



Cambridge City Council Planning

Date: Wednesday, 26 April 2023

Time: 10.30 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

A Member's briefing will begin at 9:30am in the Committee Rooms.

The Planning Committee will begin at 10:30am in the Council Chamber.

Members are asked to attend the briefing and meeting in person.

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 three part agenda and will be considered in the following order:

- **Part One**
Major Planning Applications
- **Part Two**
Minor/Other Planning Applications
- **Part Three**
General and Confidential Items

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

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

- 2 Apologies
- 3 Declarations of Interest
- 4 Minutes
To follow

Part 1: Major Planning Applications

- 5 22-04356-FUL 185-189 Newmarket and 1
Godesdone Road 10:30am (Pages 9 - 46)

Part 2: Minor/Other Planning Applications

- 6 22-04491-FUL 2-14 Fitzroy Street 11:30am (Pages 47 - 72)
- 7 22-05493-S73 1 Fitzwilliam Road (with basement) (Pages 73 -
noon 104)
- 8 22-05093-S73 1 Fitzwilliam Road (no basement) (Pages 105 -
12:30pm 136)
- 9 22-04180-FUL 136 Mowbray Road 1pm (Pages 137 -
152)
- 10 21-00526-FUL 2 Galfrid Road 1:30pm (Pages 153 -
164)
- 11 20-04107 s106a 55-68-84-97 Hampden Gardens (Pages 165 -
2pm 170)
- 12 22-04926-S106A 315-349 Mill Road 2:30pm (Pages 171 -
180)

Part 3: General and Confidential Items

- 13 Member Training 3pm
If you are a Councillor sitting on Planning and/or JDCC Committee/s next year it is essential that you attend training before you can take part in any decision making at those committees.

In person training is being held on Wednesday 7 June, from 10am – 2.30pm, at South Cambs DC, Cambourne. Refreshments and lunch will be provided.

We would encourage you to attend the in person training, however, if this is not possible, a virtual session is being run on Friday 9 June from 10am – 12pm.

- 14 Confidential Item 21-05549-FUL Emperor PH 21 (Pages 181 -
Hills Road 3:05pm 186)
The report contains exempt information during which the public is likely to be excluded from the meeting subject to determination by the

Committee following consideration of a public interest test. This exclusion would be made under paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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

Alternates: Divkovic, Flaubert, Howard, Levien 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

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Agenda Item 5



Planning Committee Date	26 April 2023
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	22/04356/FUL
Site	185-189 Newmarket Road And 1 Godesdone Road Cambridge Cambridgeshire CB5 8HA
Ward / Parish	Abbey
Proposal	Conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.
Applicant	Glazewater Properties (Bedford) Ltd
Presenting Officer	Alice Young
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Heritage Assets & Character 2. Cycle parking
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks permission for the conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed-use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.
- 1.2 This application is a resubmission of 19/1010/FUL which was dismissed on appeal due to the less than substantial harm caused to the character and appearance of the Riverside Conservation Area. The Inspector stated that, as the site is in a prominent position within the conservation area, the cumulative impact of the four gables on the prominent corner would result in an incoherent roof, jarring with the simplicity of the surrounding roofscape. This teamed with the unsympathetic pattern and proportion of the windows at first floor would result in less than substantial harm to the character and appearance of the conservation area.
- 1.3 The revised scheme reduces the number of gables from four to two, increasing the simplicity of the roofscape to align more with the traditional pitched roof Victorian terraces surrounding the site. The pitched roof gables create 'book ends' on both the Newmarket Road and Godesdone Road elevations marking the transition from the proposed development to the modestly scaled Victorian terraces fronting Newmarket Road and the Godesdone Road Newmarket Road corner marking the gateway to larger scale development to the south of Newmarket Road. The fenestration has been reduced and redesigned to mirror the rhythm of the surrounding Victorian terraces in a contemporary yet sympathetic way. Given these design alterations, both planning officers and Conservation Officers consider that the proposal now overcomes the harm previously detailed by the Inspector and that the proposal preserves and enhances the character and appearance of the conservation area.
- 1.4 The proposal would result in a high-quality development which responds to the scale, massing, proportions, materiality and overall character of the area and enhances the character and appearance of the conservation area. At the same time the proposal redevelops a site which is not a positive contributor to the street scene while delivering a more coherent, well laid out and flexible retail unit at ground floor and nine additional flats with a good standard of amenity leading to a sustainable use of land in a highly sustainable location. Taking this into account, officers conclude that the development would comply with policy 3, 55, 56, 58, 61, 82 of the Cambridge Local Plan (2018).
- 1.5 Officers recommend that the Planning Committee approve the development.

2.0 Site Description and Context

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

*X indicates relevance

2.1 The site is situated on the southern corner of Newmarket Road and Godesdone Road and includes 185-189 Newmarket Road and 1 Godesdone Road. 185-189 Newmarket Road is a two storey building comprising of a commercial unit and 2 flats above. 1 Godesdone Road is an old shop which since has been converted into a two-storey dwelling fronting Godesdone Road and continues to the rear of the site. Within the rear courtyard are several stores and a garage accessible via a Godesdone Road.

2.2 The site is located within the Riverside and Stourbridge Common Conservation Area. The properties to the north of the site in Beche Road are identified in the Conservation Area Appraisal as 'Buildings Important to the Character'. However, none of the properties in Godesdone Road are identified as such. The site is within the controlled parking zone. There are no other relevant site constraints.

3.0 The Proposal

3.1 The proposal seeks permission for the conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed-use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.

3.2 The existing retail unit fronting Newmarket Road and Godesdone Road known as 185-189 Newmarket Road is to be retained and extended to the west along Newmarket Road. The proposal seeks to reconfigure the first-floor element above the retail unit at 185-189 Newmarket Road and to extend it across at first floor level to No.1 Godesdone Road. This will allow the first-floor element to be reconfigured to replace the 2 existing first floor residential units above the retail unit to create 3x1 bedroom first floor residential units (Unit no's. 8, 9 and 10). An extension to the roof form of this element will allow for the creation of 2x1 bedroom new additional residential units (Unit no's. 11 and 12) on the second floor. All of these units will be accessed via an internal staircase from the courtyard.

- 3.3 The existing residential unit at 1 Godesdone Road will be split into 2x1 bedroom residential units. 1 residential unit will be located on the ground floor (Unit No.1) and accessed from Godesdone Road. 1 residential unit will be located on the first floor (Unit No.5) which will also be accessed from Godesdone Road.
- 3.4 The garage and stores to the rear of the site will be partially demolished and rebuilt to provide 2 x1 bedroom residential units at the ground floor (Unit no's. 2 and 3), 1x1 bedroom residential unit duplex unit (Unit no. 4) and 2x1 bedroom units at the first floor level (Unit no's. 6 and 7). All of these units will be accessed from the rear courtyard.
- 3.5 The application has been amended to address Officer's design concerns and further consultations have been carried out as appropriate.
- 3.6 A similar proposal was brought to Planning Committee on 1st December 2021 with the Officer's recommendation of approval which was overturned and the application was refused due to the impact on the character and appearance of the conservation area and the impact on future occupiers amenity. This application subsequently went to appeal and the Inspector dismissed the appeal and upheld the Council's reason for refusal on the impact to the character and appearance of the conservation area. This re-submission seeks to address this harm identified by both Members and the Inspector.

4.0 Relevant Site History

Reference	Description	Outcome
19/1010/FUL	Conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.	Dismissed

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

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 2: Spatial strategy for the location of employment development

Policy 3: Spatial strategy for the location of residential development

Policy 23: Eastern Gate Opportunity Area

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 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 53: Flat conversions

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 64: Shopfronts, signage and shop security measures

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
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010

5.4 Other Guidance

Riverside and Stourbridge Common conservation area

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 1st Comments: Recommended conditions / informatives:

- Traffic management plan
- Restriction on demolition / construction vehicles above 3.5 tonnes
- Hard standing to be narrowed to prevent parking
- Dropped kerb to be narrowed on Godesdone Road to at least 1.5m
- Servicing plan for commercial unit
- Public highway informatives 1-4
- Residents parking informative

6.3 2nd Comment: No additional comments.

6.4 Lead Local Flood Authority – Object / No Objection

6.5 1st Comment: Objection. FEH rainfall data required to calculate accurate rainfall data. The proposed discharge rates appear to increase from the calculated brownfield discharge rates within the hydraulic calculations. It is unclear why this increase is required, as the impermeable area of the site is remaining the same. In line with the Cambridgeshire Flood and Water SPD, brownfield developments must look to reinstate greenfield rates where possible and reduce them from the brownfield. Until the discharge rates are either reduced, or not increased from the brownfield rates, we are unable to support this application.

6.6 2nd Comment: Objection. Comments remain the same.

6.7 3rd Comment: To follow.

6.8 Environment Agency – No Objection

6.9 1st Comment: The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The water environment is potentially

vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.

6.10 2nd Comment: No additional comments.

6.11 Anglian Water – No Objection

6.12 1st Comment: No objection subject to conditions and informatives. No foul water drainage strategy has been submitted which may lead to an unacceptable risk of flooding downstream. Anglian Water therefore recommend a foul drainage condition. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to a lack of a surface water strategy containing intended connection points and flow rates but this can be secured via condition.

6.13 Recommended conditions/ informatives:

- Foul water drainage
- Surface water drainage
- Public sewer consent informative
- Notification of intent to connect to public sewer informative
- Public sewer asset informative
- Building near a public sewer informative
- Sewer adoption agreement informative

6.14 2nd Comment: No additional comments.

6.15 Urban Design Team – No Objection

6.16 1st Comment: No objection.

6.17 Scale and massing: The main block (Newmarket Road) is over 2m taller than the existing building which is considered suitable for marking the corner of these two streets within the more prominent built form. The proposed hipped section of the corner building is the main change to the scheme over the previous scheme which proposed a gabled form. To deal with the depth of the building, the hipped section transitions into a flat roof. It is unlikely that this will be visible from street level and the revised approach creates a simpler volume more akin to the plainer terraced forms found on nearby streets. The proposed dormer windows create a level of articulation at the roof level. Overall, the revised proposals are considered acceptable from an urban design perspective in scale and massing terms.

6.18 Functional design: There are some concerns about how the transition between the ridge and flat roof beyond will be handled. Will access be

needed to the flat roof and will PV panels be located on it? If so, then a wire based 'man-safe' system may be needed to deal with working at height. Will this be visible and impact the silhouette of the building? Extending the ridge height or dropping the flat roof section would create a 'trough' to allow such plant to be more successfully integrated. A gate should be provided to Godesdone Road courtyard, this can be secured via condition. Cycle parking for the retail unit could be provided in the courtyard.

6.19 Elevations, materials and details: The fenestration has been altered at first floor which now conforms more closely to the surrounding terraced properties. Dormer windows face both Newmarket and Godesdone Road add articulation and rhythm for the appearance of the façade. Signage hung internally is acceptable. Reinstatement of the cills and replacement of the windows with timber is recommended at 1 Godesdone Road given the poor patch repairs and stone sill removals.

6.20 Recommended conditions:

- Materials
- Boundary treatments
- Materials informative

6.21 2nd Comment: No objection subject to a materials and boundary treatment condition and materials informative. The applicant should consider a secure wall unit/ring opposite to the bin store to allow for residential visitor cycle parking. Further clarification on:

- Any plant (such as PV panels) and access is needed onto the flat roof. If so, this may require extending the ridge height or dropping the flat roof section to allow the plant and associated man safe system to be successfully integrated and concealed from view.
- The proposed external renovations to No.1 Godesdone Road

6.22 **Conservation Officer – No Objection**

6.23 1st Comment: Objection. The new proposals have taken onboard the comments of the Inspector in terms of the gables and first floor windows. The windows now relate better to those of the traditional buildings in the area being of similar proportions. The loss of the dominant gables is in accordance with the Inspector's comments, however the flat roof form and mansard section creates an untypical feature in the conservation area. It is noted that the current roof along Newmarket Road is flat, but this is an opportunity to enhance the conservation area so a more typical form should be considered. The increase in height attained by the new mansard roof will emphasise the pronounced difference of this form. This is not a good detail and makes the building look like it does not address Newmarket Road but is more of a side elevation. The windows in the mansard roof are overly large and compete with those on the first floor. The form of the roof is not supported and should be reconsidered to make it more appropriate to the context. As with the previous scheme, the agent has not included any of the shopfront details that should be included in the

application. the proposal will not preserve or enhance the character or appearance of the conservation area. The proposals will not comply with Local Plan policies 61 and 64. With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 195 and 197 would apply. The roof form would not have a positive impact on the character or appearance of the conservation area.

6.24 2nd Comment: No objection subject to conditions.

6.25 The issue raised regarding the flat roof and the large windows in the proposed mansard roof have been addressed in the new proposals. The introduction of a gable end to the west end of the south elevation makes a good 'book end' to the elevation, appropriate to this location in the conservation area. The gable end of the east elevation, and the stepping down of the ridge height which is a feature in Godesdone Road, are also an acceptable design for this location.

6.26 It is noted that the external walls are to be retained and that insulation and brick slips will be added to the exterior to give a cohesive finish to the elevations. Samples of the proposed external materials should be submitted for written approval prior to their installation to ensure that they are appropriate to this location.

6.27 Recommended conditions:

- Brick sample panel
- Shopfront details

6.28 Landscape Officer – No Objection

6.29 1st Comment: No objection. The current proposals do not differ materially with respect to landscape than the application originally submitted in 2019 which was refused, appealed and dismissed. Through the process it was determined that elements of Policy 50 were not relevant due to the development being a conversion. The plans suggest that planters have been proposed for the courtyard, though this is not entirely clear. Imagery in the DAS contradicts this assumption. We would recommend that ground level planting is used as this is generally more sustainable and requires less diligent maintenance, especially in respect of watering. Pavement areas can include a cross-fall to allow storm water to feed into these areas. Some areas may even function as SUDS rain gardens. Suggested tree planting is welcome though careful selection to achieve largest possible tree in the space allocated is needed.

6.30 2nd Comment: No objection subject to a hard and soft landscaping condition and a biodiverse roof condition.

6.31 Ecology Officer – No Objection

6.32 Recommended condition:

- Swift box plan

6.33 Environmental Health – No Objection

6.34 1st Comment: No objection. Recommended conditions:

- Noise construction hours
- Demolition and construction deliveries hours
- Noise attenuation
- Dust
- Noise insulation
- Plant noise
- Contaminated land unexpected contamination
- Bin and cycle store
- Hours of use retail unit
- Deliveries retail unit
- External artificial lighting

6.35 2nd Comment: The amendments do not impact on or change my original comments.

6.36 Police Architectural Liaison Officer – No Objection

6.37 The area is of low to medium risk to vulnerability to crime. The courtyard should be lit above every entrance. Consideration of gating the undercroft entrance to ensure safety for residents. Communal entrances should have security enhanced door set with an audio / visual visitor entry system and external post boxes should be security tested to TS009. Cycle and bin store should have a security door tested to at least PAS24/2016 (2022) or LPS1175 SR1, fitted with self closer and an easy egress. Planting should be kept low to increase visibility.

7.0 Third Party Representations

7.1 1 representations have been received.

7.2 Those in objection have raised the following issues:

-Amenity

8.0 Member Representations

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

- Absence of cycle parking for visitors of the retail unit which is a requirement of Local Plan policy
- No plan for a bin store for the shop and the bin store is not large enough to accommodate both residential and commercial waste

8.2 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.

9.0 Assessment

9.1 Background

9.2 As outlined in paragraph 3.6, a similar proposal was overturned and refused at planning committee for two reasons: 1) the impact on the character and appearance of the Riverside Conservation Area and 2) the adequacy of the living environment for future occupiers. The application subsequently went to appeal where the Inspector agreed with the Committee Members and concluded that less than substantial harm to the character and appearance of the Riverside Conservation Area would arise from the development. The Inspector also concluded that there would be a suitable level of amenity afforded to the future occupiers of the residential units proposed.

9.3 At Planning Committee, there was also discussions as to whether the proposed development was considered a conversion of an existing building or a new build. In paragraph 14 of the Inspectors report, the Inspector considers the evidence before him and concludes that while there would be a significant number of alterations, including demolition works, the existing buildings would be retained and altered, rather than replaced in their entirety. With this in mind, officers requested a retention plan showing the walls to be retained as part of the revised application. These remain the same as the previously refused application and therefore, officers conclude that the proposed development is to be assessed as a conversion and extension to an existing building, not a new build. As such, several policies do not apply to this development. This will be covered in the relevant sections of this report.

9.4 Principle of Development

9.5 The site contains existing buildings, it is classed as previously developed (brownfield) land. 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, making the most effective use of brownfield land, 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 reuse brownfield land and thus would be compliant with policy 3.

9.6 The principle of the development is acceptable and in accordance with policy 3.

9.7 Heritage Assets and Design, Layout, Scale and Landscaping

- 9.8 The application falls with the Riverside Conservation Area.
- 9.9 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.10 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.
- 9.11 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.
- 9.12 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.
- 9.13 The proposal is for the conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above.
- 9.14 The design of the proposed development has been amended to address officer concerns which centred around the hipped roof and dormers not being common within the area and creating a horizontal emphasis, contrary to the prevailing verticality of the Victorian terraces. The flat roof section of the proposal sat uncomfortably not responding well to the rest of the scheme and the Victorian terraces fronting Newmarket Road. The proposed development was amended to revert back to a similar design to 19/1010/FUL to incorporate gable features, but it reduces the number of gables to respond to the Inspectors comments.
- 9.15 In assessing 19/1010/FUL, the Inspector stated that, given the prominent corner location and the number of gables, the roof form would be incoherent and jarring in the surrounding context. This teamed with the unsympathetic large windows at first floor resulted, the Inspector concluded, in an incongruous proposal which failed to preserve or enhance the character and appearance of the Riverside Conservation Area.

- 9.16 The proposed development has been amended to reduce the gables from four to two, one fronting Newmarket Road adjacent to 181 Newmarket Road resulting in a successful transition in scale from the proposed development to 181 Newmarket Road, and one on the corner fronting Godesdone Road, creating a key feature on the corner of Newmarket Road. The first-floor fenestration has been reduced in size and proportion which alongside the downpipe detailing and brick window insert create a vertical emphasis and rhythm akin to terraced properties on Godesdone and Newmarket Road. Officers consider that these design alterations have overcome the harm identified by the Inspector and the proposed development, by virtue of its scale, massing, design and materiality, responds to its context while creating a distinctive place. The Conservation Team also consider that the revised scheme addresses the harm identified by the Inspector and they support the revised development, subject to conditions securing a sample panel and shopfront details.
- 9.17 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 or the setting of listed buildings. 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 61.
- 9.18 For the same reasons, the design, scale and finish are considered contextually appropriate, resulting in the proposed development making a positive contribution to the street scene. It is important to note that currently the site appears run down, mismatched and does not integrate into its surroundings well. Therefore, the proposed development, by virtue of its scale, massing, design and materiality, would significantly enhance the existing site while improving the design standard of the area. The Urban Design team support the proposed development subject to materials and boundary treatment conditions. These are considered to meet all the six test of a planning condition and therefore are recommended by Planning Officers.
- 9.19 The existing soft landscaping on site is limited to planters within the existing courtyard. The proposal enhances the soft landscaping within the courtyard to create a more welcoming environment for future occupiers, noting the limitations of space. The Landscape Officer supports the proposed development and recommends a condition to secure details of the hard and soft landscaping and the biodiverse roofs. These are considered appropriate and are recommended by Planning Officers.
- 9.20 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.
- 9.21 Carbon Reduction and Sustainable Design**

- 9.22 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.
- 9.23 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.
- 9.24 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.
- 9.25 The carbon reduction requirements of policy 28 do not apply to this proposal given that it involves the redevelopment of existing buildings. Nonetheless, the water efficiency requirements should be applied, given the level of water stress facing Cambridge. Therefore, officers recommend that a condition requires the development to achieve a minimum water efficiency to 110 litres pp per day.
- 9.26 The applicants have suitably addressed 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.
- 9.27 Biodiversity**
- 9.28 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.
- 9.29 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends a condition requiring provision of swift boxes, which is considered reasonable. Given the nature of the existing site, there are limited opportunities to enhance the biodiversity on the site. Nonetheless, the existing biodiversity on site is low and officers consider that through the biodiverse roofs and strategic planting a biodiversity net gain could be

achieved on site, this is recommended to be secured via condition. A condition is recommended to secure green roofs on the flat roof of the courtyard block and above the cycle store in the courtyard.

- 9.30 In consultation with the Council's Ecology Officer, subject to appropriate conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

9.31 Water Management and Flood Risk

- 9.32 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.
- 9.33 The site falls outside the Flood Zone and outside of areas of risk of surface water flooding, therefore is considered at a low risk of flooding.
- 9.34 The applicants have submitted a Flood Risk Assessment. The LLFA has objected to the application on the basis that the proposed discharge rates appear to increase from the calculated brownfield discharge rates within the hydraulic calculations and it is unclear why this increase is required, as the impermeable area of the site is remaining the same. In line with the Cambridgeshire Flood and Water SPD, brownfield developments must look to reinstate greenfield rates where possible and reduce them from the brownfield. A revised Flood Risk Assessment has been submitted to address these concerns raised by the LLFA and has been subject to consultation with the LLFA. This additional information appears to overcome the objections raised by the LLFA. Officers will provide an update on this on the amendment sheet.
- 9.35 Anglian Water has no objection to the proposed development subject to conditions regarding foul and surface water drainage and several informatives. These are recommended by officers.
- 9.36 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.

9.37 Highway Safety and Transport Impacts

- 9.38 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.
- 9.39 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 9.40 The Highway Authority have no objections to the proposed development subject to conditions requiring a traffic management and commercial servicing plan, restricting access for demolition / construction vehicles above 3.5 tonnes, for the hard standing to be narrowed to prevent parking and lastly for the dropped kerb to be narrowed on Godesdone Road to at least 1.5m. These conditions are all considered reasonable and necessary to impose. Accordingly, officers consider that the proposal would not impact upon the safe operation of the highway.
- 9.41 Subject to conditions and S106 mitigation as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

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 the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

9.45 The proposal provides 16 cycle spaces at lower ground floor accessible via a ramp within the shared courtyard area. These spaces are allocated to the residential units. Two cycle parking spaces for the retail unit are proposed at ground floor within the shared bin / bike store integrated into the existing footprint. Both would be secure and easily accessible. For these reasons, the proposal would comply with policy 82.

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. 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 The proposal would be car free, however, officers consider that the characteristics of the site and proposal indicate that a car free

development of the scale proposed would function successfully and not harm the amenity of residents. The site is in a highly sustainable location within close proximity to transport links on Newmarket Road and within an easy walking / cycling distance to the city centre, meaning occupants can meet their day to day needs without the need for a car. The site and the surrounding streets fall within a controlled parking zone and future residents of the proposed dwellings would not qualify for residents parking permits, resulting in there being robust on street controls to prevent occupants from parking on residential streets, impacting the amenity of surrounding residents. Furthermore, given the units are all proposed to be one bedroom, the likelihood of future occupants owning a car is less than if these units were larger family units. Taking all of these factors into account, officers therefore consider that the car free development would be contextually appropriate and would not result in harm to amenity, complying with policy 82.

- 9.49 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.

9.50 Amenity

- 9.51 Policy 35, 50, 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.

- 9.52 Neighbouring Properties

Newmarket Road properties to the south

- 9.53 The Newmarket Road properties to the south of the site share a close relationship with the site as the site is directly north and east of these terraced properties. These units are currently vacant but have previously been in office and residential use. It is noted that recently this terrace of four properties gained approval for reverting back to residential use under 22/04045/FUL. Within the site a lean-to garage meets the rear boundary of no. 175-177 at effectively two storey height. Further into the site to the north is a two storey pitched roof (ridge height approx. 8m) dwelling opposite the rear of no. 181, with the two storey form of 1 Godesdone Road sited north-east. The proposal would demolish this garage and site two-storey form further away from this boundary and reduce and consolidate the massing along the northern boundary. To the east of the site, built form would be sited closer to the eastern boundary in a stepped form with a flat roof to the rear to reduce the massing. Therefore, by virtue of the scale, massing and siting of the proposed extensions, alongside the ground level changes with Newmarket Road properties being elevated, officers consider that the proposal would not result in a harmful level of overbearing or overshadowing to these units fronting Newmarket Road. With regards to overlooking, currently there are three windows at first floor

level which directly overlook Newmarket Road properties and one with oblique views on the rear of Godesdone Road resulting in an interlocking relationship. While the proposal would introduce three additional windows at first floor, officers consider that due to this interlocking relationship, on balance, the proposal would not lead to a significant overlooking impact to these properties. A condition is recommended to remove the permitted development rights regarding windows for unit 4.

Godesdone Road properties to the north

- 9.54 No. 3 Godesdone Road is the closest property to the north and immediately abuts the boundary. The existing relationship between the site and No.3 Godesdone Road and the further properties on Godesdone Road to the north is defined by a two storey wall which at 2 points reaches a three storey scale. The first three storey element is in line with the rear roof slopes of the Godesdone Road properties while the second three storey element sits just in front of the rear elevation. This (existing) 2nd three storey element results in a significant overbearing impact and would also result in the loss of light, due the orientation, upon the rear ground floor and first floor windows and also the main rear amenity areas of particularly 3 & 5 Godesdone Road. The proposal seeks to remove these three storey elements which would remove circa 2.7m of height. The overall height would be 300mm higher than the existing two storey wall and would span the same length. Given this minor increase in overall height alongside the major decrease in height immediately adjacent to the main rear amenity area of 3 Godesdone Road, officers consider that overall the proposal would significantly improve the residential amenity of the Godesdone Road properties. A juliet balcony, lobby window and dormer window are proposed on the first floor of the northern elevation of the extended Newmarket Road block. Views from these openings would be sufficiently screened by the courtyard block (units 2-4,7 and 6) so as to not result in a significant overlooking impact to Godesdone Road properties.
- 9.55 The proposal also adequately respects the amenity of its neighbours and therefore is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 53 and 58.
- 9.56 Future Occupants
- 9.57 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015). In paragraph 6.32 of the same policy, it states that residential units created through conversions should seek to meet or exceed the internal space standards as so far as practicable to do so.
- 9.58 Members overturned officer recommendation and refused 19/1010/FUL on the overall level of amenity for future occupants which was considered to be poor and cramped. The Inspector concluded that, as leeway is given to

conversions in policy 50, the site is tight, limiting the opportunity to provide additional amenity space, and the units proposed are small units with the courtyard meeting the needs of the occupiers of these units, overall there was a suitable level of amenity afforded to the future occupiers of the site. The internal and external arrangements for future occupiers have not changed since the Inspectors judgement aside from the internal floorspace for unit 12 being 2m² less. Unit 12 would have an open outlook and good levels of light. While being located within the roof space, the area of head height above 2.3m would be sufficient to meet the requirements of policy 50. Accordingly, officers do not consider that this slight decrease in floor space decreases the amenity afforded to this unit to a harmful level.

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

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	1	1	37	39	+2
2	1	1	1	37	37	0
3	1	1	1	37	37	0
4	1	2	2	58	58	0
5	1	1	1	37	47	+10
6	1	1	1	37	37	0
7	1	1	1	37	37	0
8	1	1	1	37	49	+12
9	1	1	1	37	45	+8
10	1	1	1	37	47	+10
11	1	1	1	37	41	+4
12	1	1	1	37	41	+4

9.60 Garden Size(s)

9.61 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. Within the supporting text of Policy 50 it also states that new homes created through residential conversions should seek to meet or exceed the standards as far as it is practicable to do so. It is to be noted that all the units are 1 bedroom units. These 1 bedroom units are not family units. Due to the site being surrounded by residential properties, the introduction of balconies would result in potential overlooking issues. The site is also located in the Conservation Area and balconies onto Godesdone Road would be out of keeping with the character of the area. Given the noise from Newmarket Road, balconies would also not be appropriate and would not be supported from an Environmental Health point. For these reasons, the proposal has not provided any private external amenity areas for the residential units as it is not practical to do so.

9.62 The requirements of Part M4 (2) of the Building Regulations and Policy 51 do not apply to this proposal as it is for a conversion. Officers note the comments from The Disability Panel and the applicant is encouraged, if planning permission is granted, to review accessibility credentials of the scheme.

9.63 Construction and Environmental Impacts

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

9.65 The Council's Environmental Health team have assessed the application and recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. This advice is accepted and the conditions are recommended accordingly. The impact of additional demand for car parking spaces on residential amenity is assessed in the 'car parking' section below.

9.66 The proposal would therefore provide a suitable standard of accommodation for future occupiers with regard to the size and quality of their internal and external amenity space. The proposal would therefore comply with Cambridge Local Plan (2018) policies 50 and 58, and Paragraph 130 of the Framework.

9.67 Third Party Representations

9.68 All third-party representations have been addressed in the preceding paragraphs.

9.69 Other Matters

9.70 *Bins*

9.71 Policy 57 requires refuse and recycling to be successfully integrated into proposals. Cllr Copley has expressed concerns regarding the refuse stores for both the retail and residential units. These have subsequently been amended to segregate the stores for the respective uses and have been shown to accommodate the correct bin sizes. These are adjacent to Godesdone Road for collection, within the maximum stated in the RECAP waste guidance. Officers consider that the refuse arrangements are acceptable and have been adequately designed into the development. Further details on the waste management for both the retail and residential uses is required and it is recommended that this is secured via condition.

9.72 *Affordable Housing*

9.73 There are 3 existing residential units on the site and the proposed development is for a scheme of 12 residential units. This is a net increase of 9 units. Policy 45 of the Cambridge Local Plan (2018) states that affordable housing provision should be calculated on the basis that the thresholds are to be considered against the net increase in the number of units on the site. As the proposed net increase of units on the site would be below the threshold, there is no policy basis to require affordable housing provision as part of this application. The proposal is compliant with policy 45 of the Cambridge Local Plan (2018).

9.74 **Planning Balance**

9.75 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).

9.76 Summary of harm

9.77 The harm previously identified by the Inspector has been addressed and no further harm has been introduced. Therefore, officers conclude that no significant harm arises from the development.

9.78 Summary of benefits

9.79 The scheme provides a number of benefits. The proposal would redevelop an existing site which does not positively contribute to the street scene and results in 9 additional residential units while retaining the existing commercial unit. The redevelopment of the site would enhance in the street scene and the character and appearance of the conservation area by virtue of its sympathetic scale, massing and design. The reduction of the boundary wall with 3 Godesdone Road from 3 storey to 2 storey would significantly improve the residential amenity of the Godesdone Road properties to the north. Officers therefore consider that the proposal would lead to a sustainable use of land while providing a high-quality development that preserves and enhances the character of the conservation area, would not have an adverse impact upon the occupiers of neighbouring properties and would provide an acceptable level of amenity for future occupiers.

9.80 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 subject to conditions.

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

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

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

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

- 3 No development shall take place above ground level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The details shall include brickwork; windows; doors and entrances; roof cladding; balustrades, rainwater goods, edge junctions, soffits, and coping details; colours and surface finishes. Development shall be carried out in accordance with the approved details.

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

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

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

before the use is commenced or the development is occupied and shall be retained as such.

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

5 Alternative Ventilation Scheme

Prior to the commencement of development / construction, details of an alternative ventilation scheme for the residential accommodation units / habitable rooms on noise impacted facades to negate / replace the need to open windows (in order to protect future occupiers from external traffic noise) shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from Newmarket Road and be able to achieve at least 2 air changes per hour in the impacted habitable rooms. Full details are also required on the operating noise level of the alternative ventilation system.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

6 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).

7 Bin store

Prior to the commencement of development, a bin store noise insulation scheme and full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the noise insulation measures of the bin store to minimise noise emanating from the store.

The approved bin store noise insulation scheme and facilities shall be installed / provided prior to the commencement of the use hereby permitted and shall be retained thereafter.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

- 8 No development (including demolition, enabling works or piling shall commence until a demolition/construction noise and vibration impact assessment associated with the development, has been submitted to and approved in writing by the local planning authority. The assessment shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration on construction and open sites and include details of any piling and mitigation/monitoring measures to be taken to protect local residents from noise or vibration. The development shall be carried out in accordance with the approved measures.

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

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

The scheme shall include:

- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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

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

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

The principal areas of concern that should be addressed are:

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

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

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

- 11 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).

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

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

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

a) proposed finished levels or contours; car parking layouts, other

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

b) planting plans; written specifications (including cultivation and other

operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

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

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

d) a landscape maintenance and management plan, including long term

design objectives, management responsibilities and maintenance schedules for all landscape areas.

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

14 Prior to the commencement of development, details of the biodiverse (green, blue or brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority.

Details of the green biodiverse roof(s) shall include means of access for maintenance, plans and sections showing the make-up of the sub-base to be used and include the following:

a) Roofs can/will be biodiverse based with extensive substrate varying in depth from between 80-150mm,

b) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum (green roofs only),

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

d) Where solar panels are proposed, biosolar roofs should be incorporated under and in between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation,

e) A management/maintenance plan approved in writing by the Local Planning Authority,

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

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity. (Cambridge Local Plan 2018; Policy 31).

15 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.

- 16 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).

- 17 Prior to the first occupation of the commercial units, a servicing plan shall be submitted and approved in writing by the Local Planning Authority. The servicing plan will not be supported if it proposes servicing from Newmarket Road. The development will operate in accordance with the agreed details.

Reason: in the interests of highway safety

- 18 External Artificial Lighting Condition

Prior to the installation of any external artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the Local planning authority. The scheme shall include details of any external artificial lighting of the site and an external artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. External lighting on the development must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: To protect the amenity of nearby properties. (National Planning Policy Framework, Feb 2019 - paragraph 180 c) and Cambridge Local Plan 2018 - policies 34 and 59)

- 19 Prior to the occupation of the units, an access control scheme shall be submitted to and approved in writing by the local planning authority. The access control scheme should outline how the existing dropped kerb to the site off Godesdone Road will be narrowed so that it does not exceed 1.5m in width and should also outline what measures will be put in place to prevent access by a private motor vehicle while still permitting the serving of the bin store. The agreed scheme shall be implemented prior to occupation of the first units and be retained as such thereafter.

Reason: in the interests of highway safety

- 20 Deliveries / Dispatches: Retail Unit

All service collections / dispatches from and deliveries to the approved development including refuse / recycling collections during the operational phase shall only be permitted between the hours of 07:00 to 23:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Service collections / dispatches from and deliveries to the commercial units are not permitted at any time on Sundays or public holidays.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

- 21 Hours of Use: Retail Unit

The retail use hereby permitted, shall only be open to customers

between the hours of 0700 and 2300 Monday to Sunday and Bank Holidays.

Reason: To protect the amenity of properties from noise.
(National

Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

- 22 Prior to installation of any shopfront, large scale drawings of all joinery (doors, window frames, etc.) and other elements of the shopfront shall be submitted to and approved in writing by the local planning authority. This includes stallriser, fascia etc.. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the conservation area
(Cambridge Local Plan 2018, policy 64).

- 23 Contaminated Land - Unexpected Contamination

If unexpected contamination is encountered whilst undertaking the development, works shall immediately cease on site, a land contamination site investigation shall be carried out by a competent person and subsequently a report detailing the findings of that investigation and proposed remediation measures (if required) shall be submitted in writing to the Local Planning Authority for approval. No further works shall be undertaken unless otherwise approved in writing by the Local Planning Authority.

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

- 24 For the hereby approved unit 4, notwithstanding the provisions of Schedule 2, Part 1, Classes A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the insertion of new windows shall not be allowed without the granting of specific planning permission.

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

- 25 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).

- 26 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).

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

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

- 28 Notwithstanding the approved plans, and instead of the shown ramp, the access to the lower ground floor cycle store should be in the form of steps with a gully to wheel bicycles down. Both the cycle stores shall also have electrical connections in the form of 4 plug sockets in each cycle store to allow for the charging of electric cycles. Notwithstanding the approved plans, 2 sheffield stands should be provided in the south west corner of the courtyard adjacent to access to the lower ground floor cycle store to allow cycle parking for visitors. All of the above shall be implemented prior to the occupation of the units and shall be retained as such thereafter.

Reason: To ensure appropriate provision for the secure storage of
bicycles. (Cambridge Local Plan 2018 policies 55, 56, and 82)

- 29 Water efficiency:

Prior to the occupation of the first dwelling, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings are able to

achieve a design standard of water use of no more than 110 litres/person/day and that the development shall be carried out in accordance with the agreed details.

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

- 30 Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

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

- 31 During the construction phase, vehicles used for demolition or construction 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. 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

- 32 Prior to first occupation, each dwelling must be fitted with a means for future occupiers to monitor/measure their own water consumption. The fitted device shall be retained and maintained thereafter.

Reason: In the interest of promoting sustainable development (Cambridge Local Plan 2018 policy 28)

Informatives:

1. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost

under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

2. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087
3. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
4. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087
5. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
6. Residents of the new dwelling will not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets.
7. The developer must contact the Highway Authority, to arrange construction of any works within, or disturbance of, or interference with, the Public Highway, and that all costs associated with such works shall be borne by the Developer.
8. The Developer will neither be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection.
9. That no window nor door will be allowed to open over a highway.
10. No foundation nor footing for the structure will be allowed to encroach under the Public Highway.
11. Infiltration rates should be worked out in accordance with BRE 365. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however soakage testing will be required at a later stage to clarify this.
12. 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.

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

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



Appeal Decision

Site visit made on 28 June 2022

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 July 2022

Appeal Ref: APP/Q0505/W/22/3292173

185-189 Newmarket Road & 1 Godesdone Road, Cambridge CB5 8HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Glazewater Properties (Bedford) Ltd against the decision of Cambridge City Council.
 - The application Ref 19/1010/FUL, dated 18 June 2019, was refused by notice dated 3 December 2021.
 - The development proposed is the conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area, the Riverside and Stourbridge Common Conservation Area (RSCA), I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the desirability of preserving or enhancing the character of RSCA; and,
 - Whether the proposal would provide a suitable standard of accommodation for future occupiers.

Reasons

Character and Appearance

4. The RSCA encompasses a long stretch of the river and areas of land to either side, the appeal site forms part of an area adjacent to the river that is characterised by terraces. From my observations on site and the evidence before me, I find that the conservation area's significance stems from the appearance of the historic buildings and the extent to which their legibility is still intact, as well as the area's relationship to the river. Given the above, I find that the significance of the RSCA, insofar as it relates to the appeal, to be

primarily associated with the appearance of the surrounding buildings, in particular their form and design, and the pattern of development. The terraces closest to the appeal site are primarily two-storeys in height, served by communal roofs set parallel with the road and have windows in a portrait orientation.

5. The appeal site is located at the junction between Newmarket Road and Godesdone Road at the edge of the conservation area. The site contains two buildings, one of which faces Godesdone Road while the other faces both Godesdone Road and Newmarket Road. The opposite side of Newmarket Road is outside of the RSCA and there are a number of large modern buildings that do not replicate the development within the conservation area. However, given the discrete nature of the architecture, and the separation resulting from the carriageway, I find that the modern development does not affect the relationship of the appeal site to the wider RSCA.
6. Given its siting, the corner building is in a prominent position where it would be seen from within the conservation area as well as in views in to and out of it. The proposed gables would be prominent features that, with particular regard to those facing on to Newmarket Road, would not be in keeping with the roofscape present in the street scene. Whilst gables are present on the existing building on Godesdone Road, I find that the cumulative impact of the four gables across the corner building would result in an incoherent roof that would form a jarring feature within an area that is predominantly characterised by simple, communal roofs. Moreover, the incongruous nature of the proposal would be exacerbated by the first floor windows which would not be sympathetic to the pattern and proportions of the fenestration present on the terraces on either street.
7. However, the upper-floor extension across from the corner building to the retained building facing Godesdone Road would be a relatively simple feature that would be in keeping with the style and scale of the adjoining terraces. This extension would also replace an existing roof which does not positively contribute towards the character or appearance of the area.
8. The proposed changes within the rear courtyard area, whilst of a somewhat modern style, would not be readily visible from the public domain and would have only limited prominence from the private domain. I therefore find that these changes would not unacceptably affect the character or appearance of the conservation area experienced as a whole and would therefore preserve its significance.
9. Nevertheless, given the identified harm above, the proposal would fail to preserve or enhance the character or appearance of the conservation area. I am mindful of the scale of the development in relation to this heritage asset and find that the harm caused would be less than substantial. However, the Framework is clear that great weight should be given to an asset's conservation. In this case the harm that I have identified needs to be weighed against the public benefits of the development.
10. The appellant has submitted that the proposed development would make use of previously developed land in providing new dwellings in a location with good access to services and facilities. The proposal would also likely result in some economic benefits as a result of the development works and future occupiers. I

find that these matters would be public benefits and given the scale of the development I attach these matters collectively, moderate weight.

11. The proposal would also likely result in some improvements to the living conditions of the neighbouring occupiers on Godesdone Road by way of lowering the boundary wall. However, as this change would be rather limited, it affords only modest weight.
12. Accordingly, although I have found public benefits, there is no public benefit cited which outweighs the considerable importance and weight I give to preserving the character or appearance of the conservation area.
13. Therefore, as the proposal would not preserve or enhance the nearby heritage asset and would result in harm to the character and appearance of the local area more generally, it would conflict with Policies 58 and 61 of the Cambridge Local Plan (the CLP, October 2018) This policy requires developments to have a positive impact on, and ensure the conservation and enhancement of, Cambridge's historic environment, with particular reference to fenestration. The proposal would also fail to satisfy the requirements of the Act, and would conflict with Chapter 16 of the National Planning Policy Framework (the Framework) regarding the historic environment, including Paragraphs 197 and 199-208.

Living Conditions

14. I note that there is a disagreement between the main parties as to whether the proposal should be considered as the conversion of an existing building or a new build. I find, from the evidence before me, that while there would be a significant number of alterations, including demolition works, the existing buildings would be retained and altered, rather than replaced in their entirety.
15. Therefore, although CLP Policy 50 requires all developments to provide external private amenity space, the supporting text allows for leeway where the development is for a conversion and the provision of such space is not practical. In this case, given the tight nature of the site and the presence of windows facing the courtyard, I find that any amenity space, whether on the ground or by way of balconies would be overlooked. It would therefore not be practical to provide suitable private outdoor amenity spaces through the conversion of the buildings on site. Give that the proposed dwellings are unlikely to be occupied by families or children, as they provide only a single bedroom, the communal outside space would accommodate the likely needs of future occupiers, such as sitting outside.
16. I note from the appellant and Council's submissions that the proposed dwellings would meet the internal space standards set out in CLP Policy 50 and that seven of the proposed units would exceed the minimum space requirements. Whilst units 11 and 12 would be within the roof space, where head height may be more limited, from the submissions before me I find that the area of head height above 2.3m would be sufficient to meet the requirements of CLP Policy 50. Moreover, whilst units 11 and 12 would be primarily served by rooflights, I find that they would still afford future occupiers an open outlook and good levels of natural light. Therefore, I find that the proposed dwellings would not be cramped or enclosed to the detriment of the living conditions of future occupiers.

17. The proposal would therefore provide a suitable standard of accommodation for future occupiers with regard to the size and quality of their internal and external amenity space. The proposal would therefore comply with CLP Policies 50 and 58, which collectively, and amongst other matters, require that developments to provide sufficient amenity space where possible, and to provide suitable internal floor space areas for future occupiers. It would also comply with Paragraph 130 of the Framework with regards to providing a high standard of amenity for future users.

Other Matters

18. Although the Council's pre-application advice may have been supportive of the development, such advice cannot bind the Council's complete assessment of a scheme when considered under a full planning application.

Conclusion

19. As outlined above, the proposal would result in harm to the RSCA and there are no public benefits which outweigh this harm. Whilst the proposal would not result in any harm to the living conditions of future occupiers, this is not a benefit in itself and so I attribute it neutral weight. Consequently, this lack of harm would not, either on its own or with the benefits outlined above, outweigh the harm to the conservation area. Therefore, the proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

20. Therefore, and for the reasons given above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR

Agenda Item 6



Planning Committee Date	26.04.2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/04491/FUL
Site	2-14 Fitzroy Street, Cambridge
Ward / Parish	Market
Proposal	Refurbishment and extension, including terrace and replacement plant and flue at roof top level, external alterations and re-ordering of service yard, parking provision, replacement plant and new bin and plant enclosure
Applicant	BPS2 Varsity Limited
Presenting Officer	Charlotte Spencer
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1.Principle of development2.Character and appearance of the area3.Impact on heritage assets4.Highway safety and parking provision5.Residential amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the refurbishment and extension, including terrace and replacement plant and flue at roof top level, external alterations and re-ordering of service yard, parking provision, replacement plant and new bin and plant enclosure.
- 1.2 The proposal respects the character and appearance of the street scene and surrounding area.
- 1.3 The proposal would not adversely affect the character and/or setting of the adjacent Listed Buildings and it would preserve and enhance the character or appearance of the Kite Conservation Area.
- 1.4 The proposal does not adversely impact the residential amenity of neighbouring properties.
- 1.5 The proposal would not have a detrimental impact on highway safety.
- 1.6 Officers recommend that the Planning Committee APPROVE the proposal.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	
Listed Building		Flood Zone	1
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	X
Local Neighbourhood and District Centre		Area of Major Change	X
AQMA	X	Primary Shopping Area	X

- 2.1 The application relates to a two storey building comprising five retail units located to the south of Fitzroy Street. The current retail units include a small supermarket (Waitrose), a bakery (Greggs), newsagents and a phone repair shop. The fifth unit is currently vacant.
- 2.2 Fitzroy Street is a pedestrianised road which contains a range of commercial units at ground floor with a mix of residential and commercial uses above. Fitzroy Street is a Primary Shopping Area within the City Centre. The site lies within the Fitzroy/Burleigh Street/Grafton Area of Major Change (Grafton AoMC) and is within a Controlled Parking Zone. The building lies within the Kite Conservation Area and is within the setting

of Grade II Listed Buildings at No.17 Fitzroy Street (Wilko), Nos.1-48 New Square and Nos.1-42 Eden Street.

2.3 The building fronts Fitzroy Street and there is an existing service yard and parking area to the rear accessed from Eden Street Backway which runs along the east of the building. The building is surrounded by residential properties to the east, south and west.

3.0 The Proposal

3.1 The application is seeking planning permission for the refurbishment and extension, including terrace and replacement plant and flue at roof top level, external alterations and re-ordering of service yard, parking provision, replacement plant and new bin and plant enclosure.

3.2 At ground floor there would be alterations to the windows and doors along Fitzroy Street. The service yard would be altered including the installation of a new cycle store, the addition of a bin store and the creation of two disabled parking spaces with EV charging.

3.3 The existing roof plant would be removed and a partial second floor extension would be erected with a new plant area to the rear. The extension would be set back from the front and east roof edges by 2.2 metres and it would create 397 square metres of floor space. The extension would be characterised by a 2.8 metres flat roof with a new chimney measures 3.8 metres above the roof level. The new plant area would be sited to the rear of the extension and it would be set in from the roof edges by a minimum of 2 metres. A new roof terrace would be created to the west of the new extension. A lift overrun and staircase access would be created along the eastern roof edge.

3.4 New saw tooth windows would be installed over the ground and first floors on the elevation facing Eden Street backway.

3.5 The alterations would allow the building to be used as an 'Urban Lab' with some retail being retained at ground floor.

3.6 During the determination process, the plans have been amended to show more retail at ground floor, alterations to windows and doors and the removal of a diesel generator within the service yard. In addition, an Air Quality Assessment and an amended Daylight Sunlight Impacts Report have been added to the application.

4.0 Relevant Site History

Reference	Description	Outcome
20/02629/FUL	Change of use from Class A1 to a flexible A1 (retail)/A3 (restaurants and cafe)/ A5 (hot food takeaway) on the ground floor and a flexible B1	PERM 02.12.2020

	(business)/D1 (non-residential institution) on the first floor.	
10/0582/FUL (Unit 2)	Change of use from A1 (shops) to A3 (restaurants and cafes).	PERM 27.09.2010
04/1140/COU (Unit 10)	Change of use from Class A1 Retail to mixed use Class A1 Retail and Class A3 Food and Drink use.	PERM 14.03.2005
C/00/0957	Erection of a two storey building totalling 2333 sqm (gross) for retail (Class A1) purposes including roof top plant and rear service vehicle/carparking,- following demolition of existing building	PERM 27.06.2003
C/00/0958	Demolition of existing retail building at 2-14 Fitzroy Street	PERM 28.02.2003

4.1 The existing building was built following the planning permissions approved in 2003. Neither these permissions nor any of the later approvals removed permitted development rights.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Circular 11/95 (Conditions, Annex A)

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 2: Spatial strategy for the location of employment development

Policy 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 10: The City Centre

Policy 11: Development in the City Centre Primary Shopping Area

Policy 12: Fitzroy/Burleigh Street/Grafton Area of Major Change

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 30: Energy-efficiency improvements in existing dwellings

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk
Policy 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 58: Altering and extending existing buildings
Policy 59: Designing landscape and the public realm
Policy 61: Conservation and enhancement of historic environment
Policy 63: Works to a heritage asset to address climate change
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
Grafton Area Masterplan and Guidance SPD (2018)

5.5 Other Guidance

North West Cambridge Area Action Plan (adopted October 2009)
Cambridge East Area Action Plan (adopted February 2008)
Cambridge Southern Fringe Area Action Plan (adopted February 2008)

The Kite conservation area

6.0 Consultations

6.1 County Highways Development Management – No objection

04 April 2023

6.2 The amended plan shows all doors opening inwards and this overcomes the Highway Authority's objection. Given the nature of the proposal the Highway Authority will not seek any conditions.

01 December 2022

6.3 The doors to the lobby and those of the Transformer building over sail the adopted public highway. This is in a breach of Section 153 of the Highways Act 1980 but is also detrimental to the safety of pedestrians and cyclists.

6.4 Sustainable Drainage Officer – No objection

6.5 The submitted drainage strategy demonstrates that a suitable surface water drainage strategy can be delivered in accordance with the local policy. The proposals have not indicated a detailed surface water and foul water scheme, however, it would be acceptable to obtain this information by way of conditions.

6.6 Conservation Officer – No objection

28 February 2023

6.7 No further comments on the amended drawings.

30 November 2022

6.8 The site is within the Kite Conservation Area and is adjacent to listed buildings. The existing building detracts from the character of the Conservation Area.

6.9 The proposed additional floor would replace the existing roof plant and enclosure. It would be slightly higher and cover more of the roof, however, the views submitted show that the impact would be minimal on the setting of the grade II listed buildings of New Square.

6.10 There is currently a view of the lantern of 17 Fitzroy Street which is grade II listed. The proposed views show that where there are limited views, these will not be lost by the proposal.

6.11 The chimney stack would be taller, however, chimneys are a known feature in the local area and it is considered that this would add to the roofscape.

6.12 There will be a lot of glazing however, there will be light sensors and blinds to ensure illumination can be carefully managed.

6.13 No objection subject to conditions requesting details of the roof and chimney materials.

6.14 Senior Sustainability Officer – No objection

6.15 The overall approach being taken to sustainable design and construction is welcomed. The applicant is intending to utilise BREEAM certification for the whole scheme and targeting a minimum of BREEAM very good. Recommend conditions regarding BREEAM certification.

6.16 Environmental Health – No objections

4 April 2023

6.17 The applicant has now confirmed that an alternative solution will be installed using a battery storage back up system. This has addressed the final outstanding issue from Environmental Health comments.

6.18 Whilst I am in support of the battery back up system, limited information has been provided and we have limited knowledge of this technology. Given the sensitivity of the site in relation to impact on amenity of adjacent receptors a condition is recommended requiring the submission of the details of the proposed system.

27 February 2023

6.19 An Air Quality Assessment (AQA) has now been submitted. The need for a detailed assessment associated with emissions from vehicle movements has been scoped out given the limited change in vehicle movements. This is considered acceptable.

6.20 We are not able to support the conclusion that the back up generators will not lead to any hourly exceedances without further evidence. Given the development is located within a residential urban area within the Air Quality Management Area (AQMA) further assessment is required.

23 November 2022

6.21 The proposed development is located within the AQMA. No reference to air quality and the impact of the proposed development is included in the application documents.

6.22 In terms of construction pollution, conditions regarding construction and delivery hours are recommended.

6.23 A noise control strategy report has been submitted. Recommend conditions regarding the roof terrace. It is agreed that with careful plant selection and mitigation, the plant noise limits details within the report can be achieved. Recommend a plant noise condition.

6.24 The ventilation flues are centrally located and proposed to serve the internal fume cupboards. Recommend an odour condition.

6.25 Residential properties are in close proximity to the service yard, therefore reasonable daytime hours are recommended to be conditions for all service collections and deliveries.

6.26 It is required to establish the impact on lighting on the surrounding environment. An artificial lighting impact assessment will be required to establish lighting during pre and post curfew in accordance with Institute of Lighting Professionals (ILP) guidance notes.

6.27 Cadent – No objection

6.28 The application is in close proximity to medium and low pressure assets. No objection but please add an informative.

7.0 Third Party Representations

7.1 30 representations have been received.

7.2 Those in objection (28 representations) have raised the following issues:

-Loss of retail

- Not compliant with the Local Plan
- Would cause a detrimental impact on the remaining retail
- The Grafton redevelopment involves loss of retail
- Description does not refer to the change of use
- Unable to demonstrate an evidence based need

-Residential Amenity:

- Loss of light
- Over dominant
- Loss of privacy
- Noise from terrace
- Noise from plant and generator
- Fumes and smoke
- Construction impacts
- Dangerous

- Visual Impact:

- Design, appearance and materials inappropriate;
- Too high for the area
- Impact on the heritage assets
- Existing building already out of character, this would exacerbate it

- Highway Concerns:

- Inadequate parking
- Increase in traffic movements
- Raised kerb on a shared surface

7.3 Those in support (2 representations) have raised cited the following reasons:

- Undersupply of lab space;
- Long term prosperity

7.4 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.

8.0 Assessment

8.1 Principle of Development

8.2 Policy 10 of the Cambridge Local Plan 2018 states that the City Centre will be the primary focus for developments attracting a large number of people and meeting retail, leisure, cultural and other needs appropriate to its role as a multi-functional regional centre. Policy 11 states that within Primary Shopping Areas (PSA) in the City Centre none centre uses including residential and business use would not be supported at ground floor level.

Policy 12 states that the Grafton AoMC is the primary focus for providing additional comparison retail in the city centre.

- 8.3 The proposal seeks to extend and refurbish the existing building and would subsequently result in accommodation for office and research and development called by the applicant as an 'Urban Lab'. This would result in the partial loss of retail at ground floor.
- 8.4 Officers note that the loss of retail at ground floor level is contrary to Policies 11 and 12 of the Local Plan. However, since the adoption of the Local Plan in 2018, the Government changed the planning use classes. As of 01 September 2020 retail now falls under Class E. Whilst previous permissions have allowed the building to be used for Classes A1, A3, A5, B1 and D1, there were no restrictions to the uses imposed by way of condition. The existing building comprises retail units at ground floor with retail storage at first floor. As such, officers are of the opinion that the building currently falls under Class E.
- 8.5 Offices to carry out any operation or administrative functions, research and development of products or processes and industrial processes now also fall within Class E and so the intended use does not require planning permission subject to the use falling within those listed within E(g). Class E(g) specifically states that they are uses which can be carried out in a residential area without detriment to its amenity by reason of noise, vibration, smell, fumes, smoke, soot ash, dust or grit. The proposal does include the installation of a chimney and the Environmental Health Officer has been consulted on the application which is reviewed in more detail below.
- 8.6 The applicant is therefore not seeking planning permission for the intended use and this has not been included in the description of proposed development. As such, this element of the proposal is not a material consideration.
- 8.7 Design, Layout, Scale and Landscaping and Impact on Heritage Assets**
- 8.8 Policies 55, 56, 57, 58 and 59 of the Cambridge Local Plan (2018) 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.
- 8.9 The site lies within the Kite Conservation Area and is within the setting of numerous Grade II Listed Buildings. 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 200 states that 'Any harm to, or loss of, the

significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...’ Local Plan policy 61 aligns with the statutory provisions and NPPF advice.

- 8.10 The existing building is described within the Grafton Area Masterplan as a positive contribution to the street scene and it is not listed as an area of potential shop front improvements. However, it is noted that within the Kite Conservation Area appraisal it detracts from the Conservation Area.
- 8.11 The proposed roof extension would replace the existing plant screening on the roof with an enlarged footprint which would extend towards Fitzroy Street. Additional plant screening would be located to the rear of the roof extension. Whilst the addition would be larger than the existing, it is considered that due to the set back that it would not be overly visible from Fitzroy Street. The majority of the new plant would be set back from Eden Street Backway and so would not be overly visible, however, it is noted that part of the roof extension would be flush with this elevation. Whilst this would add some visual bulk to this side, however, this is limited to a small section of the overall roof. In addition, it is noted that due to the narrowness of Eden Street Backway, it would not be overly noticeable from the street immediately adjacent to the site. There would be longer views of this element further up the street, however it is considered that the use of zinc cladding would result in a lighter component.
- 8.12 The extension would be visible from longer views from New Square, however, the views as submitted demonstrate that the impact of this additional height and coverage will have a minimal impact on the surrounding area and heritage assets. The views have also demonstrated that the proposal would not result in the loss of the lantern of the grade II listed building of No.17 Fitzroy Street.
- 8.13 The most prominent part of the proposal would be the chimney, however, chimney stacks are a known feature in the local area and so it is considered that it would add to the roovescape of the city.
- 8.14 The proposal would involve the installation of a lot of new glazing. However, the overhanging eaves which will cast shadow onto the glazing would reduce the glare and the Conservation Officer is content with the light sensors and blinds to ensure that the illumination can be carefully managed so that it does not become a beacon and detract from the nearby listed buildings.
- 8.15 There are no concerns with the alterations to the existing buildings as these are mostly minor and would have limited impact on the visual amenity. It is considered that the addition of the saw tooth windows on the east elevation would break up a large expanse of blank brick work and would add a limited level of activation to this elevation.

- 8.16 It is considered that care must be taken that the materials for the chimney stack and roof to ensure that it does not detract from the listed building and appear over dominant in the street scene. As such, it is considered reasonable to add conditions requesting this information.
- 8.17 There are no concerns with the proposed appearance of the cycle store. No scaled details of the new bin store have been provided, however, visuals within the Design and Access Statement demonstrate that it would be limited in size and scale. As this element would not be visible from the public realm it is considered reasonable to accept scaled details by way of condition.
- 8.18 Overall, the Conservation Officer has concluded that the proposed development would have a limited impact on the setting of the heritage assets as per paragraph 195 of the NPPF. The proposal would have an acceptable level of impact on the visual amenity of the existing building and the surrounding area. In addition, the proposal would not adversely affect the character and setting of the Listed Buildings and it would preserve and enhance the character or appearance of the Kite Conservation Area. The proposal is compliant with Policies 55, 56, 58 and 61 of the Cambridge Local Plan (2018) and is compliant with the provisions of the Planning (LBCA) Act 1990, 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 a Sustainability Checklist and a BREEAM Pre-Assessment Summary Sheet. The Council's Sustainability Officer has reviewed the documents and confirms that the proposal intends to utilise BREEAM certification for the whole scheme which exceeds the requirements of Policy 28. The proposed approach is welcomed and the achievement of BREEAM 'very good' is supported on balance due to the

significant carbon reduction benefits that come the adaptive reuse of an existing building. This can be ensured by way of conditions regarding BREEAM certification.

- 8.24 The applicants have suitably addressed 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.

8.25 Biodiversity

- 8.26 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.
- 8.27 The Biodiversity SPD states that all suitable commercial and community building applications will include integrated bird box features for building dependent birds (breeding Swifts, House Sparrows, Starlings and House Martins) in keeping with the scale of development. The proposal suggest 4 swift boxes on the rear elevation. The Ecology Officer was not formally consulted, however Officers did discuss the proposal with them. It was confirmed that the siting of the swift boxes is not ideal due to the south facing elevation and they should ideally be higher. However, it is considered that the final detail of this can be dealt with by way of condition.
- 8.28 The existing site does not offer any soft landscape and so there is little or no ecological value. The Design and Access Statement states that a brown roof is proposed and the roof terrace would add planting and shrubbery. As such, it is considered that a Biodiversity Net Gain can be achieved on the site. It is considered reasonable to add a condition requesting the details of the net gain to ensure it complies with the requirements.

8.29 Water Management and Flood Risk

- 8.30 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.
- 8.31 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The applicants have submitted a Drainage Strategy and SUDs report. The Council's Sustainable Drainage Engineer has advised that the submitted document demonstrates that a suitable surface water drainage

strategy can be delivered. However, there is not a detailed surface and foul water drainage scheme. However, it would be acceptable to obtain this information by way of condition.

- 8.32 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.

8.33 Highway Safety and Transport Impacts

- 8.34 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.

- 8.35 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.

- 8.36 With the exception of the provision of two disabled parking spaces the development would be car free which is a reduction from the existing situation. As such, it is considered that the proposal would not result in a significant uplift of vehicular movements. The Local Highways Authority has reviewed the proposal and following the amendments to the doorways, have raised no objection and do not require any conditions. The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.37 Cycle and Car Parking Provision

- 8.38 Cycle Parking

- 8.39 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. These spaces should be located in a purpose-built area and be at least as convenient as car parking provision. The requirement for office use is 2 spaces for every 5 staff members or 1 per 30 sqm of gross floor area (whichever is greater). The cycle store would provide 52 cycle spaces and an additional 8 racks for public use would be provided at the junction of Fitzroy Street and Eden Street Backway. For the size of the building, 86 cycle spaces would be required and as such there is a shortfall of 26 spaces. However, the cycle parking provision would be greatly increased on the existing situation and the extension would only require an uplift of 11 spaces which is provided. Due to the site's location within walking distance of public transport routes and its proximity to public cycle racks within the area it is considered that as a

large number has been provided along with additional public spaces, on balance the provision is acceptable in this case.

8.40 Car parking

8.41 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Inside the Controlled Parking Zone the maximum standard is 1 space per 100 square metres. 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. With the exception of two disabled spaces, the proposal would be car free. Due to the application site being within the City Centre this is considered acceptable.

8.42 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at 1 per 1,000m² of floor space for fast charging points; 1 per 2 spaces for slow charging points and passive provision for the remaining spaces to provide capability for increasing provision in the future. The plans demonstrate that the disabled parking spaces would have EV charging which is acceptable.

8.43 The proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

8.44 Amenity

8.45 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.

8.46 The application site is surrounded by residential properties to the east, south and west along, Eden Street, Eden Street Backway and New Square respectively.

8.47 The existing building is built up to the garden areas of Nos.30-32 (inclusive) New Square with the service area adjoining Nos.28-29. These properties benefit from small gardens and so the existing building is currently located a minimum of 9 metres from the rear walls of this row of terraces. A Daylight Sunlight Impacts Report has been submitted which demonstrates that there is no change in sun hours to the neighbouring gardens of the properties along New Square. In addition, the sightline section demonstrates that the proposed extension would not be worsen the situation the existing building has on these properties in terms of dominance and outlook.

8.48 The existing building is located approximately 16 metres from the rear walls of the properties along Eden Street. Whilst the extension would not bring the building closer, it would result in a higher element along one part

- of the roof. The site lines demonstrates that this element would not intersect the 25 degree vertical line from the first floor windows, however, it would intersect this line from the ground floor. The BRE guidelines state that if the proposed development goes above the 25 degree vertical line then further checks on daylight and sunlight are required. The submitted Daylight Sunlight Impacts Report demonstrates that the proposal would not change the amount of sun hours on the ground level to the garden areas of these properties. Whilst the extension would be noticeable from the rear of the properties along Eden Street, it is considered that due to the separation distance, it would not result in a sense of dominance.
- 8.49 Due to the set back from the southern roof edge in conjunction with the orientation of the site, it is considered that the extension would not result in any loss of sunlight to the properties along Eden Street Backway. Due to the set back from the roof, the plant area would not be visible from these properties and so it is considered it would not overdominate these properties.
- 8.50 A new garden terrace at second floor would be located on the north western corner of the building. This would be in close proximity to the properties along New Square. The terrace would be set back 1.5 metres from the parapet and the plans demonstrate that there would be a privacy screen around the western and southern edges to prevent any overlooking to residential properties from this terrace. To ensure that it does not result in a loss of privacy it is considered reasonable to add a condition requesting the final details of this screening.
- 8.51 Saw tooth windows would be installed on the eastern elevation. Whilst it is noted that due to the angle of these windows, they would not allow for direct views over the gardens, the first floor ones would result in some views of the garden areas of the properties of Eden Street. As such, it is considered reasonable to ensure that these new windows would be obscurely glazed to protect to the privacy of these neighbours.
- 8.52 No additional windows would be installed on the southern elevation and so it is considered that there would be no additional loss of privacy to the properties along Eden Street Backway.
- 8.53 Subsequently, it is considered that subject to conditions, the proposal would have an acceptable impact on the residential amenity of the neighbouring properties in terms of loss of light, loss of outlook, sense of dominance and loss of privacy in compliance with Policies 50, 52, 53 and 58 of the Cambridge Local Plan (2018).
- 8.54 Construction and Environmental Impacts
- 8.55 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, servicing and collection hours to protect the

amenity of future occupiers. These conditions are considered reasonable and necessary to impose.

Air Quality

- 8.56 The application site is located within the Air Quality Management Area (AQMA). The Environmental Health Officer has welcomed the removal of car parking and the provision of new cycle storages and the inclusion of electric vehicle charge points.
- 8.57 During the determination process, an Air Quality Assessment has been submitted. It is agreed that the need for a detailed assessment associated with emissions for vehicle movements has been scoped out given the limited change in vehicle movements, reduced car parking and provision of EVCPs. The report has confirmed that the provision of heating and hot water for the daily operation of the site will be via electric services and the Environmental Health Officer has welcomed this approach.
- 8.58 Due to the concerns regarding a back up diesel generator, this has been removed from the proposal and replaced with a back up unit incorporating battery storage. The Environmental Health Officer has no objections to this approach. However, as limited information regarding this element has been proposed a condition is recommended to submit further details of the back up unit prior to installation.

Noise

- 8.59 The applicant has submitted a Noise Control Strategy Report which has been assessed by The Council's Environmental Health team. In regards to the roof terrace, the proposed mitigation measures include hours of use and prohibiting amplified music. The Environmental Health Officer has no objection to this and proposed conditions to ensure these measures are in place.
- 8.60 The submitted report states plant rating limits to be achieved at the site boundary. The Environmental Health Officer has confirmed that the limits are acceptable. The emergency plant (smoke extract fans) noise criteria are in accordance with the recommendations that the plant will not exceed the existing background sound level by more than 5dB at the boundary. A condition is recommended for the submission of the noise insulation/mitigation scheme and to ensure the rating level of sound emitted complies with the information provided within the noise report. The diesel generator has since been removed from the proposal and replaced with a back up battery powered unit. As there is limited knowledge about this system, it is considered reasonable to add a condition requesting further details before this is installed.
- 8.61 Residential properties are located in very close proximity to the service yard, therefore reasonable daytime hours are recommended to be

conditioned for all service collections/ dispatches from and deliveries to the approved development including refuse collections.

Odour

- 8.62 The proposed ventilation flues, which would serve the internal flue cupboards, are located centrally within the site. It is recommended to add an odour condition to ensure adequate odour abatement plant to be installed relevant to the end use.

Lighting

- 8.63 It is required to establish the impact of lighting on the surrounding environment. An artificial lighting impact assessment would be required to establish lighting during pre and post curfew. This can be dealt with by way of condition.

- 8.64 Summary

- 8.65 The proposal adequately respects the amenity of its neighbours and is considered that, subject to conditions, it is compliant with Policies 35 and 36 Cambridge Local Plan (2018).

8.66 Third Party Representations

- 8.67 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
Loss of Retail	As per paragraphs 8.4-8.7.
Impact on residential amenity	Discussed in paragraphs 8.45 to 8.66
Visual Impact	Discussed in paragraphs 8.8-8.19
Highway Concerns	Discussed in paragraphs 8.34 to 8.44

8.68 Planning Balance

- 8.69 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).
- 8.70 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, along with the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and the General Permitted Development Order (2015) as amended, the views of statutory consultees

and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

8.71 Recommendation

8.72 Approve subject to:

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

9.0 Planning Conditions

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

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

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

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

3. No chimneys shall be constructed until a sample of the type and source of material for the stacks have been submitted to and approved in writing by the Local Planning Authority. The chimney stacks shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the setting of the Listed Buildings and the Conservation Area. (Cambridge Local Plan 2018, policies 61)

4. No roofs shall be constructed until a sample of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to and approved in writing by the Local Planning Authority. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

5. Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'very good' as a minimum will be met, with at least 3 credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'very good', a statement shall also be

submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

6. The development shall not be occupied, until details of facilities for the covered, storage of waste 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 store. A 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 bin 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 bins, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31, 55 and 56).

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

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

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

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

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

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
- b) With suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: green-roofs.co.uk

10. 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.

11. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:
- a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
 - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
 - d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
 - e) Full details of the proposed attenuation and flow control measures;
 - f) Full details of the maintenance/adoption of the surface water drainage system;
 - g) Measures taken to prevent pollution of the receiving groundwater and/or surface water
 - h) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available.
- The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

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

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

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

resulting from the proposed development (Cambridge Local Plan 2018 policies 31 and 32).

13. The development hereby permitted, shall not be occupied until details of the proposed screening to the roof terrace have been submitted to, and approved in writing by the Local Planning Authority. The details shall include scaled drawings demonstrating the height and materials to be used. The development shall be carried out in full in accordance with the approved details prior to use of the roof terrace.

Reason: Reason: To safeguard the privacy of adjoining occupiers (Cambridge Local Plan 2018 policies 52, 55, and 58).

14. 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. No development (including demolition, enabling works or piling shall commence until a demolition/construction noise and vibration impact assessment associated with the development, has been submitted to and approved in writing by the local planning authority. The assessment shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration on construction and open sites and include details of any piling and mitigation/monitoring measures to be taken to protect local residents from noise or vibration. The development shall be carried out in accordance with the approved measures.

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

16. 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).

17. The 1st floor roof terrace shall be used solely by employees of the application site during standard office activities and shall not be used

outside of 07:00hrs - 19:00hrs Monday to Saturday and 08:00hrs to 13:00hrs Sundays.

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

18. No music, either amplified or acoustic, shall be played within the external roof terrace.

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

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

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

20. The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the use hereby approved shall not exceed the rating level limits specified within the Hoare Lea (HL) have provided a "Acoustics - Noise Control Strategy" report dated 4th October 2022 (rev 01).

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

21. The back up power unit with battery storage, hereby approved, shall not be installed until technical details of power system has been submitted to, and agreed in writing with the Local Planning Authority. The details shall include predicted noise levels and if necessary, a detailed noise impact assessment. The approved system shall be installed, maintained and operated in accordance with the approved details.

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

22. 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).

23. All service collections / dispatches from and deliveries to the approved development including refuse / recycling collections during the operational phase shall only be permitted between the hours of 07:00 to 21:00 Monday to Friday, 08:00 to 13:00 on Saturday. Service collections / dispatches and deliveries are not permitted at any time on Sundays or Public Holidays.

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

24. No development above ground level shall commence until a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours has been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

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

25. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

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

Informatives:

1. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on

www.linerearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

2. To satisfy and discharge Environmental Health conditions relating to artificial lighting, contaminated land, noise / sound, air quality and odours / fumes, any assessment and mitigation shall be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction SPD, (Adopted January 2020) <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd> and in particular section 3.6 - Pollution and the following associated appendices:
 - 6: Requirements for Specific Lighting Schemes
 - 7: The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide
 - 8: Further technical guidance related to noise pollution

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Agenda Item 7



Planning Committee Date	26 th April 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/05493/S73
Site	1 Fitzwilliam Road Cambridge CB2 8BN
Ward / Parish	Petersfield
Proposal	S73 to vary condition 2 (approved drawings) of ref: 19/1141/FUL (Demolition of existing building and construction of three dwellings) to allow for minor material amendments including the retention of basements.
Applicant	Blues Property Fitzwilliam Ltd
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 and Appearance2. Parking3. Basement retention
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks permission for various changes to the internal layout and the external appearance of the dwellings. Officers consider the requested changes to be minor in nature and would not impact the deliverance of the scheme or the amenity of neighbouring properties.
- 1.2 Officers recommend that the Planning Committee Approve the application subject to conditions

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The site is located on the northern side of the junction of Clarendon Road and Fitzwilliam Road. The site comprised of a 2.5 storey brick building (which has been demolished). To the west of the site are 4 buildings of local interest, to the north of the site is the garden of 21 Clarendon Road, located to the east and south of the site is a contemporary design project known as the Kaleidoscope development which has been the subject of major redevelopment in recent years and is not located in a Conservation area.
- 2.2 The site lies within the Brooklands Avenue Conservation Area. There are two mature sycamore trees on site that benefit from TPO status, these trees are located to the front of the site facing the junction of Fitzwilliam Road and Clarendon Road. The site is also located within a controlled parking zone.

3.0 The Proposal

- 3.1 S73 to vary condition 2 (approved drawings) of ref: 19/1141/FUL (Demolition of existing building and construction of three dwellings) to allow for minor material amendments including the retention of basements.
- 3.2 The application seeks amendments to the following elements:

- Removal of light wells to frontage of dwellings
- Reconfiguration of external stairs to basement
- Reduction in patio area (to prevent root damage to protected tree T001).
- Relocation of protruding element to side of plot 3
- Removal of 1 parking bay to side of dwellings
- Introduction of garden fence in plot 3 to allow for additional landscaping
- Removal of summer houses in gardens
- Introduction of Hedgehog Holes
- Reconfiguration of basements
- General internal alterations across all floors
- Removal of balconies to the front
- Window installed to side elevation of plot 3
- Extension of roof line to the rear of plot 3
- Rooflight added to rear with cill height a minimum of 1.7mm from finished floor level at second floor
- Additional roof lights to the rear of plot 3
- Removal of rooflights to front of roofs
- Alteration of window proportions
- Pod extension of plot 3 to be cladded in zinc instead of timber cladding
- Introduction of stonework
- Pod extension to side elevation of plot 3 will be zinc finish instead of timber cladding
- Inclusion of integrated bird and bat boxes.

3.3 The application is accompanied by the following supporting reports and key plans which have been amended as indicated:

- Proposed Site Plan – PL(90)01
- Proposed Floor Plans – PL(21)01
- Proposed Floor Plans – PL(21)02
- Proposed Elevations – PL(21)03
- Supporting letter dated 16th December 2022

4.0 Relevant Site History

Reference	Description	Outcome
16/00025/REFUSL	Demolition of existing building and construction of six new dwellings and associated access and landscaping.	Dismissed
15/1855/FUL	Demolition of existing building and construction of six new dwellings and associated access and landscaping.	Refused (dismissed at appeal)

19/1141/FUL	Demolition of existing building and construction of three dwellings.	Permitted (at appeal)
19/1141/NMA1	Non material amendment of planning permission 19/1141/FUL (Demolition of existing building and construction of three dwellings) for the relocation of the ground floor protruding element to plot 3, internal reorganisation of rooms and minor amendments to windows including four additional rooflights.	Permitted
21/03630/S73	Variation of condition 2 (Approved plans) of planning permission 19/1141/FUL (Demolition of existing building and construction of three dwellings) improvements to the design quality of the proposed development.	Refused
22/05093/S73	S73 to vary condition 2 (approved drawings) of ref: 19/1141/FUL (Demolition of existing building and construction of three dwellings) to allow for minor material amendments.	Pending Consideration

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 31: Integrated water management and the water cycle

Policy 36: Air quality, odour and dust

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding

Policy 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 71: Trees

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

Appendix L: Car and cycle parking

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Health Impact Assessment SPD – Adopted March 2011

Landscape in New Developments SPD – Adopted March 2010

Open Space SPD – Adopted January 2009

Public Art SPD – Adopted January 2009

Trees and Development Sites SPD – Adopted January 2009

5.5 Other Guidance

Brooklands conservation area

6.0 Consultations

6.1 County Highways Development Management –No Objection

6.2 Proposal is acceptable subject to the imposition of conditions relating to visibility splays, level of parking bays, qualification of resident permits, and an informative relating to the removal of existing residents parking bays and to works within the public highway.

6.3 Conservation Officer –No Objection

6.4 The proposal will not give rise to any harm to any heritage asset.

6.5 Environmental Quality and Growth Team Development Officer –No Objection

6.6 Proposal is acceptable, previous recommended conditions still stand.

7.0 Third Party Representations

7.1 5 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale – Balconies at top of buildings, retention of basements, bulk of buildings in light of the kaleidoscope development, zinc finish is not fitting for this area.
- Density and overdevelopment
- Heritage impacts
- Residential amenity impact (enclosure, privacy and, noise) – Rooflights at 1.7m from floor level would impact neighbour privacy, glass front balconies at the front of the dwellings would be generate noise, increasing the extension height of plot 3 by 1.8m will impact privacy of neighbours
- Highway safety
- Car parking and parking stress
- Over provision of car parking – Loss of car parking for existing residents.
- Houses will become a HMO
- Concerns houses will be divided into flats
- Impact on biodiversity
- Bin store location on plot 1 would negatively impact no.3 Fitzwilliam's Road privacy and amenity.
- Impact on and loss of trees- hard landscaping would reduce trees.
- Boundary wall between 1 and 3 Fitzwilliam, limited information on its removal or retention has been provided. The existing wall adds character to the area.

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 S73 Applications

8.2 The application is for the variation of a planning condition and is made under S73 of the Town and Country Planning Act 1990. National Planning Practice Guidance in respect of such applications states:

8.3 "In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application. A local planning authority decision to refuse an application under section 73 can be appealed to the Secretary of State, who will also only consider the condition/s in question." [Paragraph: 031 Reference ID: 21a-031-20180615]

8.4 The principle of development of the dwellings on the site has already been established through the granting of the original application (19/1141/FUL).

8.5 Officers are satisfied that there has been no material change in policy or the surrounding context that requires a re-assessment of the principle of development. The assessment for this application focuses on the proposed variations of the plans and their consequences as described below.

8.6 Design, Layout, Scale and Landscaping

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

8.8 The proposed application seeks to vary aspects of the approved permission (19/1141/FUL). The footprint and the height of the building remains minorly unchanged.

- Removal of light wells to frontage of dwellings
- Reconfiguration of external stairs to basement
- Reduction in patio area (to prevent root damage to protected tree T001).
- Relocation of protruding element to side of plot 3
- Removal of 1 parking bay to side of dwellings
- Introduction of garden fence in plot 3 to allow for additional landscaping
- Removal of summer houses in gardens
- Introduction of Hedgehog Holes

- Reconfiguration of basements
- General internal alterations across all floors
- Removal of balconies to the front
- Window installed to side elevation of plot 3
- Extension of roof line to the rear of plot 3
- Rooflight added to rear with cill height a minimum of 1.7mm from finished floor level at second floor
- Additional roof lights to the rear of plot 3
- Removal of rooflights to front of roofs
- Alteration of window proportions
- Pod extension of plot 3 to be cladded in zinc instead of timber cladding
- Introduction of stonework
- Pod extension to side elevation of plot 3 will be zinc finish instead of timber cladding
- Inclusion of integrated bird and bat boxes.

8.9 For clarity, the proposed changes will be addressed under which floor they are occurring at i.e basement, ground floor, first floor, second floor and third floor.

8.10 Basement:

8.11 This application seeks to re-organise the basement level from what has been permitted. The permitted basement saw the provision of bedroom 4, a store cupboard, a bathroom and an entertainment room. The new proposed basement removes bedroom 4 with a utility room in its place. The label of the entertainment room is now labelled as a cinema room, this is considered to be non-material.

8.12 The removal of bedroom 4 and provision of a utility room is considered to be acceptable as a new bedroom is provided in the upper floors in space of an additional lounge area on the first floor (only on plot 1- double bedroom) and the study room at ground floor is also being converted to a single bedroom (all plots). Plot 1 would become a 5-bedroom 9 person house from a 4 bedroom 6 person plot while plots 2 and 3 would become a 6 bedroom- 11 person house from a 6 bedroom 12 person home.

8.13 The removal, additions and displacements of bedrooms across the 3 plots sees an increase of occupancy at plot 1 by 3 people and a reduction of occupancy by 1 person at plots 2 and 3. Although the overall occupancy of the plots will allow for space of 1 more person, the plots are compliant with space standards and this minor change is not considered to be an issue.

8.14 Light wells which serve the basements are being removed and stairs to the basements (in the rear gardens of the properties) are being altered. The permitted lightwells use to serve a small amenity area of the old bedroom 4, this area has been removed and therefore a lightwell is not longer required. The stairwells to the basements are accessible from the rear gardens of the plots, the stairwell to the basement of plot 3 use to

wrap around the house, this has now changed to follow the same linear layout of the other plots. These changes are considered to be minor amendments and would not adversely impact the overall character or design of the dwellings.

8.15 Ground Floor

- 8.16 The application seeks several changes to the ground floor of these properties, externally and internally. Under the host permission, plot 3 benefitted from a patio to the east of the site, to the rear of the protruding element. Under this application the patio area has removed and the second patio area to the rear of the plot has been extended. In addition to this the protruding bay to the side of plot 3 has been relocated circa 1m towards the rear of the property. Both these changes have been proposed to prevent damage to the protected tree to the east of the site T001. Officers consider this to be a positive change as the change is for the benefit of the protected tree.
- 8.17 Plot 3 will also benefit from new fencing to the front and side of the plot. The fencing will be set 2.5m behind the existing brick wall to allow for additional landscaping to the front of the site. The space for the additional landscaping will allow for soft landscaping and planting to be incorporated into the design giving the overall site a much softer appearance and will enable a buffer to be retained between the residential plots and the exiting wall. Additionally, the fencing will allow the occupants of plot 3 to have more privacy than then would have under the host permission and the subsequent NMA permission. Condition 16 of the host permission requests details for a hard and soft landscaping scheme to be submitted to the Local Planning Authority (LPA) for approval, this condition encompasses a planting scheme and fencing details, therefore specific details within this area can be addressed under this condition.
- 8.18 Six hedgehog holes have been proposed in the fencing surrounding the plots and wider site. The hedgehogs' holes will allow for the safe passage of hedgehogs between gardens. Officers consider this change to be positive. As mentioned above, condition 16 of the host permission requests hard and soft landscaping details, it is considered the exact specification of the fencing details and hedgehog holes can be addressed under this condition.
- 8.19 The scheme also sees the removal of the permitted summerhouses to the rear of each plot. The summer houses were to be used ancillary to the main dwellings and provide cycle storage to the main dwelling. The removal of the summer houses is not considered to be detrimental to the deliverance of the scheme as these elements were to be used in conjunction to the permitted dwelling that exceed residential space standards. Condition 16 of the host permission requests details for a hard and soft landscaping scheme to be submitted to the LPA for approval, this condition encompasses storage units (i.e cycle storage), officers consider these details will be confirmed under this condition.

- 8.20 One parking space from the communal occupant/visitor parking area to the northeast of the site, is to be removed. The removal of one space would not be contrary to parking provision and therefore is not considered to be unacceptable. Please see the Car parking provision assessment below.
- 8.21 The light wells to the front of the dwellings have been removed under this permission. Previously the light wells would have served a small 'external' area from bedroom 4 at basement level. As the internal layout of the basement has changed and there is now a utility room instead of bedroom 4 and a terrace area, the lightwells are no longer required. It is not considered that the removal of the lightwells will adversely impact the character of the area or the amenity of the occupants.
- 8.22 The permitted plots will undergo various internal changes. The permitted study to the front of the dwellings will become an additional single bedroom. The rear window from the lounge area which overlooks the external stairwell to the basements will be replaced with a larger window while the single window to the front which served the permitted study will now be split into two larger windows. As both these windows are located at ground level and would not achieve any additional views that would not already be achieved from the permitted scheme, officers do not consider the room change or slight change in fenestration to be unacceptable.
- 8.23 First Floor
- 8.24 The first floor of the development will also benefit from changes internally and externally.
- 8.25 The balconies to the front of the dwelling are being removed under this application. Officers consider their removal to be beneficial as the dwellings on this side of Fitzwilliam do not benefit from balconies to the front. Officers do note that the Kaleidoscope development opposite the site does have balconies which front the highway, but this development consists of flats while the proposal at 1 Fitzwilliam is for dwellings. Officers consider this change for the removal of lower level balconies to be acceptable.
- 8.26 Internally this floor will benefit from minor changes. The lounge located to the rear of plot 1 has now been removed and is now a double bedroom. This new bedroom will benefit from an ensuite, with a new laundry room located to the front of this room accessible from the hallway. A family bathroom has been to the front of the dwelling where there was a dressing room. A bedroom to the front of the dwelling will remain. Plots 2 and 3 will benefit from the same layout as plot 1 except a lounge will be placed to the front of the dwellings in place of a bedroom and dressing room permitted under the previous scheme. The general re-organisation is not considered to have an adverse character of the area or the amenity of the dwellings occupants.

- 8.27 The bedroom to the rear of plot 3 will be extended to full extent of the ground floor. This room will be extended by 2.5m in width and 1m in length. Given the orientation of plot no.3, it is not considered this extension will adversely impact neighbouring properties in relation to overshadowing or being overbearing and would not impact the objectives of the conservation area.
- 8.28 Due to the internal re-organisation of rooms several windows have been removed and proposed. Two obscure windows to the rear of the new bedrooms have been proposed, the originally permitted plans showed windows of a similar size, the new proposed obscure windows are a positive change as the obscure element of the windows will further prevent issues of overlooking (in addition to the separation distance between the permitted dwellings and neighbouring properties).
- 8.29 Two windows are proposed to the eastern elevation of the plot 3. These windows will serve the new proposed bedroom, it is not considered the inclusion of these windows will adversely impact neighbouring properties in relation to overlooking and would not impact the objectives of the conservation area.
- 8.30 The windows to the front of the dwellings at this floor will be minorly changed. The larger windows which would serve the bedroom of plot 1 and the lounges of plots 2 and 3 will be slightly larger and divided in two. The change in window is not considered to be an issue nor will it impact the character of the area. As the balconies to the front of the dwellings have been removed, the previously permitted door to this area is no longer required and will be replaced with a window, this window on plot 1 will be obscure as it will serve a bathroom.
- 8.31 The previously permitted eaveslights to the rear of the ground floor will have been removed. The removal of these lights leaves a empty space. Officers propose these areas become green roofs. This can be secured via condition.
- 8.32 Second Floor
- 8.33 At the second floor, minimal internal changes have been proposed. The permitted ensuite which served a bedroom to the rear of this floor has been changed to a bathroom accessible from the hallway, in doing so the storage cupboard on this floor has also been removed. Bedroom 4 of plot 1 has been made larger and therefore no longer benefits from an ensuite.
- 8.34 Two new rooflights have been proposed to the rear of this floor and will serve bedrooms 4 of plots 2 and 3. Plot 1 will continue to benefit from two rooflights to the rear, all rooflights will be slightly larger than previously permitted. The permitted rooflight to the front of plot 1 which served the ensuite of bedroom 2 will be removed. As similar size rooflights have been approved in these locations, the new proposed rooflights are not

considered to be out of keeping with the wider character of the fenestration of the building.

- 8.35 Like the first floor, the windows to the front of the dwellings at this floor will be minorly changed. The larger windows which would serve the bedrooms of plot 1, 2 and 3 will be slightly larger and divided in two. The change in window is not considered to be an issue nor will it impact the character of the area. One smaller window is being proposed to serve the ensuite of bedroom 1 and 2, these windows will be obscure. As the balconies to the front of the dwellings have been removed, the previously permitted door to this area is no longer required and will be replaced with a window, this window on plot 1 will be obscure as it will serve a bathroom.
- 8.36 An additional window is also being proposed to serve bedroom 4 of plot 3. The window will be located on the eastern elevation of plot 3. Given the orientation of plot no.3, it is not considered this extension will adversely impact neighbouring properties in relation to overshadowing or being overbearing and would not impact the objectives of the conservation area.

8.37 Third Floor

- 8.38 Plot 1 does not benefit from a third floor. Minor changes have been requested internally for plots 2 and 3. For both plots, bedroom 5 has been made larger and will no longer benefit from an ensuite, and a small storage cupboard on this floor has been removed. The internal re-organisation at this floor will not adversely impact the conservation area, the character of the area or the amenity of the dwellings occupants.
- 8.39 The third floor also sees a change to the permitted fenestration. The roof lights to the front of this floor have been removed while the permitted rooflights to the rear have been made slightly larger. As the increase in the roof lights to the rear and the removal of the rooflights to the front will not allow for views to be achieved that were not already achievable, officers do not consider this change to be an issue.
- 8.40 A window has been proposed on the eastern elevation to serve bedroom 5. The window to serve the stairwell has been removed. Given the orientation of plot no.3, it is not considered this extension will adversely impact neighbouring properties in relation to overshadowing or being overbearing and would not impact the objectives of the conservation area.
- 8.41 The roof line of plot 3 increases slightly. The roof line that encases the doors to the terrace, reduces in height by 400mm but protrudes further out by 200mm more than what was previously approved. Officers consider this change to be non-material and would not impact the deliverance of the scheme.

8.42 Elevations:

- 8.43 The external appearance of the permitted scheme remains broadly unchanged, apart for some minor changes.
- 8.44 The protruding element to the side of plot 3 will be made slightly larger in height. The approved element is 3.5m in height from ground level with a 2.8m high window to the rear facing 21 Clarendon Way. This window is to be located roughly 1m from ground level and extend to 0.6m from the top of the protruding element. The proposed changes in the element show an increase in height to 3.7m in height with an increase in window size. The new windows will be 2.1m in length and will be placed on the front, side and rear elevation of this element. Although the window size increases, the height and location of the windows remains broadly the same as what has been previously approved. The rear garden fence will be located roughly 11.2m from the window of this element. Therefore, it is not thought that the slight re-adjustment of this protruding element, and change to windows, would enable any adverse views into neighbouring properties that had not been considered in the original application.
- 8.45 The protruding element of plot 3 will benefit from zinc cladding. Originally this element was to be cladded in timber cladding. Officers do not consider the use of zinc cladding to be an issue, as more contemporary cladding can be seen on the neighbouring Kaleidoscope development. The conservation officer has not voiced concerns on the use of zinc cladding and that this would adversely impact the character of the conservation area.
- 8.46 The addition of the swift boxes has been depicted on the southern elevation of plot 1, 2 and 3 and bat boxes on the east elevation of plot 3 and the west elevation of plot 2. As per condition 20 of permission 19/1141/FUL, 'No development shall take place (apart from demolition and below ground enabling works) until details regarding the specification and locations of the bird and bat boxes has been submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.'
- 8.47 Although the locations of the bird boxes have clearly been specified on the elevations plan, further details are required in order to formally discharge this condition. It is recommended that further details regarding the specification of the boxes are submitted under a separate condition pursuant application. The depiction of the boxes on the elevations plan has been deemed as non-material.
- 8.48 Several window changes have been proposed on the southern, northern and eastern elevation. The southern elevation (front) sees changes to the larger windows and the removal of rooflights to the front of the properties. The slightly larger proposed windows would allow for more light to access these rooms and would not provide any further views into neighbouring properties that were not already assessed under the original application. A glass balustrade is being proposed on a few of the windows located at first

and second floor of each of the properties, these glass balustrades will allow for these rooms to benefit from a Juliette balcony. As these balconies only be used when the window is opened and will not allow for views into neighbouring properties (as this elevation faces onto Fitzwilliam Road) officers consider the provision of Juliette balconies to be acceptable.

- 8.49 The fenestration of the north elevation (rear) has changed. As the balconies to the rear have been removed and as plot 3 benefits from a minor rear infill extension, the windows along the left of the rear elevation (plot 3) have been removed due to internal changes. The new scheme shows larger windows and additional roof lights at height; however officers do not consider the proposed change would enable any adverse views into neighbouring properties that had not been considered in the original application.
- 8.50 Condition 26 is states, *'For the hereby approved dwellings units 1, 2 and 3 and notwithstanding the provisions of Schedule 2, Part 1, Class A and B 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 dwelling houses in regards to the insertion of new windows , loft conversion including rear dormers shall not be allowed without the granting of specific planning permission.'* It is not thought that the proposed changes would enable overlooking into neighbouring gardens.
- 8.51 The ground floor of the rear elevation shows a change in order of the rear patio doors and proposed windows on plot 3, this window is now located to the right of the rear doors when previously it was located to the left. Officers consider this change to be non-material and would not impact the deliverance of the scheme.
- 9.0 The stonework to the dwellings has also been changed. The front elevation will no longer benefit from stonework under the windows, while the stonework to the rear of the properties has been reduced on plot 3 due to the placement of a window. Officers consider this change to be non-material and would not impact the deliverance of the scheme.
- 9.1 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 and 57 and the NPPF.
- 9.2 Heritage Assets**
- 9.3 The application falls with the Brooklands Avenue Conservation Area. The application site borders a designated building of local interest no.BLI0117 (no.3-9 Fitzwilliam Road).

- 9.4 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.5 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.
- 9.6 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.
- 9.7 The Conservation Officer has advised that the proposed changes would not give rise to any harm to any heritage assets.
- 9.8 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 or the setting of Buildings of Local Interest. 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 policy 61.

9.9 Biodiversity

- 9.10 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.
- 9.11 The host application was accompanied by a pre-liminary Ecological Appraisal. This concluded that there is an opportunity to enhance the biodiversity on the site. The applicant is proposing a number of bird and bat boxes than the ecology report recommends. As per the host permission, a condition is recommended to secure the scheme for bat and bird boxes. In line with the Environment Act 2021 and the Councils Biodiversity SPD (2022) development proposals must deliver a net gain in biodiversity, in light of these new policies, a biodiversity net gain condition is to be implemented.

- 9.12 Subject to the above conditions, the proposal complies with Cambridge Local Plan 2018 policy 70.
- 9.13 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered.
- 9.14 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

9.15 Cycle and Car Parking Provision

9.16 Cycle Parking

- 9.17 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 9.18 Plot 1 benefits from 5 bedrooms, therefore storage for 4 cycles must be provided, plots 2 and 3 benefit from 6 bedrooms, therefore storage for 5 must be provided. Under the previous application, cycle storage was to be provided within the summerhouses in the rear garden, as these structures have been removed, cycle storage must be provided. Condition 16 of the host permission requests details for a hard and soft landscaping scheme to be submitted to the LPA for approval, this condition encompasses storage units (i.e cycle storage), officers consider these details will be confirmed under this condition.
- 9.19 The permitted scheme sees all provision of cycle storage to the rear. Officers acknowledge the policy requirement for cycle storage to the front of dwellings to promote the use of cycles over cars. Officers requested the applicant to move the cycle parking to the front, however due to site constraints, the client was unable to move the entirety of the cycle parking to the front. Therefore, two cycle spaces will be placed to the front of plots 1 and 2, while 4 spaces have been placed to the front of plot 4.

- 9.20 Overall plot 1 will benefit from 6 cycle spaces (two at the front), plot 2 will benefit from 6 cycle spaces (two at the front), while plot 3 will benefit from 8 spaces (four at the front). Cycle store details have been submitted, officers consider these details to be acceptable. The new drawings will be re-consulted for 14 days, members will be updated on if the new drawings receive any comments.
- 9.21 It is considered the level of cycle parking provision required by policy compliant can be achieved on site, therefore subject to condition the cycle parking arrangements are in accordance with policy 82 and Appendix L of the Cambridge Local Plan 2018.
- 9.22 Car parking
- 9.23 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.
- 9.24 As per the host permission, the proposal would result in the loss of 3 parking bays on Fitzwilliam Road and 1 parking bay on Clarendon Road due to the creation of driveways for the proposed 3 units and the additional car parking accessed off Clarendon Road.
- 9.25 The Highway Authority has not objected to the application or the removal of the car parking bays. The proposal would provide car parking spaces to the front of each dwelling: unit 1 would have 1 space (due to cycle parking amendment), unit 2 would have 1 space and unit 3 would have 1 space. The proposed scheme would see the reduction of also 3 car parking spaces accessed from Clarendon Road to 2. These 2 spaces would be shared, as supplemental parking for the residents/visitor car parking.
- 9.26 The site and the streets in the immediate vicinity of the site fall within the controlled parking zone. The residents of the new dwellings would not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets and an informative is recommended to this effect. The proposed level of car parking would exceed the maximum standards set out in Appendix L of the Cambridge Local Plan 2018 but in this case this over provision is considered to be

- acceptable to ensure an appropriate level of car parking is provided for the dwellings.
- 9.27 Officers acknowledge that the removal of on-street parking spaces would increase parking pressure in the nearby streets but conclude that the impact would be limited and not sufficient to form a reason for refusal. It is to be noted that the majority of properties along Fitzwilliam Road and Clarendon Road have off-street car parking spaces in the form of driveways. As the site is located within the controlled parking zone and the proposal includes an acceptable level of car parking, officers do not consider that the loss of the on-street car parking spaces would warrant a refusal of the application. The proposal would therefore meet the aims of Cambridge Local Plan 2018 policy 82.
- 9.28 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. OR# 1 per 1,000m² of floor space for fast charging points; 1 per 2 spaces for slow charging points and passive provision for the remaining spaces to provide capability for increasing provision in the future.
- 9.29 Officers consider the provision of EV charging points can be achieved via condition. This was implemented on the host permission and will be re-issued under this application.
- 9.30 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.
- 9.31 **Amenity**
- 9.32 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.
- 9.33 The wider envelope of the building is not increasing. Officers acknowledge that a number of windows are changing in size and additional rooflights are being proposed, however, officers do not consider the proposed changes will adversely impact neighbouring properties further than what has previously been assessed and deemed acceptable.
- 9.34 Neighbouring Properties
- 9.35 A number of third party representatives were received on this application. These will be discussed in turn below:
- 9.36 *15-17 Clarendon Road:*

- 9.37 Concerns that the proposal is overdevelopment and that the basements has been retained have been expressed. Officers can confirm the basement was never removed from the proposal, therefore their retention is not considered to be an issue. The wider development of the site was deemed acceptable under the host permission therefore only the proposals under this application can be reviewed. The proposed minor changes do not constitute as overdevelopment.
- 9.38 There have been concerns that the extension of the ground floor by 1.8m would break the building line along the north elevation of Fitzwilliam Road. Officers have measured the plans and can confirm the ground floor of this proposal is not extending further than when has already been permitted.
- 9.39 The overprovision of car parking has been raised. Please see the separate assessment of this matter in the above report.
- 9.40 The retention of top floor balconies has been expressed as damaging to the character and appearance of the conservation area. As these elements were approved under previous applications, their retention is considered acceptable.
- 9.41 Neighbours have raised concerns that the proposal seeks planning permission for three large houses in multiple occupation (HMO's). The application is seeking planning permission for dwellings (use class C3) and is therefore being assessed against the relevant housing policies. Any future change of use to a large HMO (use class sui generis) would require planning permission which would be assessed against the relevant policies for HMO's.
- 9.42 *21 Clarendon Road:*
- 9.43 There have been concerns that the extension of the ground floor by 1.8m would break the building line along the north elevation of Fitzwilliam Road. Officers have measured the plans and can confirm the ground floor of this proposal is not extending further than when has already been permitted.
- 9.44 Concerns that the basement has been re-instated have been expressed. Officers can confirm the basement was never removed from the proposal, a previous section 73 was submitted which omitted the basements but this application was not approved.
- 9.45 Concerns relating to the negative impact on the setting and character of the houses would have and how the proposal would impact the Conservation area. A separate assessment has been provided above, however planning officers and conservation officers consider the proposed changes in relation to character and its impact on the conservation area to be acceptable.
- 9.46 Issues relating to privacy has also been raised. As the wider envelope of the building is not changing and the proposal is seeking minor changes to

the permitted fenestration, officers do not consider the privacy of neighbours will be adversely impacted or differ from previous assessments of this under the host permission.

9.47 The overprovision of car parking has been raised. Please see the separate assessment of this matter in the above report.

9.48 *3 Fitzwilliam*

9.49 Concerns relating to the potential for HMOs, overdevelopment of the site and the excessive parking provision have been expressed. Please see the above report for officers comments on these matters.

9.50 There are concerns the proposed basements may experience flooding in the future. Officers acknowledge the concerns raised, however a condition relating to a scheme for surface water management has been imposed to ensure flooding of the properties are not a problem.

9.51 There are concerns the dwellings may be subdivided into flats in the future. Any future change of use to flats would require planning permission which would be assessed against the relevant policies.

9.52 The proposed design has caused concern, specifically the top floor balconies and the glass front balustrades, and how these elements would negatively impact the conservation area. Please see the above report, officers consider the retention of the top floor balconies and the addition of the glass balustrades would not impact the character of the conservation area as similar elements can be observed on the neighbouring Kaleidoscope development.

9.53 No. 3 has expressed concerns of the bin storage location for plot 1 being adjacent to their outdoor terrace. They consider the location to be antisocial and would negatively impact their privacy and amenity. The proposed bin store for plot no.1 will be located behind a fence and separated from the patio of this dwelling. Officers consider the location of the bins to be acceptable as it is unlikely to use of the bins or limited movement of the bins will adversely impact the amenity of no.3's patio area.

9.54 There is a boundary wall running along no.3 and the site, it is unclear if this wall is being removed or replaced. The site plan clearly depicts the wall in question and has labelled the garden wall to rebuilt and which areas will be retained.

9.55 *5 Fitzwilliam Road*

9.56 Concerns relating to the properties being used as HMOs, the number of people using the properties, the retention of the balconies to the top of the front elevation and the over provision of parking has been expressed. Please see the above assessment addressing these points.

- 9.57 Concerns in relation to the basement level and the depth this floor and how this would be contrary to relevant clauses within an 1854 Covenant has been stated. Officers have not been made aware of or seen a covenant which prevents the or stipulates the height of buildings or dimensions of buildings. The required depth of the basement is a building control matter which the applicant will need to adhere to.
- 9.58 *22 Brooklands Avenue:*
- 9.59 Concerns with the number of people the dwellings combined would be able to accommodate has been expressed. However, as the technical housing standards as outlined under policy 50 have been exceeded, officers consider the increase of 1 person from the previous scheme can be accommodated.
- 9.60 There are concerns the addition of rooflights will enable incursions to neighbouring privacy. Officers consider the rooflights proposed (which will serve bedrooms) will not achieve views into neighbouring properties that weren't already deemed acceptable under the host permission, the angle of these windows would mean that overlooking would unlikely occur.
- 9.61 The proposed Zinc finish of the protruding element is not suitable for this area. The conservation officer has deemed the proposed changes, inclusive of this zinc finish, will not impact the character of the conservation area.
- 9.62 *4 Glenalmond Avenue*
- 9.63 Concerns relating to the potential for HMOs, overdevelopment of the site, the retention of balconies on the top floors and the excessive parking provision have been expressed. Please see the above report for officers comments on these matters.
- 9.64 Concerns to the change of the east elevation fenestration has been expressed. The east elevation windows would overlook the property opposite the side of Clarendon Road. The windows of the east elevation of plot 3 will serve bedrooms, the elevation and the protruding element of plot 3 is roughly 19m from the properties to the east of Clarendon Road and 23m to the west of Glenalmond Avenue. Given the separation distance between the elevation and properties at these locations officers do not consider adverse levels of overlooking will be achieved.
- 9.65 It is considered the proposed changes to the scheme are minor and would not result in adverse impacts on the amenity of neighbouring properties.
- 9.66 Future Occupants
- 9.67 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).

9.68 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	5	9	4	134	215	+81
2	6	11	5	138	270	+132
3	6	11	5	138	279	+141

9.69 Policy 50 paragraph 6.32 states that residential units created through conversions should seek to meet or exceed the internal space standards as so far as practicable to do so. Plot 1 has been based off a 5 bed 8 person property with 3 floors while plots 2 and 3 have been based off a 6 bedroom 8 person dwelling across 3 floors as these are the largest standards available for dwellings this size. The proposed dwellings exceed the recommended standards.

9.70 Garden Size(s)

9.71 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. Plot 1 will have a garden space of 97m², plot 2 will benefit from a garden space of 63m² and plot 3 will have a garden size of 190m². Officers consider ample garden space has been allocated to these properties.

9.72 Planning Balance

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

9.74 The application seeks permission for minor changes as listed above. Officers do not consider the proposed changes will drastically alter the permitted development nor would the changes prevent the deliverance of the scheme.

9.75 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval.

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

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

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

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

3. 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)

4. Two pedestrian visibility splays of 2m x 2m shall be provided each side of the proposed vehicular accesses measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety.

5. The proposed parking bays 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.

6. The construction of the development shall be undertaken in accordance with the approved Details: BS5228 Noise & Vibration Impact Assessment (Ref: 36493-R1) produced by Sound Solution Consultants and dated 27th April 2021 The development shall be carried out in accordance with the approved details under application 19/1141/CONDB.

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

7. Measures to minimise the spread of airborne dust from the site during the demolition / construction period shall be undertaken in accordance with the Approved details: Airborne Dust Method Statement, 1 Fitzwilliam Road, Cambridge, for This Land (Sept 21) The development shall be carried out in accordance with the approved details under application 19/1141/CONDB.

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

8. Electric Vehicle (EV) Charge Points shall be installed in accordance with the approved documents APL100 EV Point Location Layout; and Fast Charging Solo Smart Charger Domestic Datasheet. The development shall be carried out in accordance with the approved details under application 19/1141/CONDC.

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

9. Before starting any brick or stonework, a sample panel of the facing materials to be used, which shall include details of the bonding, coursing and colour and type of jointing, shall be erected on site and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved panel, which shall be maintained on site throughout the course of development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

10. Before starting the installation of the roof, a samples of the roof materials shall be agreed in writing with the Local Planning Authority via a site visit or the provision of material samples. The development shall be carried out in accordance with the approved panel, which shall be maintained on site throughout the course of development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)) and 61.

11. Before starting the installation of the oriel window on unit 3, full details in the form of drawings shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved panel, which shall be maintained on site throughout the course of development.

Reason: In the interests of visual amenity within the conservation amenity (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)) and 61.

12. No development shall take place above ground level, other than demolition, until details at a minimum scale of 1:20 (including plans, elevations and sections of IN) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

13. All works undertaken to trees shall be done so in accordance with the approved Arboricultural Method Statement and Tree Protection Plan Reference 8656-D-AMS, discharged under application 19/1141/CONDA.

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

14. The submitted and approved HAYDENS ARBORICULTURAL NOTE (Submitted 03 December 2021) has confirmed a site meeting attended by the site manager and the arboricultural consultant to discuss details of the approved AMS has been undertaken. The approved record of this meeting was submitted and approved under application 19/1141/CONDF.

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

15. The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on

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

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

16. If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

17. 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)

18. 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)

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

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

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

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

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

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

21. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: To prevent surface water discharging to the highway, in the interests of highway safety (Cambridge Local Plan 2018 policy 81).

22. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

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

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

- a) Levels of carbon reduction achieved at each stage of the energy hierarchy; and
- b) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit. Where on-site renewable or low carbon technologies are proposed, the Statement shall also include:
 - c) schedule of proposed on site renewable energy technologies, their location, design, and a maintenance schedule; and
 - d) Details of any mitigation measures required to maintain amenity and prevent nuisance

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

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

24. The water efficiency specification shall be installed in accordance with the approved details, document SHARMAN GRIMWADE - Building Regulations Part G Water Calculation - Revision P1 - 18/05/2021, approved under application 19/1141/CONDD.

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).

25. For the hereby approved dwellings units 1, 2 and 3 and notwithstanding the provisions of Schedule 2, Part 1, Class A and B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses in regards to the insertion of new windows , loft conversion including rear dormers shall not be allowed without the granting of specific planning permission. For the hereby approved dwellings unit 3 and notwithstanding the provisions of Schedule 2, Part 1, Class 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 dwellinghouses in regards to side extensions and the provision within the curtilage of the dwellinghouses of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area//trees and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 50, 55, 61 and 71)

26. 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.

27. Notwithstanding the approved plans, the flat roof areas to the rear of the dwellings and on the protruding element of plot 3 hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
- b) With suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: green-roofs.co.uk

Informatives:

1. The applicant will be responsible for fully funding the removal of the existing residents parking bay, including all legal, advertisement fees and engineering costs.
2. 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.

3. The residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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Agenda Item 8



Planning Committee Date	26 th April 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/05093/S73
Site	1 Fitzwilliam Road Cambridge CB2 8BN
Ward / Parish	Petersfield
Proposal	S73 to vary condition 2 (approved drawings) of ref: 19/1141/FUL (Demolition of existing building and construction of three dwellings) to allow for minor material amendments.
Applicant	Blues Property Fitzwilliam Ltd
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 and Appearance2. Parking3. Ground Floor Extension
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks permission for various changes to the internal layout and the external appearance of the dwellings. Officers consider the requested changes to be minor in nature and would not impact the deliverance of the scheme or the amenity of neighbouring properties.
- 1.2 Officers recommend that the Planning Committee Approve the application subject to conditions

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The site is located on the northern side of the junction of Clarendon Road and Fitzwilliam Road. The site comprised of a 2.5 storey brick building (which has been demolished). To the west of the site are 4 buildings of local interest, to the north of the site is the garden of 21 Clarendon Road, located to the east and south of the site is a contemporary design project known as the Kaleidoscope development which has been the subject of major redevelopment in recent years and is not located in a Conservation area.
- 2.2 The site lies within the Brooklands Avenue Conservation Area. There are two mature sycamore trees on site that benefit from TPO status, these trees are located to the front of the site facing the junction of Fitzwilliam Road and Clarendon Road. The site is also located within a controlled parking zone.

3.0 The Proposal

- 3.1 S73 to vary condition 2 (approved drawings) of ref: 19/1141/FUL (Demolition of existing building and construction of three dwellings) to allow for minor material amendments including the retention of basements.
- 3.2 The application seeks amendments to the following elements:

- Removal of basement
- Removal of light wells to frontage of dwellings
- Removal of external stairs to basement
- Reduction in patio area (to prevent root damage to protected tree T001).
- Relocation of protruding element to side of plot 3
- Removal of 1 parking bay to side of dwellings
- Introduction of garden fence in plot 3 to allow for additional landscaping
- Removal of summer houses in gardens
- Extension of ground floor
- Introduction of Hedgehog Holes
- Obscure window installed to side elevation of plot 1
- General internal alterations across all floors
- Removal of balconies to the front
- Window installed to side elevation of plot 3
- Extension of roof line to the rear of plot 3
- Rooflight added to rear with cill height a minimum of 1.7mm from finished floor level at second floor
- Additional roof lights to the rear of plot 3
- Removal of rooflights to front of roofs
- Alteration of window proportions
- Pod extension of plot 3 to be cladded in zinc instead of timber cladding
- Introduction of stonework
- Pod extension to side elevation of plot 3 will be zinc finish instead of timber cladding
- Inclusion of integrated bird and bat boxes.

3.3 The application is accompanied by the following supporting reports and key plans which have been amended as indicated:

- Location Plan – 17-295 0110 Rev C03
- Proposed Site Plan – PL(90)01 Rev P2
- Proposed Floor Plans – PL(21)01 Rev P1
- Proposed Elevations and Section – PL-21-02 Rev P1
- Supporting letter dated 11th November 2022

3.1 Several previously submitted plans have been provided for context. These are as follows:

- Proposed Third Floor – PL-2-05 Rev A
- Proposed Second Floor – PL-2-04 Rev A
- Proposed First Floor- PL-2-03 Rev A
- Proposed Ground Floor- PL-2-02 Rev G
- Proposed Lower Ground Floor – PL-2-01 Rev A
- Proposed Elevations – PL-3-01 Rev A
- Proposed Roof Plan – PL-2-06 Rev A

4.0 Relevant Site History

Reference	Description	Outcome
16/00025/REFUSL	Demolition of existing building and construction of six new dwellings and associated access and landscaping.	Dismissed
15/1855/FUL	Demolition of existing building and construction of six new dwellings and associated access and landscaping.	Refused (dismissed at appeal)
19/1141/FUL	Demolition of existing building and construction of three dwellings.	Permitted (at appeal)
19/1141/NMA1	Non material amendment of planning permission 19/1141/FUL (Demolition of existing building and construction of three dwellings) for the relocation of the ground floor protruding element to plot 3, internal reorganisation of rooms and minor amendments to windows including four additional rooflights.	Permitted
21/03630/S73	Variation of condition 2 (Approved plans) of planning permission 19/1141/FUL (Demolition of existing building and construction of three dwellings) improvements to the design quality of the proposed development.	Refused
22/05493/S73	S73 to vary condition 2 (approved drawings) of ref: 19/1141/FUL (Demolition of existing building and construction of three dwellings) to allow for minor material amendments including the retention of basements.	Pending Consideration

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 31: Integrated water management and the water cycle

Policy 36: Air quality, odour and dust

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding

Policy 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 71: Trees

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

Appendix L: Car and cycle parking

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

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

5.5 Other Guidance

Brooklands conservation area

6.0 Consultations

6.1 County Highways Development Management –No Objection

6.2 Proposal is acceptable subject to the imposition of conditions relating to visibility splays, level of parking bays, qualification of resident permits, and an informative relating to the removal of existing residents parking bays and to works within the public highway.

6.3 Conservation Officer –No Objection

6.4 The proposal will not give rise to any harm to any heritage asset.

6.5 Environmental Quality and Growth Team Development Officer –No Objection

6.6 Proposal is acceptable, previous recommended conditions still stand.

6.7 Drainage – No objection

6.8 No objection, previous drainage conditions under the host permission are still applicable.

6.9 Sustainability Officer – No objection

6.10 No material sustainability concerns with the proposed minor amendments.

6.11 Ecology Officer – No Objection

6.12 The inclusion of hedgehog holes in the fence boundary and the installation of bird and bat boxes is supported.

7.0 Third Party Representations

7.1 3 representations have been received.

7.2 Those in objection have raised the following issues:

- Neighbours did not have enough time to comment on the application, neighbour letter was dated the 1st of December 2022 but not sent till 8th of December 2022.
- Documents are difficult to access
- Multiple plans have been submitted; details are confusing.
- Houses will become a HMOs- accommodate 31 people, not single dwellings
- Addition of 31 people would increase the amount of traffic within this already congested area.
- The potential occupancy of these houses is excessive for the area and would be contrary to the objectives of the conservation area and the character of the surrounding area (neighbouring dwelling sizes and occupancy).
- Noise disturbance generated will be greater due to potential occupancy and cinema rooms in the basement.
- Overdevelopment of the site.
- Scale and materials do not contribute to the area.
- The extension will extend beyond the rear of neighbouring properties breaking the existing building line to the rear.
- The extension will lead to loss of privacy and sense of enclosure and loss of residential amenity.
- Increase of footprint will lead to a reduction of external amenity space.
- Over provision of car parking – Loss of car parking for existing residents.
- Bin store location on plot 1 would negatively impact no.3 Fitzwilliam's Road privacy and amenity.
- Boundary wall between 1 and 3 Fitzwilliam, limited information on its removal or retention has been provided. The existing wall adds character to the area.
- Cars will reverse onto the busy corner of Fitzwilliam and Clarendon Road where Glenalmond Avenue adjoins. This is dangerous.
- The previous S73 application was refused permission on excessive parking provision, the proposal remains contrary to the policy 82 of the Local Plan.
- Character, appearance and scale – Balconies at top of buildings would be contrary to policy 61
- Proposal would impact the neighbouring BLIs
- Basement does not meet building regulation standards

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 S73 Applications

8.2 The application is for the variation of a planning condition and is made under S73 of the Town and Country Planning Act 1990. National Planning Practice Guidance in respect of such applications states:

8.3 “In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application. A local planning authority decision to refuse an application under section 73 can be appealed to the Secretary of State, who will also only consider the condition/s in question.” [Paragraph: 031 Reference ID: 21a-031-20180615]

8.4 The principle of development of the dwellings on the site has already been established through the granting of the original application (19/1141/FUL).

8.5 Officers are satisfied that there has been no material change in policy or the surrounding context that requires a re-assessment of the principle of development. The assessment for this application focuses on the proposed variations of the plans and their consequences as described below.

8.6 Design, Layout, Scale and Landscaping

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

8.8 The proposed application seeks to vary aspects of the approved permission (19/1141/FUL). The footprint and the height of the building remains minorly unchanged.

- Removal of basement
- Removal of light wells to frontage of dwellings
- Removal of external stairs to basement
- Reduction in patio area (to prevent root damage to protected tree T001).
- Relocation of protruding element to side of plot 3
- Removal of 1 parking bay to side of dwellings
- Introduction of garden fence in plot 3 to allow for additional landscaping
- Removal of summer houses in gardens
- Extension of ground floor
- Introduction of Hedgehog Holes
- Obscure window installed to side elevation of plot 1
- General internal alterations across all floors
- Removal of balconies to the front
- Window installed to side elevation of plot 3

- Extension of roof line to the rear of plot 3
- Rooflight added to rear with cill height a minimum of 1.7mm from finished floor level at second floor
- Additional roof lights to the rear of plot 3
- Removal of rooflights to front of roofs
- Alteration of window proportions
- Pod extension of plot 3 to be cladded in zinc instead of timber cladding
- Introduction of stonework
- Pod extension to side elevation of plot 3 will be zinc finish instead of timber cladding
- Inclusion of integrated bird and bat boxes.

8.9 For clarity, the proposed changes will be addressed under which floor they are occurring at i.e basement, ground floor, first floor, second floor and third floor.

8.10 Basement:

8.11 This application seeks to remove the basement. As this feature would have been underground, it is not thought that its removal would have a material impact on the scale of the building. As the scale of the building remains minorly unchanged (notwithstanding the proposed rear extension) and was deemed acceptable under permission 19/1141/FUL, it is not thought that the scale of the building would now be an issue. However, officers do acknowledge that the removal of the basements from the homes will decrease the floor space of the properties

8.12 The Light wells and external staircase which served the previously permitted basements will be removed as they are no longer required. These changes are minor amendments and would not adversely impact the overall character or design of the dwellings.

8.13 Ground Floor

8.14 The application seeks several changes to the ground floor of these properties, externally and internally. Under the host permission, plot 3 benefitted from a patio to the east of the site, to the rear of the protruding element. Under this application the patio area has removed and the second patio area to the rear of the plot has been extended. In addition to this the protruding bay to the side of plot 3 has been relocated circa 1m towards the rear of the property. Both these changes have been proposed to prevent damage to the protected tree to the east of the site T001. Officers consider this to be a positive change as the change is for the benefit of the protected tree.

8.15 The removal of bedroom in the basement sees the change at ground floor level. The study has been converted into a single bedroom and a utility room has been incorporated at this floor. The provision of a utility room is acceptable, as its inclusion does not see a reduction in the kitchen lounge

area due to the proposed ground floor extension. The conversion of the study to a bedroom is considered acceptable. Plot 1 would become a 5-bedroom 9-person house from a 4 bedroom 6 person plot while plots 2 and 3 would become a 6 bedroom- 11 person house from a 6 bedroom 12 person home.

- 8.16 The removal, additions and displacements of bedrooms across the 3 plots sees an increase of occupancy at plot 1 by 3 people and a reduction of occupancy by 1 person at plots 2 and 3. Although the overall occupancy of the plots will allow for space of 1 more person, the plots are compliant with space standards and this minor change is not considered to be an issue.
- 8.17 The proposed utility room will benefit from an obscure window which will face on the eastern elevation of no.3. The window will be circa 2.6m from this elevation and will be obscured. Given the obscure nature of the window and the room it serves, it is not considered its inclusion will benefit from view into the neighbouring property.
- 8.18 A single storey rear extension is being proposed to the rear of all the plots. The extension will be 1.8m in depth, 3.4m in height and 5.3m in width (17m across the entirety of the plots). The extension will serve the proposed lounge/kitchen area and will allow for the incorporation of a utility room at this level without changing the size of this area. The extension will benefit from a flat roof (which officers will request be a green roof, this will be secured via condition). Each plot will benefit from bi-folding doors across the rear of the extension, no other windows are proposed on this extension. The extension extends beyond the rear elevation of no.3 by 300mm. Officers do not consider the slight extension beyond the rear building line of this property would impact no.3 regarding overlooking, overshadowing or loss of light. The proposed extension would slightly decrease the garden space to the rear, but officers consider the provision of garden space is acceptable. With the rear extension, plots 1 will benefit from a garden space of 97m², the garden of plot 2 will be 67m² and plot 3 will benefit from a garden space of 176m². As ample external amenity space will be retained and the proposed extension will unlikely adversely impact neighbouring properties, the proposed single storey extension is considered acceptable.
- 8.19 Plot 3 will also benefit from new fencing to the front and side of the plot. The fencing will be set 2.5m behind the existing brick wall to allow for additional landscaping to the front of the site. The space for the additional landscaping will allow for soft landscaping and planting to be incorporated into the design giving the overall site a much softer appearance and will enable a buffer to be retained between the residential plots and the exiting wall. Additionally, the fencing will allow the occupants of plot 3 to have more privacy than then would have under the host permission and the subsequent NMA permission. Condition 16 of the host permission requests details for a hard and soft landscaping scheme to be submitted to the Local Planning Authority (LPA) for approval, this condition

encompasses a planting scheme and fencing details, therefore specific details within this area can be addressed under this condition.

8.20 Six hedgehog holes have been proposed in the fencing surrounding the plots and wider site. The hedgehogs' holes will allow for the safe passage of hedgehogs between gardens. Officers consider this change to be positive. As mentioned above, condition 16 of the host permission requests hard and soft landscaping details, it is considered the exact specification of the fencing details and hedgehog holes can be addressed under this condition.

8.21 The scheme also sees the removal of the permitted summerhouses to the rear of each plot. The summer houses were to be used ancillary to the main dwellings and provide cycle storage to the main dwelling. The removal of the summer houses is not considered to be detrimental to the deliverance of the scheme as these elements were to be used in conjunction to the permitted dwelling that exceed residential space standards. Condition 16 of the host permission requests details for a hard and soft landscaping scheme to be submitted to the LPA for approval, this condition encompasses storage units (i.e cycle storage), officers consider these details will be confirmed under this condition.

8.22 One parking space from the communal occupant/visitor parking area to the northeast of the site, is to be removed. The removal of one space would not be contrary to parking provision and therefore is not considered to be unacceptable. Please see the Car parking provision assessment below.

8.23 The light wells to the front of the dwellings have been removed under this permission. The light wells are no longer required as the basement has been omitted from this proposal.

8.24 The rear window from the lounge area which overlooked the external stairwell to the basements has been removed. Bi-folding doors have been installed in place of the windows and the rear patio doors permitting. In addition to this change, the window to the front of the dwelling which served the study (now bedroom) will now be split into two larger windows. As both these windows and doors are located at ground level and would not achieve any additional views that would not already be achieved from the permitted scheme, officers do not consider the room change or slight change in fenestration to be unacceptable.

8.25 First Floor

8.26 The first floor of the development will also benefit from changes internally and externally.

8.27 The balconies to the front of the dwelling are being removed under this application. Officers consider their removal to be beneficial as the dwellings on this side of Fitzwilliam do not benefit from balconies to the front. Officers do note that the Kaleidoscope development opposite the

site does have balconies which front the highway, but this development consists of flats while the proposal at 1 Fitzwilliam is for dwellings. Officers consider this change for the removal of lower-level balconies to be acceptable.

- 8.28 Internally this floor will benefit from minor changes. The lounge located to the rear of plot 1 has now been removed and is now a double bedroom. This new bedroom will benefit from an ensuite, with a new laundry room located to the front of this room accessible from the hallway. A family bathroom has been to the front of the dwelling where there was a dressing room. A bedroom to the front of the dwelling will remain. Plots 2 and 3 will benefit from the same layout as plot 1 except a lounge will be placed to the front of the dwellings in place of a bedroom and dressing room permitted under the previous scheme. The general re-organisation is not considered to have an adverse character of the area or the amenity of the dwellings occupants.
- 8.29 The bedroom to the rear of plot 3 will be extended to full extent of the ground floor. This room will be extended by 2.5m in width and 1m in length. Given the orientation of plot no.3, it is not considered this extension will adversely impact neighbouring properties in relation to overshadowing or being overbearing and would not impact the objectives of the conservation area.
- 8.30 Due to the internal re-organisation of rooms several windows have been removed and proposed. Two obscure windows to the rear of the new bedrooms have been proposed, the originally permitted plans showed windows of a similar size, the new proposed obscure windows are a positive change as the obscure element of the windows will further prevent issues of overlooking (in addition to the separation distance between the permitted dwellings and neighbouring properties).
- 8.31 Two windows are proposed to the eastern elevation of the plot 3. These windows will serve the new proposed bedroom, it is not considered the inclusion of these windows will adversely impact neighbouring properties in relation to overlooking and would not impact the objectives of the conservation area.
- 8.32 The windows to the front of the dwellings at this floor will be minorly changed. The larger windows which would serve the bedroom of plot 1 and the lounges of plots 2 and 3 will be slightly larger and divided in two. The change in window is not considered to be an issue nor will it impact the character of the area. As the balconies to the front of the dwellings have been removed, the previously permitted door to this area is no longer required and will be replaced with a window, this window on plot 1 will be obscure as it will serve a bathroom.
- 8.33 The previously permitted eaveslights to the rear of the ground floor will have been removed. The removal of these lights leaves an empty space. Officers propose these areas become green roofs. This can be secured via condition.

8.34 Second Floor

- 8.35 At the second floor, minimal internal changes have been proposed. The permitted ensuite which served a bedroom to the rear of this floor has been changed to a bathroom accessible from the hallway, in doing so the storage cupboard on this floor has also been removed. Bedroom 4 of plot 1 has been made larger and therefore no longer benefits from an ensuite.
- 8.36 Two new rooflights have been proposed to the rear of this floor and will serve bedrooms 4 of plots 2 and 3. Plot 1 will continue to benefit from two rooflights to the rear, all rooflights will be slightly larger than previously permitted. The permitted rooflight to the front of plot 1 which served the ensuite of bedroom 2 will be removed. As similar size rooflights have been approved in these locations, the new proposed rooflights are not considered to be out of keeping with the wider character of the fenestration of the building.
- 8.37 Like the first floor, the windows to the front of the dwellings at this floor will be minorly changed. The larger windows which would serve the bedrooms of plot 1, 2 and 3 will be slightly larger and divided in two. The change in window is not considered to be an issue nor will it impact the character of the area. One smaller window is being proposed to serve the ensuite of bedroom 1 and 2, these windows will be obscure. As the balconies to the front of the dwellings have been removed, the previously permitted door to this area is no longer required and will be replaced with a window, this window on plot 1 will be obscure as it will serve a bathroom.
- 8.38 An additional window is also being proposed to serve bedroom 4 of plot 3. The window will be located on the eastern elevation of plot 3. Given the orientation of plot no.3, it is not considered this extension will adversely impact neighbouring properties in relation to overshadowing or being overbearing and would not impact the objectives of the conservation area.

8.39 Third Floor

- 8.40 Plot 1 does not benefit from a third floor. Minor changes have been requested internally for plots 2 and 3. For both plots, bedroom 5 has been made larger and will no longer benefit from an ensuite, and a small storage cupboard on this floor has been removed. The internal re-organisation at this floor will not adversely impact the conservation area, the character of the area or the amenity of the dwellings occupants.
- 8.41 The third floor also sees a change to the permitted fenestration. The roof lights to the front of this floor have been removed while the permitted rooflights to the rear have been made slightly larger. As the increase in the roof lights to the rear and the removal of the rooflights to the front will not allow for views to be achieved that were not already achievable, officers do not consider this change to be an issue.

- 8.42 A window has been proposed on the eastern elevation to serve bedroom 5. The window to serve the stairwell has been removed. Given the orientation of plot no.3, it is not considered this extension will adversely impact neighbouring properties in relation to overshadowing or being overbearing and would not impact the objectives of the conservation area.
- 8.43 The roof line of plot 3 increases slightly. The roof line that encases the doors to the terrace, reduces in height by 400mm but protrudes further out by 200mm more than what was previously approved. Officers consider this change to be non-material and would not impact the deliverance of the scheme.
- 8.44 Elevations:
- 8.45 The external appearance of the permitted scheme remains broadly unchanged, apart for some minor changes.
- 8.46 A single storey rear extension is being proposed to the rear of all the plots. The extension will be 1.8m in depth, 3.4m in height and 5.3m in width (17m across the entirety of the plots). Please see paragraph 8.16 for officer comments.
- 8.47 The protruding element to the side of plot 3 will be made slightly larger in height. The approved element is 3.5m in height from ground level with a 2.8m high window to the rear facing 21 Clarendon Way. This window is to be located roughly 1m from ground level and extend to 0.6m from the top of the protruding element. The proposed changes in the element show an increase in height to 3.7m in height with an increase in window size. The new windows will be 2.1m in length and will be placed on the front, side and rear elevation of this element. Although the window size increases, the height and location of the windows remains broadly the same as what has been previously approved. The rear garden fence will be located roughly 11.2m from the window of this element. Therefore, it is not thought that the slight re-adjustment of this protruding element, and change to windows, would enable any adverse views into neighbouring properties that had not been considered in the original application.
- 8.48 The protruding element of plot 3 will benefit from zinc cladding. Originally this element was to be cladded in timber cladding. Officers do not consider the use of zinc cladding to be an issue, as more contemporary cladding can be seen on the neighbouring Kaleidoscope development. The conservation officer has not voiced concerns on the use of zinc cladding and that this would adversely impact the character of the conservation area.
- 8.49 The addition of the swift boxes has been depicted on the southern elevation of plot 1, 2 and 3 and bat boxes on the east elevation of plot 3 and the west elevation of plot 2. As per condition 20 of permission 19/1141/FUL, 'No development shall take place (apart from demolition and below ground enabling works) until details regarding the specification and locations of the bird and bat boxes has been submitted to and approved in

writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.'

- 8.50 Although the locations of the bird boxes have clearly been specified on the elevations plan, further details are required in order to formally discharge this condition. It is recommended that further details regarding the specification of the boxes are submitted under a separate condition pursuant application. The depiction of the boxes on the elevations plan has been deemed as non-material.
- 8.51 Several window changes have been proposed on the southern, northern, eastern and western elevation. The southern elevation (front) sees changes to the larger windows and the removal of rooflights to the front of the properties. The slightly larger proposed windows would allow for more light to access these rooms and would not provide any further views into neighbouring properties that were not already assessed under the original application. A glass balustrade is being proposed on a few of the windows located at first and second floor of each of the properties, these glass balustrades will allow for these rooms to benefit from a Juliette balcony. As these balconies only be used when the window is opened and will not allow for views into neighbouring properties (as this elevation faces onto Fitzwilliam Road) officers consider the provision of Juliette balconies to be acceptable.
- 8.52 The fenestration of the north elevation (rear) has changed. As the balconies to the rear have been removed and as plot 3 benefits from a minor rear infill extension, the windows along the left of the rear elevation (plot 3) have been removed due to internal changes. The new scheme shows larger windows and additional roof lights at height; however, officers do not consider the proposed change would enable any adverse views into neighbouring properties that had not been considered in the original application.
- 8.53 The west elevation of plot 1 will see the inclusion of an obscure window which will serve the proposed utility room. As the window is obscure, officers consider the windows provides limited opportunity to overlook into neighbouring properties.
- 8.54 Condition 26 is states, *'For the hereby approved dwellings units 1, 2 and 3 and notwithstanding the provisions of Schedule 2, Part 1, Class A and B 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 dwelling houses in regards to the insertion of new windows , loft conversion including rear dormers shall not be allowed without the granting of specific planning permission.'* It is not thought that the proposed changes would enable overlooking into neighbouring gardens.
- 8.55 The ground floor of the rear elevation shows a change in door and window arrangement. The proposal sees the installation of bi-folding doors to the

rear, omitting the patio doors and windows at ground level. Officers consider this change to be non-material and would not impact the deliverance of the scheme.

- 9.0 The stonework to the dwellings has also been changed. The front elevation will no longer benefit from stonework under the windows, while the stonework to the rear of the properties has been reduced on plot 3 due to the placement of a window. Officers consider this change to be non-material and would not impact the deliverance of the scheme.
- 9.1 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 and 57 and the NPPF.

9.2 Heritage Assets

- 9.3 The application falls within the Brooklands Avenue Conservation Area. The application site borders a designated building of local interest no.BLI0117 (no.3-9 Fitzwilliam Road).
- 9.4 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.5 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 significance of a heritage asset should require clear and convincing justification.
- 9.6 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.
- 9.7 The Conservation Officer has advised that the proposed changes would not give rise to any harm to any heritage assets.
- 9.8 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 or the setting of Buildings of Local Interest. 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 policy 61.

9.9 Biodiversity

- 9.10 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.
- 9.11 The host application was accompanied by a pre-liminary Ecological Appraisal. This concluded that there is an opportunity to enhance the biodiversity on the site. The applicant is proposing a number of bird and bat boxes than the ecology report recommends. As per the host permission, a condition is recommended to secure the scheme for bat and bird boxes. In line with the Environment Act 2021 and the Councils Biodiversity SPD (2022) development proposals must deliver a net gain in biodiversity, in light of these new policies, a biodiversity net gain condition is to be implemented.
- 9.12 Subject to the above conditions, the proposal complies with Cambridge Local Plan 2018 policy 70.
- 9.13 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered.
- 9.14 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

9.15 Cycle and Car Parking Provision

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

provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

- 9.18 Plot 1 benefits from 5 bedrooms, therefore storage for 4 cycles must be provided, plots 2 and 3 benefit from 6 bedrooms, therefore storage for 5 must be provided. Under the previous application, cycle storage was to be provided within the summerhouses in the rear garden, as these structures have been removed, cycle storage must be provided.
- 9.19 The permitted scheme sees all provision of cycle storage to the rear. Officers acknowledge the policy requirement for cycle storage to the front of dwellings to promote the use of cycles over cars. Officers requested the applicant to move the cycle parking to the front, however due to site constraints, the client was unable to move the entirety of the cycle parking to the front. Therefore, two cycle spaces will be placed to the front of plots 1 and 2, while 4 spaces have been placed to the front of plot 4.
- 9.20 Overall plot 1 will benefit from 6 cycle spaces (two at the front), plot 2 will benefit from 6 cycle spaces (two at the front), while plot 3 will benefit from 8 spaces (four at the front). Cycle store details have been submitted, officers consider these details to be acceptable. The new drawings will be re-consulted for 14 days, members will be updated on if the new drawings receive any comments.
- 9.21 It is considered the level of cycle parking provision required by policy compliant can be achieved on site, therefore subject to condition the cycle parking arrangements are in accordance with policy 82 and Appendix L of the Cambridge Local Plan 2018.
- 9.22 Car parking
- 9.23 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.
- 9.24 As per the host permission, the proposal would result in the loss of 3 parking bays on Fitzwilliam Road and 1 parking bay on Clarendon Road due to the creation of driveways for the proposed 3 units and the additional car parking accessed off Clarendon Road.

- 9.25 The Highway Authority has not objected to the application or the removal of the car parking bays. The proposal would provide car parking spaces to the front of each dwelling: unit 1 would have 1 space (due to cycle parking amendment), unit 2 would have 1 space and unit 3 would have 1 space. The proposed scheme would see the reduction of also 3 car parking spaces accessed from Clarendon Road to 2. These 2 spaces would be shared, as supplemental parking for the residents/visitor car parking.
- 9.26 The site and the streets in the immediate vicinity of the site fall within the controlled parking zone. The residents of the new dwellings would not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets and an informative is recommended to this effect. The proposed level of car parking would exceed the maximum standards set out in Appendix L of the Cambridge Local Plan 2018 but in this case this over provision is considered to be acceptable to ensure an appropriate level of car parking is provided for the dwellings.
- 9.27 Officers acknowledge that the removal of on-street parking spaces would increase parking pressure in the nearby streets but conclude that the impact would be limited and not sufficient to form a reason for refusal. It is to be noted that the majority of properties along Fitzwilliam Road and Clarendon Road have off-street car parking spaces in the form of driveways. As the site is located within the controlled parking zone and the proposal includes an acceptable level of car parking, officers do not consider that the loss of the on-street car parking spaces would warrant a refusal of the application. The proposal would therefore meet the aims of Cambridge Local Plan 2018 policy 82.
- 9.28 **Amenity**
- 9.29 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.
- 9.30 The wider envelope of the building is not increasing. Officers acknowledge that a number of windows are changing in size and additional rooflights are being proposed, however, officers do not consider the proposed changes will adversely impact neighbouring properties further than what has previously been assessed and deemed acceptable.
- 9.31 Neighbouring Properties
- 9.32 A number of third party representatives were received on this application. These will be discussed in turn below:
- 9.33 *15-17 Clarendon Road:*

- 9.34 Concerns the proposed extension will break the building line along the north elevation of Fitzwilliam Road and how this extension will impact neighbouring amenity (loss of light and sense of enclosure) and the provision of garden space has been expressed. Please see paragraph 8.16 as to why the extension is considered acceptable.
- 9.35 There was some confusion regarding the submitted plans. The applicant submitted previously submitted plans for context, these plans will not be approved under this application. The plans list is explained in the submitted covering letter of the application. It was also stated that there was difficulty accessing some of the documents, officers were not made aware of this, when checked all documents were accessible from the public portal.
- 9.36 The overprovision of car parking has been raised. Please see the separate assessment of this matter in the above report.
- 9.37 Concerns regarding cars reversing onto the road from parking spaces located off the corner of Fitzwilliam Road has been raised. The Local Highways Authority has been consulted on this application and have concluded that visibility splays must be included, following the imposition of these splays, the proposal would not have an adverse impact on the Local Highway. This condition has been added to this application
- 9.38 Neighbours have raised concerns that the proposal seeks planning permission for three large houses in multiple occupation (HMO's). The application is seeking planning permission for dwellings (use class C3) and is therefore being assessed against the relevant housing policies. Any future change of use to a large HMO (use class sui generis) would require planning permission which would be assessed against the relevant policies for HMO's.
- 9.39 Although the previous S73 application reference 21/03630/S73 was refused on parking grounds, the reduction of parking from the previous scheme is considered acceptable. Please see section 9.36 for further assessment details.
- 9.40 *3 Fitzwilliam*
- 9.41 Concerns relating to the potential for HMOs, overdevelopment of the site and the excessive parking provision have been expressed. Please see the above report for officers comments on these matters.
- 9.42 It was stated that neighbours did not have enough time to comment on the application, the neighbour letter was dated the 1st of December 2022 but not sent till 8th of December 2022. Officers cannot take responsibility for letters being delivered late, however a site notice was erected on the 19th of December. From this date the site notice invited readers to make comments, comments were to be submitted within 21 days from the date

on the site notice. Officers consider neighbours had enough time to comment on the application.

- 9.43 There was some confusion regarding the submitted plans. The applicant submitted previously submitted plans for context, these plans will not be approved under this application. The plans list is explained in the submitted covering letter of the application. It was also stated that there was difficulty accessing some of the documents, officers were not made aware of this, when checked all documents were accessible from the public portal
- 9.44 Concerns that the proposal is overdevelopment for the site. The changes proposed minorly increase the footprint of the permitted dwellings and changes small elements like the fenestration and balconies. The wider development of the site was deemed acceptable under the host permission therefore only the proposals under this application can be reviewed. The proposed minor changes do not constitute as overdevelopment.
- 9.45 Concerns the proposed extension will break the building line along the north elevation of Fitzwilliam Road and how this extension will impact neighbouring amenity (loss of light and sense of enclosure) and the provision of garden space has been expressed. Please see paragraph 8.16 as to why the extension is considered acceptable
- 9.46 The overprovision of car parking has been raised. Please see the separate assessment of this matter in the above report.
- 9.47 No. 3 has expressed concerns of the bin storage location for plot 1 being adjacent to their outdoor terrace. They consider the location to be antisocial and would negatively impact their privacy and amenity. The proposed bin store for plot no.1 will be located behind a fence and separated from the patio of this dwelling. Officers consider the location of the bins to be acceptable as it is unlikely to use of the bins or limited movement of the bins will adversely impact the amenity of no.3's patio area.
- 9.48 There is a boundary wall running along no.3 and the site, it is unclear if this wall is being removed or replaced. The site plan clearly depicts the wall in question and has labelled the garden wall to rebuilt and which areas will be retained.
- 9.49 *5 Fitzwilliam Road*
- 9.50 Concerns relating to the properties being used as HMOs, the number of people using the properties, and the over provision of parking has been expressed. Please see the above assessment addressing these points.
- 9.51 The retention of top floor balconies has been expressed as damaging to the character and appearance of the conservation area. As these

elements were approved under previous applications, their retention is considered acceptable.

- 9.52 The overprovision of car parking has been raised. Please see the separate assessment of this matter in the above report. Concerns relating to the traffic cause by the potential occupants of the homes and how the number of people living here will impact the character of the area have been made. Officers cannot control the potential increase in traffic caused by the increase of people, as the dwellings meet space standard and adequate parking provision is made for these dwellings.
- 9.53 Concerns in relation to the basement level and the depth this floor and how this would be contrary to relevant clauses within an 1854 Covenant has been stated. Officers have not been made aware of or seen a covenant which prevents the or stipulates the height of buildings or dimensions of buildings. However, the basements are being omitted from this application, therefore this comment is not relevant to this application.
- 9.54 Noise disturbance generated will be greater due to potential occupancy and cinema rooms in the basement. Officers acknowledge that some level of noise will be generated by the occupants of these dwellings, however, this likely normal level of residential noise was deemed acceptable under the host permission. As noted above the basement has been removed and therefore no noise would arise from the cinema room.
- 9.55 The proposed scale and materials do not contribute to the area and the proposal would impact the neighbouring BLIs. The proposed scale broadly remains unchanged than what has been permitted. The new materials proposed have been deemed acceptable by conservation officers, therefore the proposed materials will not adversely impact the character of the conservation area of the neighbouring BLIs.
- 9.56 Future Occupants
- 9.57 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government’s Technical Housing Standards – Nationally Described Space Standards (2015).
- 9.58 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	5	9	4	134	166	+32
2	6	11	5	138	222	+84
3	6	11	5	138	241	+103

- 9.59 Policy 50 paragraph 6.32 states that residential units created through conversions should seek to meet or exceed the internal space standards

as so far as practicable to do so. Plot 1 has been based off a 5 bed 8 person property with 3 floors while plots 2 and 3 have been based off a 6 bedroom 8 person dwelling across 3 floors as these are the largest standards available for dwellings this size. The proposed dwellings exceed the recommended standards.

9.60 Garden Size(s)

9.61 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. Plots 1 will benefit from a garden space of 97m², the garden of plot 2 will be 67m² and plot 3 will benefit from a garden space of 176m². Officers consider ample garden space has been allocated to these properties.

9.62 Planning Balance

9.63 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).

9.64 The application seeks permission for minor changes as listed above. Officers do not consider the proposed changes will drastically alter the permitted development nor would the changes prevent the deliverance of the scheme.

9.65 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval.

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

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

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

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

3. 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)

4. Two pedestrian visibility splays of 2m x 2m shall be provided each side of the proposed vehicular accesses measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety.

5. The proposed parking bays 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.

6. The construction of the development shall be undertaken in accordance with the approved Details: BS5228 Noise & Vibration Impact Assessment (Ref: 36493-R1) produced by Sound Solution Consultants and dated 27th April 2021 The development shall be carried out in accordance with the approved details under application 19/1141/CONDB.

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

7. Measures to minimise the spread of airborne dust from the site during the demolition / construction period shall be undertaken in accordance with the Approved details: Airborne Dust Method Statement, 1 Fitzwilliam Road, Cambridge, for This Land (Sept 21) The development shall be carried out

in accordance with the approved details under application 19/1141/CONDB.

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

8. Electric Vehicle (EV) Charge Points shall be installed in accordance with the approved documents APL100 EV Point Location Layout; and Fast Charging Solo Smart Charger Domestic Datasheet. The development shall be carried out in accordance with the approved details under application 19/1141/CONDC.

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

9. Before starting any brick or stonework, a sample panel of the facing materials to be used, which shall include details of the bonding, coursing and colour and type of jointing, shall be erected on site and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved panel, which shall be maintained on site throughout the course of development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

10. Before starting the installation of the roof, a samples of the roof materials shall be agreed in writing with the Local Planning Authority via a site visit or the provision of material samples. The development shall be carried out in accordance with the approved panel, which shall be maintained on site throughout the course of development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)) and 61.

11. Before starting the installation of the oriel window on unit 3, full details in the form of drawings shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved panel, which shall be maintained on site throughout the course of development.

Reason: In the interests of visual amenity within the conservation amenity (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)) and 61.

12. No development shall take place above ground level, other than demolition, until details at a minimum scale of 1:20 (including plans, elevations and sections of IN) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

13. All works undertaken to trees shall be done so in accordance with the approved Arboricultural Method Statement and Tree Protection Plan Reference 8656-D-AMS, discharged under application 19/1141/CONDA.

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

14. The submitted and approved HAYDENS ARBORICULTURAL NOTE (Submitted 03 December 2021) has confirmed a site meeting attended by the site manager and the arboricultural consultant to discuss details of the approved AMS has been undertaken. The approved record of this meeting was submitted and approved under application 19/1141/CONDF.

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

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

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

16. If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

17. 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)

18. 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)

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

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

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

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

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

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

21. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: To prevent surface water discharging to the highway, in the interests of highway safety (Cambridge Local Plan 2018 policy 81).

22. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent

debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

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

23. No development above slab level, apart from demolition and ground enabling works, shall commence until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19 per cent below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
- a) Levels of carbon reduction achieved at each stage of the energy hierarchy; and
 - b) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit. Where on-site renewable or low carbon technologies are proposed, the Statement shall also include:
 - c) schedule of proposed on site renewable energy technologies, their location, design, and a maintenance schedule; and
 - d) Details of any mitigation measures required to maintain amenity and prevent nuisance

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

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

24. The water efficiency specification shall be installed in accordance with the approved details, document SHARMAN GRIMWADE - Building Regulations Part G Water Calculation - Revision P1 - 18/05/2021, approved under application 19/1141/CONDD.

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).

25. For the hereby approved dwellings units 1, 2 and 3 and notwithstanding the provisions of Schedule 2, Part 1, Class A and B of the Town and Country

Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses in regards to the insertion of new windows , loft conversion including rear dormers shall not be allowed without the granting of specific planning permission. For the hereby approved dwellings unit 3 and notwithstanding the provisions of Schedule 2, Part 1, Class 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 dwellinghouses in regards to side extensions and the provision within the curtilage of the dwellinghouses of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area//trees and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 50, 55, 61 and 71)

26. 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.

27. Notwithstanding the approved plans, the flat roof areas to the rear of the dwellings and on the protruding element of plot 3 hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
- b) With suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: green-roofs.co.uk

Informatives:

1. The applicant will be responsible for fully funding the removal of the existing residents parking bay, including all legal, advertisement fees and engineering costs.
2. 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.
3. The residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

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Agenda Item 9



Planning Committee Date	26.04.2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/04180/FUL
Site	136 Mowbray Road, Cambridge, CB1 7TG
Ward / Parish	Queen Ediths
Proposal	Division of existing property into 2no. 2bed flats, single storey rear and two storey side extensions and a partial first floor extension.
Applicant	Mr Girish Ramrous
Presenting Officer	Charlotte Spencer
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Principle of development2. Character and appearance of the area3. Highway safety4. Parking provision5. Residential amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the division of existing property into 2no. 2bed flats, single storey rear and two storey side extensions and a partial first floor extension.
- 1.2 The proposals respect the character and appearance of the street scene and surrounding area.
- 1.3 The proposal does not adversely impact the residential amenity of neighbouring properties and provides adequate living conditions for future occupiers.
- 1.4 The proposal would not have a detrimental impact on highway safety.
- 1.5 Officers recommend that the Planning Committee APPROVE the proposal.

2.0 Site Description and Context

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

- 2.1 The application relates to a two storey, semi-detached dwelling house located to the west of Mowbray Road. The brick, tile and render dwelling is set back from the road by an area of hardstanding which provides space to park two cars. To the rear lies a garden area which acts as private amenity space.
- 2.2 The application property is attached to No.134 Mowbray Road to the south and shares a side boundary with No.138 to the north. To the rear lies the garden area of No.24 Courtland Avenue. The area is residential in character and appearance.

3.0 The Proposal

- 3.1 The application is seeking planning permission for the division of existing property into 2no. 2bed flats, single storey rear and two storey side extensions and a partial first floor extension.
- 3.2 The two storey side extension would have a width of 1.53 metres and span for a depth of 6.91 metres. It would be characterised by a dual pitched roof with a maximum height of 7.2 metres. The ground floor would be extended to the rear by 2.4 metres resulting in a total depth of 4.89 metres from the original dwelling house. It would have a 2.6 metre high flat roof. At first floor the rear extension would have a depth of 4 metres and span for a width of 3.48 metres before dropping back to a depth of 0.76 metres. The two storey rear element would have a 5.1 metre high flat roof.
- 3.3 The extended dwelling house would be converted into two flats. The ground floor flat (Flat 1) would be a two-bedroomed, four-person unit and it would be accessed from the proposed side extension. The first floor flat (Flat 2) would be a two-bedroomed, three-person unit and would be accessed from the existing front door. The garden would be subdivided to provide private amenity space for each unit. A bike and bin store would be provided to the front driveway.
- 3.4 During the determination process, the front garden layout has been amended including the relocation of the cycle store, a drawing showing the relationship of the proposal with the neighbour to the north and a letter from a Right of Light Consultant has been submitted.

4.0 Relevant Site History

Reference	Description	Outcome
21/03437/FUL	Division of existing property into 4 no.1 bedroom flats including the construction of a single storey rear extension, two storey side extension and partial first floor extension	Withdrawn 16.09.2021
C/78/0471	Erection of single storey extensions and garage to existing dwelling house	Approval 20.07.1978

- 4.1 Application 21/03437/FUL was withdrawn following concerns raised by officers. This included the lack of a family unit, failure to meet internal floorspace standards, failure to provide sufficient outdoor amenity space and insufficient car and cycle parking. This application is a resubmission of the withdrawn application and the proposed units have been reduced to two.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

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

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

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

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 **Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 53: Flat conversions

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

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

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 Please add a condition requesting a contractors parking plan.

6.3 Sustainable Drainage Officer – No Objection

6.4 The submitted Flood Risk Assessment demonstrates suitable flood resilient measures which are acceptable with regards to flood risk. Conditions required requesting a surface water drainage scheme and flood resilient construction.

6.5 Environmental Health – No Objection

6.6 No specific concerns with the proposal. However, due to the residential nature of the surroundings recommend imposition of our standard construction hours condition.

7.0 Third Party Representations

7.1 One representation has been received.

7.2 Those in objection have raised the following issues:

- Overdevelopment
- Scale, massing and design of extensions
- Loss of light and overshadowing
- Overbearing
- Parking concerns
- Access to manhole
- Existing single storey elements do not have planning permission

7.3 The above representation is a summary of the comment that has been received. Full details of the representation are available on the Council's website.

8.0 Assessment

8.1 Principle of Development

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

8.3 Policy 53 states that proposal to convert a single family dwelling house or a non-residential building into self-contained flats will be permitted where:

- a) The proposed development has an internal gross floor area of at least 120sqm and proposed room sizes meet minimum room sizes;
- b) The ground or lower ground floor includes a family unit (two bedroom plus) with garden access;
- c) The proposal, in terms of units and scale of associated extensions would not have a negative impact on the amenity or character of the area or on highway safety in streets experiencing parking stress;
- d) The proposal would result in a good standard of amenity for its occupiers and it designed to avoid cumulative and negative impacts on neighbouring residential amenity; and
- e) The proposal includes appropriate refuse, recycling and cycle storage.

Following the extensions, the internal floorspace would be over 120sqm and the ground floor unit would comprise 2 bedrooms with direct access to garden space. The impact on visual amenity, highway safety and residential amenity will be discussed in more detail below.

8.4 Subsequently, it is considered that the proposal to extend and convert the dwelling into self-contained flats is acceptable in principle, subject to all other material considerations.

8.5 Design, Layout, Scale and Landscaping

8.6 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.

8.7 The extension to the side would be limited in width and due to its set back from the front and set down from the ridge, it is considered that it would appear subordinate to the original property. It would be set in from the side boundary by 0.9 metres and so it is considered that it would not result in terracing and a visual gap would be retained.

8.8 The rear extension would have a large depth, however, the first floor element would be smaller in footprint and the flat roof would reduce the visual bulk and it would appear subordinate. The rear element would not be visible from the public realm and it is noted that other properties in the area benefit from two storey flat roofed extensions.

8.9 The proposal demonstrates new landscaping to the front garden which is considered an improvement on the existing driveway which currently comprises hardstanding only. Whilst bike stores would be provided to the front, these are generally small and a condition can be added to ensure that they are within keeping of the area. The bins for the current house are

currently kept in the front garden without any covering and it is proposed that the bins be stored in the front and rear within dedicated stores.

- 8.10 Subsequently, it is considered that the proposal would have an acceptable impact on the character and appearance of the existing property, street scene and surrounding area. The proposal is compliant with Policies 55, 56, 58 and 59 of the Cambridge Local Plan (2018).

8.11 Biodiversity

- 8.12 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.

- 8.13 The proposal would be to extend an existing building and the plans demonstrate a green roof and new landscaping to the front garden area. As such, it is considered that Biodiversity Net Gain could be achieved. Therefore, subject to conditions the proposal is compliant with Policies 57 and 70 of the Cambridge Local Plan (2018).

8.14 Water Management and Flood Risk

- 8.15 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.
- 8.16 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 8.17 The applicants have submitted a Flood Risk Assessment and the Council's Sustainable Drainage Engineer has advised that the flood resilient measures are suitable. It is noted that a green roof is proposed in accordance with the local plan. The drainage officer has requested conditions regarding surface water and flood resilience measures which are considered reasonable.
- 8.18 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.

8.19 Highway Safety and Transport Impacts

- 8.20 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states

that developments will only be permitted where they do not have an unacceptable transport impact.

- 8.21 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.22 The proposal would utilise the existing dropped kerbs. The Local Highways Authority have raised no objection subject to a contractors parking plan being submitted which is considered reasonable as Mowbray Road is a busy trunk road with a dedicated cycle lane and no on street parking.
- 8.23 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.
- 8.24 Cycle and Car Parking Provision**
- 8.25 Cycle Parking
- 8.26 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.
- 8.27 The plans demonstrate space for parking for 6 cycles to the front within a store. Details of the appearance of the store have not been provided, however, this can be dealt with by way of condition.
- 8.28 Car parking
- 8.29 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. Two parking spaces have been provided for the units which is compliant with the parking standards. Following amendments to the front garden layout, both spaces can be accessed independent of each other.
- 8.30 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. No details of EV charging have been provided, however, this detail can be secured by way of condition.

- 8.31 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.

8.32 Amenity

- 8.33 Policies 35, 50, 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.

- 8.34 Neighbouring Properties

- 8.35 Impact on No. 138 Mowbray Road.

- 8.36 The two storey side extension would be located 0.9 metres from the shared boundary line with No.138 which is located to the south and approximately 3 metres from the neighbouring building. This property benefits from two first floor and two second floor side facing windows. The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' provides rules of thumb tests which determine whether or not further detailed daylight and sunlight tests are required. The two storey side extension would not intersect the 25 degree vertical line from the second floor windows, however, it would intersect it from the first floor windows. Plans for No.138 Mowbray Road show that these windows serve a bathroom and a hallway and so are not habitable rooms and therefore the impact would be limited.

- 8.37 The extension project to the rear of No.138 by 5.1 metres over two floors, the majority of which would be located 4.5 metres from the dwelling house as the rear extension would be built in line with the original dwelling house. Due to the separation distance, the proposed extension would not intersect a 45 degree horizontal line of sight from the closest habitable window. As such, it is considered that the proposed extension would have a limited impact on light and outlook on the rear facing windows. Although the extension may have some impact on light to the garden area of No.138 due to the orientation of the properties, as the roof would be flat with a limited height it is considered that the impact would be limited. The north facing two storey element of the proposal would result in some level of enclosure to the garden and first floor side windows, however it is considered that a sufficient gap would be retained between the proposal and neighbouring property and so the level of enclosure is considered to be acceptable.

- 8.38 No first floor side windows would be installed facing No.138 Mowbray Road.
- 8.39 Impact on No.134 Mowbray Road
- 8.40 The rear extension would be built up to the side extension with No.134 Mowbray Road. A submitted letter from a Right to Light Consultant has demonstrated that the first floor extension would not intersect the 45 degree line and so it is considered that this element would have an acceptable impact on daylight and enclosure.
- 8.41 The ground floor extension would project to the rear of No.134 by 5.1 metres and so would intersect the 45 degree horizontal line, however, due to the limited height of the extension, it would not intersect the 45 degree vertical line in compliance with the BRE guidelines. In addition, No.134 is located to the south of the proposal and so any loss of light is likely to be minimal.
- 8.42 No first floor side windows would be installed facing No.134 Mowbray Road.
- 8.43 Subsequently, it is considered that the proposal would have an acceptable level of impact on the residential amenity of the neighbouring properties in terms of loss of light, loss of outlook, sense of dominance and loss of privacy in compliance with Policies 53 and 58 of the Cambridge Local Plan (2018).
- 8.44 The Environmental Health Officer has been consulted and raised no objections subject to a condition restricting construction hours. This condition is considered reasonable to ensure that neighbour amenity is protected during construction work.
- 8.45 Future Occupants
- 8.46 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).
- 8.47 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	70	76	+6
2	2	3	1	61	62	+1

- 8.48 The proposed residential units would be in accordance with the minimum standards, including size of bedrooms. All habitable rooms would benefit from adequate light and outlook and subsequently, it is considered that it would provide a high-quality internal living environment for the future occupants.
- 8.49 Garden Size(s)
- 8.50 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.
- 8.51 Both flats would benefit from garden areas of 35sqm to 38sqm. It is considered that this would allow for sitting out and a small area for play and as such it is considered acceptable. The ground floor flat would have direct access to their amenity space. Whilst the first floor would have to leave their front door and access their space via the side passage, it is considered that it would not be possible to provide direct access due to the constraints of the site. The first floor flat's garden would be gated and secure with the access in close proximity to the front door.
- 8.52 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. 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 for the provision of a lift to the first floor flat in this instance.
- 8.53 Summary
- 8.54 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 57 and 58.
- 8.55 Third Party Representations**
- 8.56 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
Existing extensions do not have planning permission	There is no planning history for the side and front extension, however, Google Street View demonstrates that it was present in October 2018 and so has been there for over 4 years and now would be considered permitted development

Man Hole	The position of the man hole cover and access to it would be an issue for building control
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8.57 Planning Balance

- 8.58 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).
- 8.59 Whilst it is considered that there would be some harm to the garden area of No.138 Mowbray Road by reason of enclosure, it is considered that this is limited and is outweighed by the provision of an additional residential unit.
- 8.60 Having taken into account the provisions of the development plan and NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

8.61 Recommendation

8.62 **Approve** subject to:

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

9.0 Planning Conditions

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

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

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

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

3. No demolition or construction works shall commence on site until a contractor's 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: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

4. 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)
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- i) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available.

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

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

5. No development shall commence until a scheme for flood resilient /resistant construction has been submitted to and approved in writing with the Local Planning Authority, in accordance with Flood Risk Assessment for the Conversion of an Existing Dwelling at 136 Mowbray Road, Cambridge to Provide Two Flats, reference 2922 – FRA dated Sept 2022 and prepared by MTC. Development shall take place in accordance with the approved details.

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

6. 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).

7. The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles and 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 and/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 and refuse, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

8. Notwithstanding the approved plans, the flat roof of the extension hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:
 - a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
 - b) With suitable access for maintenance.
 - c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: green-roofs.co.uk

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

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

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

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

10. 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 each flat, 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)

11. 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).

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

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

13. 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. Prior to first occupation, each dwelling must be fitted with a means for future occupiers to monitor/measure their own water consumption. The fitted device shall be retained and maintained thereafter.

Reason: In the interest of promoting sustainable development (Cambridge Local Plan 2018 policy 28)

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



Planning Committee Date	26 th April 2023
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	21/00526/FUL
Site	2 Galfrid Road
Ward / Parish	Coleridge
Proposal	Change of use of dwelling from small HMO to large scale 7 no. person HMO (Sui Generis), including use of the existing rear L-shape extension and retrospective permission for the existing rear L-shape extension.
Applicant	Aron Wong
Presenting Officer	Alice Young
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Principle of development 2. Residential Amenity 3. Parking
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks proposal seeks permission for the change of use of dwelling from small HMO to large scale 7 no. person HMO (Sui Generis), including use of the existing rear L-shape extension, and retrospective permission for the existing rear L-shape extension.
- 1.2 Officers conclude that the development would provide a good quality living environment for future occupiers without causing harm to the character of the area or surrounding residential occupiers. The site is located in a highly sustainable location with good access to bus and cycle links, alongside local shops and facilities located in the Barnwell Road Local Centre within walking distance (approx. 300-400m away). Therefore, officers consider that the site is in a location conducive to HMOs. Cycle parking is proportionate to the number of occupiers of the HMO and is safe, secure and conveniently located. With these factors in mind, officers therefore consider that the proposed development would be acceptable.
- 1.3 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

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

- 2.1 2 Galfrid Road (the site) comprises a two-storey semi-detached dwelling set within a triangular plot, with the dwelling set back approximately 6.3m from the street. The site falls outside the conservation area and controlled parking zone. The site falls within a predominately residential area aside from the Galfrid School to the east of the site.

3.0 The Proposal

- 3.1 The proposal seeks permission for the change of use of dwelling from small HMO to large scale 7 no. person HMO (Sui Generis), including use of the existing rear L-shape extension, and retrospective permission for the existing rear L-shape extension. The 7 occupants would all have separate bedrooms with ensuite facilities with three bedrooms at first floor and four at ground floor, with two housed in the side extension. A common room and kitchen would be provided to the back of building with the living room providing direct access to the rear gardens via double doors. To the front of the property along the northern boundary, a cycle store would be provided for the storage of 7 cycles. Adjacent to the southern boundary to

the front, a bin store is proposed. Space for one parking space is sited north of the bin store.

4.0 Relevant Site History

Reference	Description	Outcome
C/96/0638	Erection of a two storey side extension and single storey rear extension to dwelling (C3).	Granted

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

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

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 30: Energy-efficiency improvements in existing dwellings

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 48: Housing in multiple occupation

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

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 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

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

5.5 Other Guidance

N/A

6.0 Consultations

6.1 County Highways Development Management – No objection

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

6.3 Environmental Health – No objection.

6.4 The proposed floorplans indicate very limited internal amenity space for occupants habiting 8 bedrooms which may have a noise impact if occupants spill out to the rear garden for socialising. The Inspectorate has previously dismissed appeals on this impact.

Drainage – No objection.

6.5 Insufficient information. A scheme for the disposal of surface and foul water should be provided.

7.0 Third Party Representations

7.1 1 representation has been received.

7.2 Those in objection have raised the following issues:

- Privacy
- Parking impact

8.0 Member Representations

8.1 N/A

9.0 Local Groups / Petition

9.1 N/A

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

10.0 Assessment

10.1 Principle of Development

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

10.3 Policy 48 states that proposals for large houses of multiple occupation will be supported where the proposal: does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area; the building or site (including any outbuildings) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying areas; and will be accessible to sustainable modes of transport, shops and other local services.

10.4 A review of the Council's evidence and site visit by the case officer indicates that there are a limited number of large HMOs within the vicinity. Therefore, the proposal would not create an overconcentration of large HMOs in the area.

10.5 The proposal for a large HMO would not significantly harm the residential amenity of neighbours; this is discussed in paragraphs 10.30-10.38.

10.6 Officers consider that adequate provision has been made for cycles, car parking and refuse which will also be discussed further in the relevant sections of the report.

- 10.7 The site is located in a highly sustainable location, situated within a short walking distance of local amenities and transport links which provides access to the rest of the city and surrounding area. As such the location is appropriate for HMO development.
- 10.8 Taking the above into account, the principle of the development is acceptable and in accordance with policies 3 and 48 of the Cambridge Local Plan (2018).

10.9 Design, Layout, Scale and Landscaping

- 10.10 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 10.11 The proposed development includes the retrospective permission for an L-shaped rear extension. This single storey extension projects from the existing side garage, meets the side elevation of the existing property and the boundary with no. 42 Thorley Road and extends southwards into the rear garden. The proposed extension takes to different forms / characters. To the front, the extension has a lean-to roof and matching brickwork, conforming to the existing proportions and character. To the rear the extension is flat roofed and the materials include black cladding and a single ply membrane roof. Given the scale, massing, design and materiality of the extension, the proposed development would not harm the character and appearance of the area.
- 10.12 Policy 31 requires all flat roofs to be green or brown to slow surface water run off rates. The flat roofed section totals approx. 25m² and is large enough to make a positive contribution to reducing surface water run off on site. To ensure compliance with this policy, officers recommend a condition to require the roof to be replaced with a green / brown roof within 3 months of an approval.
- 10.13 A bin store is proposed to the front of the property but no elevations have been proposed. These details will therefore be subject to condition.
- 10.14 The landscaping is proposed to remain as existing.
- 10.15 Overall, the proposed development is appropriate to its surroundings. The proposal is compliant with Cambridge Local Plan (2018) policies 48, 55, 56, 58 and 59 and the NPPF.

10.16 Highway Safety and Transport Impacts

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

- 10.18 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.
- 10.19 The Highway Authority have no objections to the application and therefore officers consider that the proposal would not result in harm to the safe functioning of the highway.
- 10.20 Subject to conditions and S106 mitigation as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.
- 10.21 Cycle and Car Parking Provision**
- 10.22 Cycle Parking
- 10.23 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. While there is no specific standard for HMOs, officers consider that the need for provision is greater than the standard outlined for residential dwellings given the nature of the use. These cycle spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 10.24 The proposed cycle store, located in the front garden, would provide 7 covered and secure cycle parking spaces. This equates to one cycle parking space per bedroom and occupant, which is considered acceptable. Elevations of the cycle store will be provided prior to planning committee. A condition is required to ensure the cycle parking is provided prior to occupation of the large HMO.
- 10.25 Car parking
- 10.26 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is 2 spaces per dwelling for 3 or more bedrooms.
- 10.27 The proposal provides one car parking space to the front of the dwelling. The Highway Authority expresses concerns regarding the additional car parking pressure on surrounding residential streets arising from the increase in the number of occupants at the address. However, officers are

satisfied that as the proposal is situated in a sustainable location, provides an adequate number of cycle parking spaces and provides one car parking space, the proposal would not result in parking stress.

- 10.28 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking. As the development is not creating a new dwelling, there is not a policy requirement to deliver EV charging on site. Officers consider that a condition to secure this would not be reasonable to impose.
- 10.29 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan.

10.30 Amenity

- 10.31 Policy 35, 48 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

10.32 Neighbouring Properties

- 10.33 The proposed extension would project to the common boundary with no. 42 Thorley Road. While the proposal brings built form closer to the boundary with this neighbour, given the single storey scale and massing alongside the proximity to this neighbour given the angled plot, officers consider that the proposal would not result in any overbearing or overshadowing impact. For the same reasons, officers consider that no. 4 Galfrid Road would not be affected by the development in terms of overshadowing or overbearing. A third party has raised concerns regarding a loss of privacy. The proposal does not include any further windows at first floor level and therefore officers do not consider that the development would impinge on surrounding residents amenity. A condition can secure details of boundary fencing to mitigate views into no. 76's rear garden.

10.34 Future Occupants

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

Bedroom	Policy Size requirement (m²)	Proposed bedroom size (m²)	Difference in size (m²)
1	11.5	12.8	+1.4
2	11.5	13.1	+1.6
3	11.5	18.9	+7.4
4	11.5	12.8	+1.4

5	11.5	17.8	+6.3
6	7.5	11	+3.5
7	11.5	17	+5.2

10.36 Predominately HMO occupiers, given the nature and pattern of use, are more dependent on their respective bedrooms for amenity than communal rooms. With this in mind, officers consider that the bedrooms provide a good level of amenity for future occupiers. The communal spaces comprise a living room and a separate kitchen, which total 28m². This is considered sufficient to accommodate the proposed number of occupiers (7) without occupants spilling out into the rear garden and creating a harmful impact to adjacent residential occupiers. The garden is moderate in size and would be sufficient size to cater for the needs of the future occupants. It is important to note that the proposed development has been amended to reduce the number of bedrooms and occupiers by one and increase the amount of communal space to address Planning Officers and Environmental Health Officers concerns.

10.37 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. The General Permitted Development Order permits a dwelling (in C3 use) to change to a six person HMO without the need for planning permission. Therefore, the noise impact arising from the development is assessed on the additional person beyond what you can do without planning permission. Officers acknowledge that the noise impact may be greater than a C3 use given the nature of the use and number of occupiers. However, the design enables sufficient space for occupiers internally, minimising the use of outside spaces. Cumulatively, officers consider that the noise impact would not be significant.

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

10.39 Third Party Representations

10.40 All third-party representations have been addressed in the preceding paragraphs.

10.41 Other Matters

10.42 Bins

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

10.44 A bin store is proposed to the front of the property, within an acceptable dragging distance to Galfrid Road for collection. No elevations have been provided for the proposed bin store, therefore, officers recommend a

condition to provide these details and ensure a refuse store is provided prior to occupation of the large HMO.

10.45 Planning Balance

- 10.46 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).
- 10.47 Officers conclude that the development would provide a good quality living environment for future occupiers without causing harm to the character of the area or surrounding residential occupiers. Cycle parking is proportionate to the number of occupiers of the HMO and is safe secure and convenient located. The proposal would contribute to housing supply albeit in a limited way while resulting in no significant harm. Officers have not identified any harm arising from the development and therefore, the benefits far outweigh the harm of the development.
- 10.48 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to conditions.

10.49 Recommendation

10.50 **Approve** subject to:

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

11.0 Planning Conditions

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.
- 3 The property shown as 2 Galfrid Road shall be occupied by no more than 7 no. people at any one time.

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

- 4 The development shall not be occupied or the permitted use commenced, until cycle parking store has been provided in full accordance with plan reference (P-)02(A) Feb 2021.

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

- 5 Notwithstanding the approved plans, within 6 months of the date on the approval, the flat roof of the extension hereby approved shall be a green biodiverse roof. The green biodiverse roof shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
- b) With suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: green-roofs.co.uk

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

Reason: To ensure appropriate provision for the secure storage of refuse, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 48).

- 8 The development, hereby permitted, shall not be occupied or brought into use until a boundary fence of at least 1.8m in height is provided on the common boundary with no. 76 and shall be retained as such thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in

the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55 and 59).

Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs



Planning Committee Date	26 th April 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	20/04107/S106A
Site	55-68 (inclusive) And 84-97 (inclusive) Hampden Gardens Cambridge Cambridgeshire CB1 3EL
Ward / Parish	Romsey
Proposal	Modification of planning obligations contained in a S106 Agreement dated 23rd May 2005 pursuant to planning permission C/03/0922
Applicant	BPHA Limited
Presenting Officer	Alice Young
Reason Reported to Committee	Application raises special planning policy or other considerations
Member Site Visit Date	N/A
Key Issues	1. Housing provision
Recommendation	APPROVE subject to S106 deed of variation

1.0 Executive Summary

- 1.1 The application seeks to modify the planning obligations contained in a S106 Agreement dated 23rd May 2005 pursuant to planning permission C/03/0922 to delete clauses 9.1.1, 9.1.1 (a), 9.1.1 (b) and replace them with a revised conditional mortgagee exclusion clause.
- 1.2 This means that the registered provider can borrow against the Market Value subject to Tenancy valuation (MV-STT) of the affordable to increase the funding available for investment into further affordable housing.
- 1.3 The S106a application has been subject to consultation with the Housing Officer who has no objections to the obligation being modified and has recommended revised wording for the proposed modification.
- 1.4 Therefore, officers recommend that the Planning Committee approve the proposed modification of the planning obligation.

2.0 Site Description and Context

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

- 2.1 Hampden Gardens is located on the north-western side of Cromwell Road, south of the railway line, and falls outside of the conservation area. Areas of the site fall within areas which are at risk of surface water flooding. There are no other site constraints.
- 2.2 The application specifically relates to 55-58 (inclusive) and 84-97 (inclusive) Hampden Gardens which are affordable units located within the wider Hampden Garden estate.

3.0 The Proposal

- 3.1 The application has been made under the Town and Country Planning Act 1990 (S106A) and the Town and Country (Modification and Discharge of Planning Obligations) Regulations 1992.
- 3.2 The application seeks modification of the planning obligation contained in a S106 Agreement dated 23rd May 2005 pursuant to planning permission

C/03/0922. This would delete clauses 9.1.1, 9.1.1 (a), 9.1.1 (b) and replace them with the following conditional mortgagee exclusion clause:

9.1.1 Not be binding on a mortgagee or chargee or any receiver (including an administrative receiver appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver)) of the whole or any part of the Affordable Units or any persons or bodies deriving title through such mortgagee or chargee or Receiver (including immediate and all subsequent successors in title to such persons)

PROVIDED THAT:

9.1.1 (a) such mortgagee, chargee or Receiver shall first give written notice to the Council of its intention to dispose of the Affordable Units; and

9.1.1 (b) shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of the Affordable Units to another Approved Body or to the Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses; and

9.1.1 (c) if such disposal has not completed within the three month period, the mortgagee, chargee or Receiver shall be entitled to dispose of the Affordable Units free from the Affordable Housing provisions in this Agreement which provisions shall determine absolutely.

4.0 Relevant Site History

Reference	Description	Outcome
C/03/0922/FP	Demolition of existing building. Erection of 2,3,4 and 5 storey residential building comprising 2 blocks of 68 private and 28 affordable apartments associated car parking (part below ground) and public open space.	Granted

5.0 Policy

5.1 National

Town and County Planning Act 1990 (s106a)
Town and County Planning (Modification and Discharge of Planning Obligations) Regulations 1992
National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance (NPPG)

5.2 Cambridge Local Plan 2018

Policy 45: Affordable housing and dwelling mix
Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

5.3 Neighbourhood Plan

N/A

5.4 Other Guidance

Homes England Capital Funding Guide (2016)

6.0 Consultations

6.1 Affordable Housing Officer

6.2 Supportive of the application and have no objection to the MIP/MPC being amended for the Registered Provider.

Industry Standard Mortgagee Exclusion Clause

*The [affordable housing provisions] in this Agreement **[DN: cross-referencing the specific provisions would be preferable]** shall not be binding on a mortgagee or chargee (or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a **Receiver**)) of the whole or any part of the [affordable dwellings] or any persons or bodies deriving title through such mortgagee or chargee or Receiver PROVIDED THAT:*

such mortgagee or chargee or Receiver shall first give written notice to the Council of its intention to dispose of the [affordable dwellings] and shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of the [affordable dwellings] to another registered provider or to the Council for a consideration not less than the amount due and outstanding under the

terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses; and

if such disposal has not completed within the three month period, the mortgagee, chargee or Receiver shall be entitled to dispose of the [affordable dwellings] free from the [affordable housing provisions] in this Agreement which provisions shall determine absolutely.

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

8.1 Cllr Baigent has commented on this application requesting clarification on the proposal.

8.2 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.

9.0 Assessment

9.1 Housing Provision

9.2 Policy 45 states developments should include a balanced mix of dwelling sizes, types, and tenures to meet projected future household needs within Cambridge. Whilst not being prescriptive, Policy 45 requires dwelling mix and tenure types to have regard to the different needs for different unit sizes of affordable and market housing, which is further detailed on Cambridge's draft Affordable Housing SPD (June 2014).

9.3 The applicant has submitted a S106 (A) application to modify the terms of the S106 agreement through a deed of variation, specifically in relation to the Mortgagee in Possession (MIP) clause. The Mortgagee in Possession clause is a requirement of financial lenders to Registered Providers for the development of affordable housing, to ensure that they have some security against the money they are lending.

9.4 The reason for the requested change is that the applicant would like to ensure that they receive a Market Value subject to Tenancy valuation (MV-STT) to be able to increase the funding available for investment into affordable housing. This requires the Mortgage Exclusion Clause to be amended to take out any ongoing requirement for a lender to use the property as affordable housing.

9.5 The MIP clauses which were originally included within the S106 may have been appropriate at the time, however the funding and grant regime for Registered Providers has changed significantly over the years and the

government now expect Registered Providers to maximise their assets to help fund the delivery of affordable housing, rather than a reliance on grant funding. The current MIP clause does not allow the Registered Provider to do this. Without the proposed changes requested this will impact on Cambridge Housing Society's ability to raise sufficient funds to continue to develop affordable housing in the City.

- 9.6 The Council's Affordable Housing Team has confirmed that their support of the application and have proposed wording for the new Mortgagee in Possession clause. Therefore, Officers are satisfied that the proposal would accord with Cambridge Local Plan (2018) policies 45.

9.7 Conclusion

- 9.8 The proposed modified planning obligation would continue to serve a useful planning purpose and should be supported.

9.9 Recommendation

- 9.10 **Approve** subject to:

-Satisfactory completion of a deed of variation to the Section 106 Agreement which includes the wording as recommended by the Housing Officer as set out in the report with minor amendments delegated to officers.



Planning Committee Date	26 th April 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/04926/S106A
Site	Land At 315-349 Mill Road Cambridge
Ward / Parish	Romsey
Proposal	Modification of planning obligations contained in a S106 agreement dated 12th October 2015 ref: 14/1496/FUL.
Applicant	Cambridge Student Property S.A.R.L and Cambridge Student Housing Management S.A.R.L
Presenting Officer	Amy Stocks
Reason Reported to Committee	Section 106 Application
Member Site Visit Date	N/A
Key Issues	1. Student Housing
Recommendation	APPROVE subject to amendment to S106

1.0 Executive Summary

- 1.1 The application seeks to modify the planning obligations contained in a S106 agreement dated 12th October 2015 ref: 14/1496/FUL. The obligation currently prevents occupation of the property by students other than those enrolled in full-time occupation at ARU or a college within the University of Cambridge both during and out of term time. The applicant is therefore only able to offer year-long (51 week) tenancies of the student accommodation.
- 1.2 The application proposes to vary this restriction to enable the accommodation to be occupied by students/delegates aged 18 or over attending other educational institutions situated in the City of Cambridge during the summer vacation period (being the period between the end of the University's academic year and the start of the University's next academic year).
- 1.3 The slight variation of the scheme would be in line with policy 46 and would provide affordable student accommodation. The change will reduce the reliance on homestay and reduce impacts on the local housing market.
- 1.4 Officers recommend that the Planning Committee Approve the application to vary on the basis that the obligation would continue in its modified form to serve a useful planning purpose.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 315 – 349 Mill Road is a student housing development consisting of 270 rooms. The site located on the northern side of Mill Road.
- 2.2 To the north of the site is the Peacock Centre which forms part of the wider Brookfield Health Centre, to the east of the site is the access to the Peacock Centre and the Edge Café, to the south of the site is Mill Road, to the west of the site is the Cambridge Central Mosque.

- 2.3 The property was developed pursuant to planning permission 14/1496/FUL which was allowed at appeal. Consent was granted for Student housing development consisting of 270 rooms, communal areas, bicycle parking, refuse store, plant room, office, new substation, infrastructure and access.

3.0 The Proposal

- 3.1 The application is made under S106A of the Town and Country Planning Act 1990. It seeks to modify the restrictions contained within Schedule 5 section 8 of the existing S106 agreement relating to the occupation of the student accommodation. The application seeks permission for the modification of planning obligations contained in a S106 agreement dated 12th October 2015 ref: 14/1496/FUL.

- 3.2 The planning obligation under schedule 5 section 8 restricts the occupation of the scheme to fulltime Cambridge (CU) or Anglia Ruskin University (ARU) students or, during the summer recess, students attending CU or ARU conferences or functions. The obligation is as follows:

Occupation by Students

- 8 Not to Occupy or permit the Occupation of the Development otherwise than by:
- 8.1 Fulltime students engaged in courses of at least an academic year at the University of Cambridge or Anglia Ruskin University; or
- 8.2 During the summer recess only of each academic year Occupiers who are students at an Education Organisation and where such Occupation is for the sole purpose of attending conferences and/or functions of the University of Cambridge or Anglia Ruskin University.
- 3.3 The obligation currently prevents occupation of the property by students other than those enrolled in full-time occupation at ARU or a college within the University of Cambridge both during and out of term time. The applicant is therefore only able to offer year-long (51 week) tenancies of the student accommodation.
- 3.4 The application proposes to vary this restriction to enable the accommodation to be occupied by students/delegates aged 18 or over attending other educational institutions situated in the City of Cambridge during the summer vacation period (being the period between the end of the University's academic year and the start of the University's next academic year).
- 3.5 The application seeks permission to amend the obligation to allow for summer occupation by students attending other education institutions,

including language schools, in Cambridge. It is proposed that the obligation would be modified with the following additional clause:

8.3 Delegates and students aged 18 or over attending other education institutions situated in the City of Cambridge.

3.6 It is intended that this relaxation of the existing restriction would enable the applicants to offer shorter, term-time (44 week) tenancies to university students. It would also be consistent with restrictions relating to other student accommodation sites in the City.

4.0 Relevant Site History

Reference	Description	Outcome
14/1496/FUL	Student housing development consisting of 270 rooms, communal areas, bicycle parking, refuse store, plant room, office, new substation, infrastructure and access.	Refused. Appeal allowed.
19/0166/S106A	Application under S106A for the modification of Planning Obligations relating to 14/1496/FUL (Student housing development consisting of 270 rooms, communal areas, bicycle parking, refuse store, plant room, office, new substation, infrastructure and access) pursuant to Section 106A of the Town and Country Planning Act 1990 (Restrictions on occupation by students) to allow for summer use by students aged 18+ attending other institutions in the City of Cambridge.	Approved at Committee (Application was disposed of)

4.1 The proposal was brought to Planning Committee on 17th June 2019. The application was approved at committee. However, prior to completion, it came to light that a new charge in favour of Wells Fargo (bank) had been registered on the title meaning that Wells Fargo were required to sign up to the deed. To avoid the need to have it re-engrossed and re-executed and the consequent delay that would entail, a unilateral undertaking was drafted to be signed by Wells Fargo to document their agreement to the deed of variation. The intention was that both deeds would be completed together. However, instructions were never received by the previous case officer and the application was disposed of.

4.2 There was confusion over the precise wording the client requested as the wording outlined in the cover letter and supporting statement differed

slightly but achieved the same action. However, officers have clarified the wording as outlined in the cover letter is the correct wording.

4.3 The application is essentially a re-submission of the previously approved S106 variation with slight changes to the interested parties.

4.4 The previous deed was complicated by the addition of a new mortgagee, Wells Fargo. The previous mortgagee no longer has interest in the land, the new deed will need to substitute Wells Fargo in their place and the unilateral undertaking will no longer be required. All previously approved obligations remain the same

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Technical Housing Standards – Nationally Described Space Standard (2015)

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 3: Spatial strategy for the location of residential development

Policy 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 8: Setting of the city

Policy 10: The City Centre

Policy 24: Mill Road Opportunity Area

Policy 25: Cambridge Railway Station, Hills Road Corridor

Policy 26: Old Press/Mill Lane Opportunity Area

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 30: Energy-efficiency improvements in existing dwellings

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 39: Mullard Radio Astronomy Observatory, Lord's Bridge

Policy 44: Specialist colleges and language schools

Policy 46: Development of student housing

Policy 47: Specialist housing

Policy 50: Residential space standards

Policy 51: Accessible homes
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 59: Designing landscape and the public realm
Policy 74: Education facilities
Policy 77: Development and expansion of visitor accommodation
Policy 78: Redevelopment or loss of visitor accommodation
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management
Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

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

5.5 Other Guidance

Mill Road conservation area

6.0 Consultations

6.1 Local Highways Authority– No Comment

6.2 The proposed changes to the S106 may result in alterations to the Travel Plan the Transport Assessment Team within the County Council should be consulted on this application.

6.3 County Transport Assessment Team –No Objection

6.4 The restrictions on car ownership and parking would remain as with the current proposal, therefore no objections are raised.

6.5 Environmental Health - No Objection

6.6 No comments or recommended conditions to make regarding this application.

6.7 Developer Contributions Monitoring Unit –No Objection

6.8 This proposed development will require a fee of £250 towards the monitoring and administration of the section 106 deed of variation agreement. A further additional fee of £500 would be required for each instance (if applicable) where the Council is required to provide written confirmation of an obligation with in the proposed DoV.

7.0 Third Party Representations

7.1 No representations have been received.

7.2 Principle of Development

7.3 The proposed amendment to the existing S106 agreement would relax 8.2 to also allow 'delegates and students aged 18 or over attending other educational institutions situated in the City of Cambridge' to use the accommodation during the summer period amending the relevant part of the S106 agreement to read as follows:

Occupation by Students

8 *Not to Occupy or permit the Occupation of the Development otherwise than by:*

8.1 *Fulltime students engaged in courses of at least an academic year at the University of Cambridge or Anglia Ruskin University; or*

8.2 *During the summer recess only of each academic year Occupiers who are:*

8.2.1 *students at an Education Organisation and where such Occupation is for the sole purpose of attending conferences and/or functions of the University of Cambridge or Anglia Ruskin University; or*

8.2.2 *delegates and students aged 18 or over attending other educational institutions situated in the City of Cambridge.*

7.4 The additional clause is underlined. The proposed variation would be in line with Policy 46 of the Cambridge Local Plan 2018 as the variation only applies to the summer period (outside the full time academic year). The variation would enable the accommodation to be offered to delegates attending conferences or courses run by the Universities, or students attending language and summer schools.

7.5 The proposed variation would be consistent with other restrictions placed on student accommodation within the city and it would also be consistent with policy 46 of the Cambridge Local Plan 2018. The principle of the proposed revision to the S106 Agreement is therefore acceptable.

- 7.6 The principle of the development is acceptable and in accordance with policy 46.
- 7.7 Need**
- 7.8 As outlined in the Covering Statement, several educational establishments in Cambridge require out-of-term accommodation for students attending language and other courses. The Cam Foundry would be able to support these institutions that have limited accommodation.
- 7.9 The reduced reliance on homestays accommodation would provide a better student experience for the students of Cambridge while releasing accommodation to the general housing market.
- 7.10 Amenity and Transport**
- 7.11 Neighbouring properties were consulted on this application and a site notice was displayed. No third-party representations were received.
- 7.12 Two conditions were imposed on the consent to ensure the site could be adequately controlled:
- Condition 23 - Student management plan (discharged 6th January 2017)
 - Condition 25 – Travel plan (discharged 21st March 2018)
- 7.13 The applicant has submitted two discharge of condition applications to vary the details of the student management plan and the travel plan. The Student Management Plan addendum includes the following measures:
- Compliance with ANUK national code of standards
 - Student ambassadors alongside accommodation managers
 - Use of Highline Security and CCTV to ensure the security of tenants and neighbours
 - Short-term arrivals, primarily on Saturdays, to booked timeslots through their StarRez system, with no arrival after 10pm
 - Short-term departures, mainly on Saturdays before 10am
 - Pre-arrival induction including information on public transport, reiteration of the residence being car-free, and recycling processes
 - Encouragement of use of local traders
 - Induction, alongside the education providers, on behavioural expectations, with tenancy enforcement procedures.
- 7.14 The Travel Plan addendum ensures that all aspects of the approved Travel Plan apply to the summer occupiers. This encourages and outlines the various sustainable travel options available to any occupier of the student accommodation. This includes the pedestrian/cycling routes and the local bus services. The development also offers daily cycle hire. All students are aged 18 or over and are not permitted to bring a car to the city during their stay.

7.15 Officers consider that the details submitted regarding a student management plan and a travel plan would be an acceptable and appropriate form of control. The variations to these details merely encompass the summer use of the site.

7.16 Planning Obligations (S106)

7.17 Policy 85 states that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

7.18 The site already benefits from an existing S106 agreement. No further contributions are being proposed via this variation. The Developer Contributions Monitoring Unit seeks costs for the variation as outline under the consultee response section of this report. As these are admin costs, officers do not consider this request to be unreasonable.

7.19 Conclusion

7.20 The slight variation of the scheme would be in line with policy 46 and would provide a wider student use of the accommodation during the summer period. The change will reduce the reliance on homestay and reduce impacts on the local housing market. The S106 would continue to serve a useful purpose in a modified way.

8.0 Recommendation

8.1 **APPROVE** the application to vary the restrictions contained within Schedule 5 of the existing S106 Agreement relating to occupation of the student accommodation block as set out at para. 7.3 subject to monitoring and administration costs.

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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