It is therefore not considered within the application. |

10.72 Planning Conditions

10.73 Members attention is drawn to following key conditions that form part of the recommendation:

| Condition no. | Detail |
|----------------------|--------------------------------|
| 1 | Start date |
| 2 | Approved Plans |
| 3 | Construction Vehicles |
| 4 | Noise Construction House |
| 5 | Unexpected Contamination |
| 6 | Acoustic Assessment Compliance |

| | |
|----|---------------------------|
| 7 | Biodiversity Net Gain |
| 8 | Hard and Soft Landscaping |
| 9 | Foul Drainage |
| 10 | Surface Water |

10.74 Planning Balance

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

10.76 Summary of harm

10.77 The proposal would bring an increase in the number of Jet Washes proposed on the boundary with residential amenity. However, a Noise Impact Assessment has been submitted and reviewed by the Environmental Health Officers have reviewed the application and are satisfied that the proposal would not lead to a harmful impact of the adjacent neighbours.

10.78 Summary of benefits

10.79 The proposal is for 4 additional charging stations. The function of the equipment proposed would be to charge electric vehicles and will therefore support technology that will reduce carbon emissions.

10.80 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

11.0 Recommendation

11.1 **Approve** subject to:

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

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

Reason: in the interests of highway safety (policy 81)

- 4 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).

- 5 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).

- 6 The plant, associated equipment and mitigation requirements as stated within the EEC noise impact assessment report dated 7th October 2022 (Ref: EEC/EC19444-2) shall be fully implemented, maintained and not altered.

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

- 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 No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
 - b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

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

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

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

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

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

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

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

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

This page is intentionally left blank