



Cambridge City Council Planning

Date: Wednesday, 3 July 2024

Time: 10.00 am

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

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

Agenda

1 Order of Agenda

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

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

There will be a forty-five 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 whether or not the meeting will be adjourned.

2 Apologies

3 Declarations of Interest

Part 1: Minor/Other Planning Applications

- | | | |
|---|---------------------------------------|---------------------|
| 4 | 23-04840-FUL Grafton House | (Pages 5 - 46) |
| 5 | 24-00245-REM 111-113 Queen Ediths Way | (Pages 47 - 64) |
| 6 | 22-05556-FUL 198 Queen Ediths Way | (Pages 65 -
102) |
| 7 | 24-01360-FUL 237 Hills Road | (Pages 103 - |

130)

8	24-01095-HFUL 65 Ferrars Way	(Pages 131 - 146)
9	24-01532-FUL Coldhams Common, Sport Pitch	(Pages 147 - 164)
10	23-03741-FUL 261 Mill Road	(Pages 165 - 182)
11	24-01743-FUL Ramsden Square	(Pages 183 - 190)
12	24-01362-LBC 1 Maris Lane	(Pages 191 - 196)
Part 2: General and Enforcement Items		
13	Appeals Information	(Pages 197 - 200)

Planning Members: Smart (Chair), Baigent (Vice-Chair), Bennett, Carling, Dryden, Gilderdale, Lokhmotova, Porrer and Thornburrow

Alternates: Flaubert, Howard, Nestor, Todd-Jones and Young

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

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

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Planning Committee Date	3 July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/04840/FUL
Site	Land Adjacent to Grafton House, Maids Causeway Cambridge
Ward / Parish	Market
Proposal	Erection of new office building (use class E) and associated development, infrastructure and works
Applicant	Camprop Ltd
Presenting Officer	Charlotte Peet
Reason Reported to Committee	Third party representations
Member Site Visit Date	-
Key Issues	1. Whether the revised design has overcome previous reasons for refusal
Recommendation	APPROVE subject to conditions

Application ref: 23/04840/FUL

Committee Report Addendum – Wednesday 3rd July 2024

Background

- 1.1 This application follows a previous application which was presented to Planning Committee on 4th October 2023, the report for this application is presented below (ref. 23/01554/FUL as Appendix 1).
- 1.2 The application was supported by Officers, however the recommendation was overturned by members and refused for one reason:
 - The proposal by virtue of its scale, massing, form, inappropriate materials and overall appearance would result in an overly dominant, stark and simplistic building form which would fail to successfully contrast with its immediate context and would therefore be out of character with its surroundings. As a result, less than substantial harm would result to the setting of surrounding heritage assets, including nearby listed buildings, buildings of local interest and the conservation area. There are no public benefits which would outweigh this harm. The proposal is therefore contrary to Cambridge Local Plan (2018) policies 55, 56, 57, 61, 62 and the NPPF (2023) paragraph 202 and Section 66 and 72 of the Planning (LBCA) (1990).
- 1.3 In addition to this, Members raised concerns about the inclusivity of the building and potential construction impacts of the proposal upon neighbours. This application is a resubmission which aims to address the reasons for refusal. Officers are of the view that the proposal comprises a very high design standard and would be inclusive to all.

Assessment

Approach to Decision Making

- 1.4 In terms of this assessment, officers rely on the addendum report to justify why the amended scheme has overcome the previous reason for refusal. Other matters, such as the site description, policy context, representations and assessment of other matters, which did not manifest themselves into a reason for refusal, are, for reasons of concision, relied upon within the original report at appendix 1.
- 1.5 In the interests of fairness and consistency in decision making, members of the planning committee are asked to direct themselves in their consideration of the proposal to those matters of difference between the refused scheme and that now proposed and to whether the revisions have overcome the sole reason for refusal.

Consultation and 3rd Party Responses

- 1.6 The revised application has received updated comments from the Urban Design, Conservation and Environmental Health Officers. No objections have been given, the comments and recommended conditions are dealt with in the assessment below.
- 1.7 A number of representations in objection to the application have been received. These can be summarised as below:
- Land advertised to those purchasing flats as communal gardens
 - Confusion over height of the building
 - Appears as an industrial/ agricultural-looking
 - Appears overpowering, particularly along Salmon Lane
 - Lack of consultation prior to submission with flat owners
 - Loss of privacy, overshadowing and overbearing amenity impact
 - Lack of need for office space
 - Has not overcome reasons for refusal
 - Impact to the Conservation Area and Salmon Lane wall
 - Subsidence/ foundation issues
 - Need for affordable housing
 - Compliance with Policy 55, 56, 57, 58, 61, 62
 - Inappropriate scale, form, height, massing and design
 - Noise and light pollution
 - Traffic and congestion issues, encroachment of disabled parking space
 - Contamination potential
 - Has not overcome reasons for refusal
 - Previous comments are reiterated
 - Concerns over structure of Salmon Lane wall
 - Scaffold conflict with access to 52 and 54
 - Strain to path leading to Grafton House
 - Impact to trees
- 1.8 Several of the representations were covered in the original report at appendix 1 below, however they are noted and where a new representation is raised or one relating to specific matters relevant to this application, this is addressed.

Revisions

- 1.9 The Design and Access Statement submitted with the application, outlines the work that has gone into the proposal to address any concerns raised at pre-application stage and how the application would address the reasons for refusal. The reason for refusal outlined that by virtue of the buildings scale, massing, form and materials, the building would have resulted in adverse impacts to the character and appearance of the area, the Conservation and the setting of nearby listed buildings. The application has been amended in

order to address these concerns, through altering the building's mass, form, scale and materiality.

- 1.10 It is noted that the representations received disagree with this assessment, suggesting the proposal has not addressed the reasons for refusal.
- 1.11 The Design and Access Statement outlines that the first floor metal cladding has been replaced with a carefully selected palette of buff bricks for the gable end and clay tiles flank walls and roof. Following the refusal, the applicant undertook a materials study in an attempt to find a suitable alternative that would reduce the perceived dominance of the first floor section of the building. Multiple materials were reviewed and alterations to break up the apparent scale and mass of the building were considered including differentiating the gable end wall through an alternative material. In order to select the palette that is now presented, a study of materials in the surroundings was undertaken and the clay tiles and buff brick selected from within the Kite Conservation Area.
- 1.12 In addition to this, Officers sought to push the scheme further to ensure it was of the highest quality appearance and asked that the applicant for some additional refinements. Officers took inspiration from the development at India House, 31 Newnham Road (ref. 18/1807/FUL) which was approved at Committee in 2019. With the assistance of Urban Design Officers, details of this building were picked out such as the clay tiles and window reveals. The building now follows the quality of this building and such features have been added to enrich the quality of the building. The clay tiles are handmade and as a result comprise a textured appearance which works very well to enrich the appearance of the building, making it appear less flat and stark. In addition, these materials are made from clay, the Urban Design Officer has outlined that this is a cool material and therefore helps to mitigate the urban heat island effect. Officers find that the proposed clay tile and buff brick work would be a contextually sensitive response that would help to connect the building with the domestic scale in its surroundings.
- 1.13 Furthermore, the windows have also been upgraded to comprise deep reveals, which add a visual quality to the building through demonstrating its solidness and creates a less simplistic appearance. These alterations are a successful alteration and helps to demonstrate the building would not appear as a 'shed' type building which was previous mentioned in Planning Committee.
- 1.14 The representations regarding concerns over the appearance and detailing of the building are noted, as are the comments which suggest that the building continues to appear industrial and agricultural. The application has received support from the Urban Design and Conservation Officer. The comments from the Urban Design Officer outline that the proposed clay tiles would represent a suitable alternative material treatment and welcome the reference to India House. They suggest that the proposed tile would produce a high-quality

appearance. The Conservation Officer outlines that the building is supported in terms of design, scale and massing as it is subservient to the BLI and the proposed materials are appropriate for the location and help to soften the impact of the building by using materials from the Kite Conservation Area and that are cohesive to the BLI. The Conservation Officer outlines that the additional greenery is much needed and welcomed.

- 1.15 As has been outlined above, the finish of the building as well as the window detailing has been carefully considered and upgraded to be of the highest quality. The previous application was to be finished in cladding, this finish in combination with the form is understood to be the reasons why the building was labelled as industrial or agricultural. The appearance of the building has evolved and due to the material change would appear in keeping with the surrounding context, the proposed materials enrich the surroundings by providing complimentary tones through the material palette.
- 1.16 The building has also been amended further, beyond the materials, to reduce the apparent scale, mass and form of the building. The height of the building has been reduced from 8.5 metres above ground level to 8.2 metres above ground level and as a result it is considered that the proposal has therefore increased its subservience to Grafton House and improved its relationships with the surrounding buildings. It has been raised that there is confusion over the height of the building, this was set out in the previous report and the height, including the alteration is outlined above. The single storey aspect would not be altered with the amended proposal, however the first floor element has been reduced in response to the previous refusal (ref. 23/01554/FUL).
- 1.17 Given the alterations outlined above, Officers consider that the proposal has overcome the reason for refusal on the application. The building would no longer appear stark, simplistic and dominating, but instead would result in a rich, high quality, contextually responsive appearance that would be considered to respond positively to the surrounding character, and would preserve the character and appearance of the Conservation Area and setting of the surrounding listed buildings, in accordance with Cambridge Local Plan (2018) policies 55, 56, 57, 61, 62 and the NPPF (2023) and the Planning (LBCA) (1990).
- 1.18 In addition, Officers would like members to note that the applicant has updated the floor plans with a lift. As the detail of the internal fit out is not complete at this stage, this has been labelled as a potential location for the lift, however it does demonstrate the first floor of the building would be provided with a level threshold so that any future occupier is provide with full, inclusive access of the building. To ensure that the lift would be installed, noting the note on the plans regarding location, a condition will be added to secure a lift installation in the building to serve the first floor.

- 1.19 Officers consider that the inclusive of a lift, along with the inclusive of a disabled car park space and appropriate access arrangements ensure that the building is fully inclusive and accessible, in accordance with Policy 56 and 57.
- 1.20 It has been raised with the representations received that there was no pre-submission consultation with the flat owners within Grafton House. Officers have not been informed by the applicant of any pre-submission consultation attempts. Whilst Officers would always encourage discussion prior to submission with local residents, this is not a requirement of the application. In this case, it is regretful that residents were not approached given the concerns raised, however Officers cannot insist that this takes place.
- 1.21 One representation has been raised that the close proximity of the disabled car parking space would lead to disruption and enclosure to the occupiers of Grafton House. The parking space has been provided in order to ensure the new building would be inclusive and accessible to all. It sits between the built form and the edge of the veranda at Grafton House, and it is acknowledged that the ground floor window in the southern part of the western elevation would look towards this space. The single car parking space would not lead to excessive movements in front of these windows nor would it be permanent built form as to enclose these windows. As such, this arrangement is not considered to be harmful to amenity.
- 1.22 Another point has been raised about potential scaffolding impacts to the access of surrounding neighbours during construction. Access arrangements during construction would be a civil matter and therefore not something that the planning authority could seek control.
- 1.23 Officers find that the proposal has overcome the reason for refusal and is therefore supported subject to conditions, including revised condition 9 and additional conditions 29 and 30.
- 1.24 **Planning Balance**
- 1.25 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).
- 1.26 It is acknowledged that the application has received a number of third-party representations, however these have been addressed as part of the addendum report and in the main section of the original report for the refused scheme.
- 1.27 The application would provide a high-quality, sustainable office space within the city centre, that would add vitality to the site and add to the mix of uses.

It's design and appearance have been revisited by the applicants in light of the previous refusal and this has the support of both conservation and urban design officers.

- 1.28 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.

1.29 **Recommendation**

1.30 **Approve** subject to:

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

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 building, hereby permitted, shall be used for an office building (use class E(g)(i) and for no other purposes within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35 and 57).

- 4 No demolition or construction works (for the avoidance of doubt the Highway Authority seeks that this includes any enabling works) shall commence on site until a traffic management plan has been submitted and agreed in writing with the Local Planning Authority (using the guidance document as a framework). The Highway Authority requests that the TMP be a stand-alone

document separate from any Environment Construction Management Plan or the like, as the risks and hazards associated with construction traffic using the adopted public highway are quite different from those associated with the internal site arrangements. The principal areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway);
- ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on street car parking;
- iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway);
- iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

Reason: In the interests of highway safety, in accordance with Cambridge Local Plan (2018) policy 80.

- 5 No development hereby permitted shall be commenced until a detailed 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 detailed scheme shall include:

- a) Full details of the drainage system including proposed attenuation, SuDS and flow control measures;
- b) Full details of the maintenance/adoption of the surface water drainage system;
- c) Formal agreement from a third party if discharging into their system is proposed.

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

- 6 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 external features such as windows and reveals, roof cladding, external metal work shading features, rainwater goods, edge junctions and coping details.

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, in accordance with Cambridge Local Plan (2018) policies 55 and 57.

- 7 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).

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

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

Condition 9 (Materials Sample)

No above ground work shall commence until details of the following items have been submitted for the prior, written approval of the Local Planning Authority:

- (a) A 1.5m X 1.5m brick sample panel prepared on site detailing choice of brick, bond, coursing, brick pattern, mortar mix, design and pointing technique;
- (b) Samples of the tile and any edging to be used on the external elevations of building to be provided on site.

The details of these shall be submitted to the local planning authority in an accompanying report and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The approved sample panel shall be retained on site for the duration of the works for comparative purposes. The works shall be carried out in accordance with the agreed details.

Reason: To ensure that the external appearance of the development does not

detract from the character and appearance of the area and to avoid harm to the special interest of the conservation area and the setting of the building of local interest (Cambridge Local Plan 2018, policies 55, 56, 61 and 62).

- 10 The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure, parking of cycles for use in connection 64 Maids Causeway, Grafton House, have been submitted to and approved in writing by the Local Planning Authority. The details shall include the timing of provision, the means of enclosure, roof cladding, materials, type and layout. The facilities shall be provided in accordance with the approved details (including timing) and shall be retained as such for the lifetime of the development.

Reason: To ensure appropriate provision for the secure storage of cycles, in accordance with Cambridge Local Plan (2018) policy 82.

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

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

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

- 12 No external lighting shall be provided or installed until an artificial lighting impact assessment and mitigation scheme as required has been submitted to and approved in writing by the local planning authority. The assessment shall include the following:

- (i) the method of lighting (including luminaire type / profiles, mounting location / height, aiming angles / orientation, angle of glare, operational controls, horizontal / vertical isolux contour light levels and calculated glare levels to both on and off site receptors)
- (ii) the extent/levels of illumination over the site and on adjacent land and predicted lighting levels at the nearest light sensitive receptors

All artificial lighting must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the 'Institute of Lighting Professionals - Guidance Notices for the Reduction of Obtrusive Light - GN01/20 (or as superseded)'.

The scheme shall be carried out as approved and shall be retained as such.

Reason: To minimise the effects of light pollution on the surrounding area, in accordance with Cambridge Local Plan (2018) policy 34.

- 13 No development above ground level, 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 Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

- 15 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).

- 16 Details of the biodiverse green roof shall be submitted to and approved in writing by the Local Planning Authority prior to any development above ground level commencing on site.

The green roof shall be:

- a) Biodiversity based with extensive substrate base (depth 100-150mm);
- b) Established across the entire roof of the ground floor level element of the office building hereby approved;
- c) Constructed with suitable access for maintenance
- d) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. The green/living roofs shall not be used as an amenity or sitting out space of any kind and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.
- e) Evidence that the roof has been installed in accordance with sub-points a) to c) above shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

The green biodiverse roof(s) 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 - In the interests of responding suitably to climate change and water management and to ensure ecological interests will be fully conserved and enhanced and appropriate biodiversity net gain (Cambridge Local Plan 2018; Policy 31 and 57).

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

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

- 18 Any demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 9.30hrs -15.30hrs, seven days a week.

Reason: in the interests of highway safety, in accordance with Cambridge Local Plan (2018) policy 80.

- 19 *BNG Compliance - Waiting for wording from Ecology Officer* To be added to amendment sheet

- 20 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).

- 21 Prior to occupation of the development, hereby permitted, the noise insulation scheme and mitigation requirements shall be implemented in accordance with the detail set out within the Cass Allen Noise Impact Assessment dated 31st July 2023 (Report ref: RP01-23235-R3) shall be fully implemented, maintained and not altered.

Reason: To protect the amenity of the adjoining properties, in accordance with Cambridge Local Plan (2018) policy 35 and 57.

- 22 The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development hereby approved shall not exceed the plant rating level emission limits as detailed within Cass Allen Noise Impact Assessment dated 31st July 2023 (Report ref: RP01-23235-R3) relating to 64 Maids Causeway (planning reference 23/01554/FUL).

Reason: To protect the amenity at neighbouring properties from noise in accordance with the requirements of the National Planning Policy

Framework (NPPF, 2019) paragraphs 170 e) and 180 a) and Cambridge Local Plan 2018 policy 35.

- 23 If previously unidentified contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and an appropriate remediation and validation/reporting scheme agreed with the Local Planning Authority. Remedial actions shall then be implemented in line with the agreed remediation scheme and a validation report will be provided to the Local Planning Authority for consideration.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 policy 35.

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

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

- 25 Trees will be planted in accordance with the approved planting proposal so as to ensure establishment and independence. If, within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed, damaged, or die another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity.

- 27 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.

- 28 The office, hereby permitted, other than for maintenance or cleaning purposes, shall not be used outside of the following hours: 07:00 – 19:00 Monday to Friday and at no time on Saturdays, Sundays or Bank Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35 and 57).

- 29 No development shall take place above ground level 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 joints and interfaces of all materials; external features such as entrance doors, porch and canopies, brise soleil, cladding systems, metal work, windows and reveals, roof cladding, soffits, external metal work, balustrades, rainwater goods, and coping details.

The details shall consist of a materials schedule and a design details document, including detailed elevations and sections (scaled 1:5, 1:10, 1:20) and/or samples as appropriate to the scale and nature of the development in question and shall demonstrate consistency with the approved elevations. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (Cambridge Local Plan 2018 policies 55, 56 and 57)

- 30 Prior to the occupation of the building, a lift shall be installed to provide level access to the upper floor of the building. This shall be retained in perpetuity.

Reason: To ensure that the approved building would be inclusive and accessible to all users, in accordance with Cambridge Local Plan (2018) policies 56 and 57.

Appendix 1, 23/01554/FUL, previously refused by Planning Committee

Planning Committee Date	Wednesday 4 th October 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/01554/FUL
Site	Land Adjacent to Grafton House, Maids Causeway Cambridge
Ward / Parish	Market
Proposal	Erection of new office building (use class E) and associated development, infrastructure and works
Applicant	Camprop Ltd
Presenting Officer	Charlotte Peet
Reason Reported to Committee	Third party representations
Member Site Visit Date	-
Key Issues	<ol style="list-style-type: none">1. Principle of Development2. Design, Layout, Scale and Landscaping3. Trees4. Heritage Assets5. Carbon Reduction and Sustainable Design6. Biodiversity7. Water Management and Flood Risk8. Highway Safety and Parking Provision9. Amenity10. Third Party Representations11. Other Matters
Recommendation	APPROVE subject to conditions

1. **Executive Summary**

1. The application seeks permission for erection of new office building (use class E) and associated development, infrastructure and works.

2. It is outlined in the report that the proposal would provide a high-quality, sustainable office space, that would successfully contrast with the surrounding built form in terms of design to offer a contemporary addition to the site. The proposal has been carefully considered to ensure that the proposal would not result in harm to heritage assets, would not adversely impact amenity of surrounding occupiers and would provide a landscaping scheme that would enhance the site.

3. Officers recommend that the Planning Committee **APPROVE** the application subject to conditions.

2. Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	
Listed Building (close by)	X	Flood Zone 1	X
Building of Local Interest (setting of)	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

1. The proposal site comprises an existing building which was converted to residential flats from offices in recent years. The remainder of the site comprises an open area of hardstanding, bounded by bricked walls. In the previous application the land was described as a gravel car park, and it does appear from historic mapping and the current circumstances on site that the land was last used as a car park for the offices previously located on the site. The proposal site is accessed along an existing access route which extends from Maids Causeway and serves the flats within Grafton House.

2. Beyond the site, to the north, east and west are predominantly residential properties, ranging in scale from 2 to 3 and half storeys. To the south is the current Grafton West Shopping Centre Car Park which serves the shopping centre beyond.

3. The proposal site is located within the Kite Conservation Area and comprises Grafton House, No. 64 Maids Causeway, which is a building of local interest. The proposal site is located to the south west of 32-50 Maids Causeway, which are a group of grade II listed buildings.

4. The proposal is located within the City Centre and within the Controlled Parking Zone. It is located adjacent to the Grafton Area of Major Change.

3. The Proposal

1. The proposal seeks permission for the erection of new office building (use class E) and associated development, infrastructure and works.

2. The proposed development would seek to erect a new office building within the space adjacent to Grafton House. The office building would comprise

a part single storey, part two storey built form. The office building would be served by a cycle shelter and one disabled car parking space.

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

4. **Relevant Site History**

Reference	Description	Outcome
19/0300/FUL	Provision of nine self-contained residential units and associated infrastructure and works.	Permitted
18/0606/B1C3	Change of use from Use Class B1(a) (offices) to Use Class C3 (dwellinghouses)	Prior Approval Given
18/1680/FUL	Rebuilding the existing brick piers, removal of glazed entrance enclosures, alterations to fenestration and additional roof light.	Permitted
C/90/0630	Removal of condition limiting office use to architectural practice (condition 02 of C/0225/88)	Permitted
C/88/0225	Erection of single storey extension for existing offices and change of use of residential accommodation to offices	Appeal Allowed
C/82/0223	Change of use from doctors surgery/ residential to office and residential (within proposed extensions)	Permitted

1. As is outlined in the table above, Grafton House was converted to offices through various consents between 1982 and 1990. It remained in use as offices until 2018 when prior approval was given to convert the offices to residential studio flats.

2. In 2020, permission was given to erect 9 residential units in the space adjacent to Grafton House. The units were to be set into the ground so that the built form would have read as single storey from the existing ground levels. This permission was never implemented and is no longer extant as of earlier this year.

5. **Policy**

1. **National**
National Planning Policy Framework 2023
National Planning Practice Guidance

National Design Guide 2021
Environment Act 2021
Conservation of Habitats and Species Regulations 2017
Equalities Act 2010
Planning and Compulsory Purchase Act 2004
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Technical Housing Standards – Nationally Described Space Standard (2015)
ODPM Circular 06/2005 – Protected Species
Circular 11/95 (Conditions, Annex A)

2. Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development
Policy 2: Spatial strategy for the location of employment development
Policy 10: The City Centre
Policy 28: Sustainable design and construction, and water use
Policy 29: Renewable and low carbon energy generation
Policy 31: Integrated water management and the water cycle
Policy 32: Flood risk
Policy 33: Contaminated land
Policy 35: Human health and quality of life
Policy 36: Air quality, odour and dust
Policy 40: Development and expansion of business space
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 59: Designing landscape and the public realm
Policy 61: Conservation and enhancement of historic environment
Policy 62: Local heritage assets
Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 80: Supporting sustainable access to development
Policy 82: Parking management

3. Neighbourhood Plan

N/A

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
Landscape in New Developments SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009
Grafton Area Masterplan and Guidance SPD (2018)

5. Other Guidance

6. Consultations

1. County Highways Development Management – No Objection

2. The effect on the public highway should be mitigated if the following conditions are attached to any permission granted:

- Construction Traffic Management Plan
- Construction vehicle limitation timings

3. Sustainable Drainage Officer – No Objection

4. The submitted Drainage Strategy and Flood Risk Assessment document indicated a suitable drainage scheme, however the proposals have not indicated details of the drainage features or detailed drainage maintenance plan, this can be secured by condition regarding surface water drainage details.

5. Conservation Team – No Objection

6. The current proposal was subject to pre-application advice, and was supported by the Conservation Team subject to minor details and amendments. The proposals are supported as being of appropriate design, scale and massing for the site. The new office will be subservient to the BLI in terms of the height where the two storey element will be to the western end of the site, and the single storey area will be lower than the canopy of Grafton House due to the sloping of the land. Glimpse views of the decorative canopies of the BLI, and the western elevation which are visible from the adjacent car park, will not be compromised by the proposals.

7. The design and materials look to be appropriate for this location. The ground floor buff bricks will echo those of the BLI and the metal cladding will be a contemporary addition to the site. Where the additional landscaping has been proposed, this will bring some much needed greenery to site which has some mature trees along the northern boundary and very little else.

8. The matter of most concern is the proposal to demolish a section of the two storey brick wall on the western end of the site, where it abuts Salmon Lane. This is a particular feature of the street and the conservation area. The applicants have submitted an elevation showing the removal of a central section of the wall, however nothing has been submitted to confirm that this can be done structurally without compromising its integrity. We need to be convinced that this can be done without it affecting the rest of the wall, that the remaining sections will be able to remain in place during construction and that this centre section will be rebuilt to the same height post-construction.

9. Urban Design Officer – No Objection

10. The proposed development is supported in urban design terms. The proposed layout provides a good degree of breathing space between Grafton House Building of Local Interest (BLI) and the new built form and works to retain and integrate the existing positive features.

11. The proposed building consists of two simple volumes, which have been designed to be sympathetic to its context. At ground floor, the proposed single storey structure with brick walls and climbing plants works to create a convincing courtyard quality that is sensitive to Grafton House. The two storey, pitched roof upper floor element, pulls back from the ground floor footprint, and is subservient in height to Grafton House, which in our view will work well to create a scale and massing that is respectful of the BLI and the existing domestic context. The proposed pitched roof gable, which is orientated towards Salmon Lane, will reinforce the finer grained plots of this 2 storey mews character street, creating a silhouette and detailing that will provide a positive terminus to the end of the street. Windows are restrained to respect adjoining edges but have been targeted in places to activate public facing edges and to positively disrupt the simple massing.

12. The sympathetic scale and pitched roof form, allows for the dark standing seam metal cladding to provide a pleasing contrast with the prevailing brick character, without dominating or outcompeting the nearby townscape and BLI. The proposed varying vertical plane widths for the standing seam metal cladding will add a degree of richness and interest. Whilst the indicative palette of materials is supported, detailing such as window reveal depths, coping and rainwater goods have not been specified. Therefore, to ensure the crisp and contemporary quality is delivered, materials and detailing should be conditioned.

13. The proposed green roof and use of climbing plants is supported, which will help improve the microclimate and contribute to biodiversity. Hard and soft landscape conditions should be attached to ensure the design intent outlined in the Design and Access Statement is also implemented.

14. Covered cycle storage is located along the northern boundary, optimising the proposed courtyard space, and located conveniently near the main entrance of the building. Proposed materials and finish of this structure is not specified on the elevation drawings and there is an opportunity for the cycle store to integrate a green roof. These detailed matters can be secured by way of condition.

15. **Ecology Officer – No Objection**

16. Content with survey effort and the proposed BNG proposals which indicate an approximate 5% BNG if a biodiverse green roof of good condition is achieved.

17. No ecology objection if a standard BNG plan condition is secured which details the specification, establishment, ongoing maintenance and monitoring of the biodiverse green roof.

18. I would also request the standard bird box condition to provide the number, specification and locations of integrated swift boxes, as recommended in the PEA and in line with the adopted Biodiversity SPD.

19. **Tree Officer – No Objection**

20. T3 makes a valuable contribution to amenity. The location of the tree limits access to the site for construction activity and services.

21. Comments regarding protection for T3 provided in the AIA are acknowledged but insufficient to allow a full assessment of the potential impact of development on the tree. It will be necessary to shown, prior to determination, that the proposal is possible without detriment to tree health/appearance.

22. **Environmental Health – No Objection**

23. 1st Comments

24. The submitted noise assessment demonstrates that acceptable noise levels are predicted to be achieved in the commercial office spaces subject to the adoption of an appropriate noise mitigation in the design of the external facades and a suitable ventilation strategy.

25. However, noise levels from the proposed external condenser unit are anticipated to exceed the representative daytime background noise levels, we need further clarity on receptor locations and feasible mitigation.

26. 2nd Comments

27. An updated Noise Impact Assessment has been submitted, including acceptable internal ambient noise levels. The updated report also outlines that the potential noise impacts from the air source heat pump and proposed plant would not exceed accepted levels at the nearest noise sensitive receptor.

28. Conditions are recommended regarding the following issues:

- Construction/ demolition hours
- Piling
- Dust
- Noise insulation compliance
- Plant noise compliance
- Unidentified contaminated land
- External artificial lighting

29. **Cadent Gas – No Objection**

30. The site is in close proximity to our medium and low pressure assets, we have no objection to this proposal, however do request an informative be added to the decision notice:

- Legal rights and restrictive covenants
- Diversion of apparatus

7. **Third Party Representations**

1. 29 representations have been received to the application.
2. Those in objection have raised the following issues:

Principle of development

- There are many vacant offices already located within the city centre
- Need for affordable housing
- Site should be used for housing or garden area
- Site could accommodate community facility

Character, appearance and scale

- Crammed into site/ too large for site
- Inappropriate appearance
- Height of building in reference to Salmon Lane
- Alteration from gardens in previous application to office

Heritage impacts

- Potential impact to heritage assets including listed buildings, conservation area and building of local interest
- Impact to Salmon Lane wall

Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)

- Increase traffic noise and fumes
- Loss of privacy, overshadowing and outlook
- Increase users attending the site
- Noise from plant equipment

Construction impacts

- Noise and disruption from traffic
- Construction traffic could cause disruption to users of Salmon Lane

Highway safety

- Impact to highway safety from Maids Causeway due to increase traffic movements

Car parking and parking stress

- Loss of parking and turning for residents of Grafton House
- Sites use for car parking

- Increase in parking outside the site

Cycle parking provision

- Loss of cycle parking for Grafton House residents

Loss of biodiversity

- Proposal will result in loss of green space and loss of potential garden use
- Reduction of green environment and garden space

Impact on and loss of trees

- Potential impact to trees
- Loss of trees on the site

Flooding

- Drainage issues exist along Salmon Lane, may be made worse by construction

Other Matters

- Site was advertised as communal garden land for flats in 64 Maids Causeway when sold
- Potential subsidence from tree removal and build
- Impact of refuse facilities
- Possible contamination
- Viability of proposal
- Security impacts
- Reinstatement of piers and capping stones

8. Member Representations

1. Cllr Katie Porrer, Cllr Tim Bick and Cllr Anthony Martinelli made a joint representation objecting to the application on the following grounds:

- Scale, massing and height
- Form and appearance
- Impact to heritage assets
- Impact to Salmon Lane wall
- Amenity for residents of Grafton House
- Biodiversity net gain

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. Assessment

1. Principle of Development

2. Policy 10 outlines that development should be supported in the City Centre area where it would be appropriate to its role as a multi-functional regional centre, including adding to its vitality and viability.

3. Policy 40 aims to support the growth of business space within the city in order to support the forecast employment growth. The supporting text outlines that proposals for uses with the B Use Classes (now Class E) that are located in sustainable locations should be supported.

4. The proposed development comprises the erection of a new office building, within a site located within the City Centre. It is considered that the provision of a new office building in this location would add to the variety of uses within this area and result in additional business space to support the growth of jobs. The proposal site is suitable in terms of its close proximity to the centre of the city, and its sustainable connections to this.

5. It is acknowledged by Officers that a number of representations have been received suggesting that there may already be an overprovision of office space with the City Centre. Officers acknowledge this suggestion, and understand that there is some vacant office space located within the city boundary at current, however it should be noted that Cambridge remains a thriving economy in which new business and office uses are required and continuing to grow.

6. There have been representations to the application that question the need for office space, suggesting that affordable housing or community uses may be a better option for the proposal site. Officers acknowledge that residential and community uses, alongside business uses, form part of the thriving City Centre; new office space does form part of this mixture of uses. Members must assess the proposal that has been presented as part of the application, and cannot speculate about alternative uses for the site.

7. The principle of the development is acceptable and in accordance with policies 10 and 40 of the LP.

8. **Design, Layout, Scale and Landscaping**

9. Policies 55, 56, 57 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. The proposal site comprises an area of hard surfacing and the building known as Grafton House, which is now occupied as residential flats. The site is accessed from Maids Causeway which is an important route in and out of the city centre. The immediate context of the site includes residential dwellings to the east, north and west of the site. The Grafton West Car Park and shopping area is located to the south of the site and this is accessed along Fitzroy Lane to the west. The residential properties comprise predominantly terraced rows, although there are some examples of semi-detached pairs. The majority of dwellings that back onto Salmon Lane comprises coach houses to the rear of the garden space which serve as ancillary to the main dwellings.

11. The site itself comprises an area of hard surfacing and Grafton House, which is a building of local interest. Grafton House comprises a gault brick building with attractive canopies features on the west and south elevations. The area of hard surfacing is bounded by brick walls on the north, west and south boundaries, the wall on the western boundary is considered to be a positive feature within the area and is prominent from Salmon Lane.

12. The proposal development would sit within the area of hard standing adjacent to Grafton House. It would stretch across the site, leaving space around the northeastern edge of the building. It has been designed so that the entrance would be located on the northern side of the building and the main office space would spread across ground and first floor to the south. The site would be accessed from Maids Causeway, although a secondary pedestrian accessed is proposed through the wall on the western boundary.

13. The layout of the proposal is considered to be successful, the proposed development makes good use of the space on site, whilst responding to the constraints within the surroundings. It is acknowledged that representations have been received raising concerns about the proposal being overdevelopment or cramped within the site, however Officers suggest that the level of development is appropriate in this location. It is acknowledged that the development would partially fill the site, however it does not appear overly cramped or developed. Instead, it is considered that the proposal would provide high-quality office accommodation and make good use of the site to provide the built form along with providing appropriate cycle and disabled parking.

14. The proposed development is broken down across ground and first floor and comprises two simple elements that allow for a reduced massing and prominence. The ground floor element comprises a simple single storey element with gault brickwork to compliment the appearance of Grafton House and the dwellings within the surroundings. The application includes a planted courtyard area to the east of the boundary with growing plants up the walls of the ground floor element. Officers suggest that this approach is successful as it would re-introduce a garden, courtyard area adjacent to the Grafton House which compliments its historic importance. The upper floor comprises a pitched element that is set well back from the edge of the lower storey and from Grafton House. It is proposed that the upper storey be finished in standing seam metal cladding to provide a contemporary contrast to the prevailing brick character, it is considered that this contrast would be successful, subject to a condition to agree details and ensure that the finish is of a high quality. The upper storey has been set down and back following pre-application advice that was given by Officers in response to the scheme, and the proposal is now considered to have a successful relationship with Grafton House as it would allow breathing space when viewed from the main approach from Maids Causeway and from the car park.

15. The appearance of the development has been altered during consideration of the application to incorporate some additional windows in order to break up the scale and massing of the upper storey from public views

given the concerns raised about this aspect of the development within the representations received. The openings were carefully considered in relationship to the constraints of the site and considered to respect the surroundings whilst providing activation to these elevations.

16. It is recognized that some of the comments given in the representations do not consider the appearance to be appropriate within this environment. It is acknowledged that the upper floor is reasonable in its overall scale and massing and the proposed material attempts a contemporary contrast to the existing materials palette. When viewed from the north east, close to Maids Causeway, the upper storey will be set back so that the scale and massing is not appreciated in full and Grafton House would retain primacy on site. This can be viewed within the 3D Images submitted with the Design and Access Statement. From views to the south, from the car park, the upper storey will be better appreciated, however the building provides a successful contrast to the surrounding built form and would not be considered harmful to this environment.

17. The representations received as part of the application have raised concerns about the relationship between the proposed development and Salmon Lane, suggesting it may be too tall and prominent within this area. From Salmon Lane the gable end of the upper storey is partially visible, although it is partially obscured by the wall on the western boundary of the site. It is acknowledged that the proposal would be a visible feature from Salmon Lane, and reasonably prominent due to its height, and the glazing that is inserted into the elevation. However, it is considered by Officers that the proposal provides an appropriate termination to this end of Salmon Lane. Whilst the built form would be prominent, it is appropriate in its scale, form and massing as to not over dominate the western boundary wall or views along this street and the louvres help to tone down the glazing from these views. Officers agree with the comments given by the Urban Design Officer which outline that this elevation helps to reinforce the finger grain plots along Salmon Lane and provide a positive end to the street.

18. In the Design and Access Statement, the proposed landscaping scheme is outlined, this includes a planted roof to the ground floor element, several replacement trees with low level perimeter beds. It is outlined that the eastern wall of the built form will be planted with climbing plants to create a green appearance. Whilst hard and soft landscaping conditions will need to be attached in order to secure a high quality landscaping scheme, Officers are pleased with the effort that has been made to soften this environment and create a courtyard/ garden feel that has not been in place on this site for a number of years. To ensure that the landscaping is achieved and maintained on the site, Officers will add an informative to set out the expectations regarding the landscape conditions. In addition, a condition will be added to secure the biodiverse roof and ensure this can be appropriately maintained.

19. It is recognised that many of the representations have made comparisons to the previous application approved on this site as it included a communal courtyard area for the residential units (ref. 19/0300/FUL). The

comments consider the loss of the garden area to be very unfortunate and seek a garden to be re-instated. Officers acknowledge these comments, and note the pleasant courtyard area that formed part of the previous application. Officer must point out that this applicant was granted permission but has lapsed as development was never commenced. Notwithstanding this, Officers considered that the proposed development has been submitted with a high-quality landscape strategy that would introduce a green and soft character which the site is currently lacking in other than the trees along the boundary.

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.

21. **Trees**

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

23. The application is accompanied by an Arboricultural Impact Assessment and Tree Survey Constraints Plan which outlines that there are currently 8 trees within the proposal site, 7 of which are category C and 1 Category B (Sycamore). The application seeks to remove the 7 category C trees and retain the Category B tree. The application seeks to provide replacement tree planting in the form of 10 replacement trees.

24. The Council's Tree Officer has been formally consulted on the application and outlines that the Category B Sycamore Tree makes a valuable contribution to amenity, however limits site access and construction activities. Originally the Tree Officer requested additional information regarding the impact of development and construction to the tree to ensure its health and appearance could be maintained. The applicant submitted an Outline Methodology for works in the RPZ. The Tree Officer has reviewed this and finds the detail submitted acceptable subject to appropriate conditions regarding an AMS and TPP. Officers suggest these are reasonable to ensure that the tree on the site is protected during development and therefore these will be attached.

25. The representations received on the application have questioned the loss of the trees on site, and outline that the loss of the trees on the previous application was less impactful due to the landscaped garden that would be retained. It acknowledged that the loss of the tree is unfortunate, however it is considered that the trees being removed are of low amenity and ecological value, and that the replacement planting would be sufficient to reinstate this value. Officers suggest that a condition is added to any permission in order to ensure replacement planting is installed and maintained on site.

26. The representation also makes reference to the previous application for residential uses on the site, in which a landscaped garden was included (ref. 19/0300/FUL). The value of this garden is recognised, and Officers are pleased to see that the proposed development would aim to re-introduce greenery into the site as is shown in the documents submitted with the application. It is considered that with a suitable landscaping condition, this would complement the value of the trees on site.

27. Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan (2018).

28. **Heritage Assets**

29. The application falls within the Kite Conservation Area. The application is adjacent to Grafton House (building of local interest) and in close proximity to the row of terrace houses at 32-50 Maids Causeway (grade II listed).

30. 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.

31. 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.

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

33. The proposed development is directly adjacent to Grafton House which is a building of local interest. In the Conservation Area Appraisal (2014), a short description of some of the key historic features of the property are given, including its gault brick, sash windows and hipped slate roof (page 79). Officers appreciate these features and would add that the character of the building is also informed by the unique canopy structures which extend from the south and west elevations and over the front doorway as well as the collection of chimneys at roof level. It is noted in the Appraisal (2014) that the building used to be set within a large garden however this has since been lost to development. It suggests that its setting is now defined by the car park for the Grafton Centre and Fitzroy Lane that provides access to this.

34. Within the Appraisal (2014) it is outlined that Maids Causeway is considered to be a high quality street-scape, comprising part of the dolls house development. The area surrounding Grafton House including the car park, Fitzroy Street and the service yards are modern buildings are considered to be negative features of the Conservation Area.

35. The application has received representations which raise concerns about the impact of the proposal on the heritage assets within the area, noting the Conservation Area, the building of local interest and the listed buildings. The concerns that were raised relate to the erection of an office building in a residential area, as well as the visual impacts from the scale, massing and appearance of the building. In this part of the Conservation Area, there a mixture of uses, although it is acknowledged many of these are residential dwellings, it is not considered that would restrict the ability for alternative uses to come forward providing that they are appropriate to their setting.

36. The Conservation Officer has been formally consulted on the application, and explains that the development is of an appropriate design, scale and massing for the site. They suggest that the building would sit in a manner subservient to the BLI in terms of the height of the upper storey and the height of the lower storey, noting that it would be lower than the canopies of Grafton House. They appreciate that the building would not comprise views of the west elevation and are pleased that the proposal would bring some 'much needed' greenery to the site. Officers are in agreement with the comments made by the Conservation Officer, and suggest that the proposal would allow Grafton House to be retained as the primary building from surrounding views and would allow sufficient breathing space as to not obscure its characteristic features. Whilst the concerns within the representations received are recognised, Officers suggest that given this the proposal would sit comfortably within the setting of the building of local interest and within the Conservation Area.

37. The Conservation Officer did initially raise a concern about the proposal to remove the central section of the wall on the western boundary, and suggested that justification needed to be submitted as well as evidence that the wall would be re-built and that the removal would not comprise the remaining walls integrity. It is also noted that representations were received concerning the proposed works to the wall as residents were concerned it could not be re-established to the same quality. In response the applicant submitted an additional drawing to demonstrate how the wall would be supported during the removal and re-erected following construction works. The agent explained that this is necessary so that that construction operations can utilise access from Salmon Lane and to accommodate the build within the site. Following this, the Conservation Officer finds the proposed works to the wall acceptable, and is satisfied that the wall can be reinstated in a manner that would retain its merit within the Conservation Area. It is recognised that the wall is an important feature within the Conservation Area, however given that it has been justified that the proposal can be re-erected without comprising its character, this aspect is considered acceptable.

38. 32-50 Maids Causeway front onto Maids Causeway, however the rear of the garden areas and their associated coach houses back onto Salmon Lane. The proposed development is partially visible at the eastern end of Salmon Lane, above the existing boundary wall which is considered to be positive feature within the Conservation Area. Whilst it is acknowledged that the proposed development would be visible from Salmon Lane and within the setting of the coach houses, it is considered to sit comfortably above the western boundary wall as a contemporary addition to the area. It is not considered that the proposed development would be an overly prominent feature as to adversely impact the setting of these buildings.

39. 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 60 and 61.

40. **Carbon Reduction and Sustainable Design**

41. 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.

42. 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 policy requires non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.

43. 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.

44. The application is supported by a Sustainability Statement which demonstrates that the proposal would achieve BREEAM excellent levels and all 5 Wat01 Credits. Officers have discussed the approach with the Sustainability Officers and agree that the approach is acceptable subject to conditions regarding BREEAM certification to secure this approach.

45. The applicants have suitably addressed the issue of sustainability 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.

46. **Biodiversity**

47. 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.

48. In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain Assessment (BNGA). The PEA sets out that the proposal site is not covered by any statutory or non-statutory wildlife designations and that the habitats on site are of low or negligible ecological interest, comprising mainly hardstanding or short vegetation. The appraisal recognises that the largest and most healthy tree, the large Sycamore would be retained, and this is likely to be important in terms of biodiversity interest. The BNGA sets out that the proposal would achieve a 5.44% biodiversity net gain through provision of aspects including green roof, shrubs and trees. The Nature Conservation Officer is content with the information submitted with the application and raises no objection to the application subject to conditions to secure the appropriate specific, establishment and monitoring of green roof proposed and a condition to secure ecological enhancement on site. Officers suggest these are reasonable to ensure the proposal would enhance biodiversity on the site.

49. One representation has been received suggesting that the proposal will result in loss of valuable green space and the potential use as a garden. As existing the site consists of a gravelled area of land that was last in use as a car parking for the offices spaces that were previously located on the site. As part of the proposal replacement tree planting is provided, as well as a comprehensive landscaping scheme to be secured by condition. It is considered that the proposal would reintroduce greenery into the site and therefore benefits its ecological value in this regard. Whilst, it is acknowledged that the previous scheme contained an area of communal garden (ref. 19/0300/FUL), the proposed greenery is considered to be an enhancement to the site and is therefore welcome.

50. 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).

51. **Water Management and Flood Risk**

52. 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.

53. The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The applicants have submitted a Flood Risk Assessment and Drainage Strategy which outlines a strategy for surface and foul water drainage.

54. The Council's Sustainable Drainage Engineer has advised that the proposed development is acceptable subject to a condition to secure surface water detailing. Officer concurs that surface and foul water drainage can be dealt with appropriately on the site in order to ensure the proposal would not adversely impact flood risk nor water management.

55. 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.

56. Highway Safety and Transport Impacts

57. 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.

58. 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.

59. The application is supported by a Transport Assessment and Travel Management Plan. The documents outline the sustainable transport opportunities that would be available at the proposal site. It is outlined that the proposal will predominantly rely on pedestrian and cycle transport options which will be available from Maids Causeway and Salmon Lane. It specifies that vehicular access which will be required for the single disabled car parking space only and this will be from Maids Causeway.

60. The representations received on the application have raised that an increase in traffic from the proposal would result in a loss of highway safety given that Maids Causeway is already the subject of vehicle incidents and conflict. It is recognised by Officers that Maids Causeway is a busy route due to its connection with primary locations within the city, however the proposal would be primarily accessed by cycle or by foot, apart from the single disabled parking space that is provided and some limited servicing. The existing site comprises a car park, albeit Officers acknowledge it has not been used for a number of years, however it could be put back into use at any time. As such, the proposal would remove the existing car parking spaces on site and create

only a single space, therefore it is not considered that the proposal would result in additional traffic as to adversely impact highway safety.

61. In addition, some representations have raised concerns that Salmon Lane could be used as an area for pick-up/ drop-off location. Officers suggest that given the Travel Plan which outlines a commitment to encouraging sustainable transport options, and taking into account the sustainable location of the proposal it is unlikely that significant vehicle pick-up/ drop-offs would increase as a result of the proposal.

62. The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection to the proposal subject to conditions requiring a traffic management plan to be submitted. Officers recognise that the proposal site is very constrained in terms of construction access, and therefore suggest that this condition is necessary to ensure that appropriate arrangements can be agreed to ensure that the proposal can be constructed in a manner which would not adversely impact highway safety.

63. Whilst representations have been received raising concerns about the use of both Salmon Lane and Maids Causeway for construction purposes, suggesting that conflict could result, Officers consider that this can be suitably controlled with the suggested condition. It is noted that in a recent appeal decision at the Emperor Public House where concerns were raised about construction access due to the narrow nature of the access route, the Inspector outlined that given the addition of a condition where an onsite construction manager could be stationed on site at all times, the impacts could be managed. Whilst each site must be assessed on its merits, and the proposal site is constrained, it is considered that any conflict with highway users can be managed.

64. Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

65. **Cycle and Car Parking Provision**

66. Cycle Parking

67. The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for offices uses requires 2 spaces for every 5 members of staff or 1 per 30 sqm gross floor area. These spaces should be located in a convenient and covered location and as close as practical to staff entrances.

68. The building comprises an internal floor space of 435 sqm, requiring 14 cycle spaces to be provided. The information submitted with the application outlines that 16 cycle parking spaces are to be provided, therefore giving sufficient provision for the users of the office and any visitors to the site. It is

located in a convenient location, directly adjacent to the site entrance. The cycle parking is covered, but not enclosed, however given this is for an office building with natural surveillance from the office building and surrounding residents this is considered to be acceptable.

69. One representation has raised concerns about the loss of cycle parking for the residents of Grafton House caused by installation of plant equipment and the lack of useability of the cycle spaces due to the disabled parking bay. The proposal seeks to replace the cycle parking for the residents of Grafton House as plant equipment would need to be located in the existing cycle parking location. The information submitted with the application outlines that this would be replaced directly in front of the plant enclosure, however no details of the provision has been included. Officers can see that the proposed replacement cycle parking would be larger than the existing provision, however it is important to ensure suitable provision would be replaced and therefore a condition will be added to secure this also. In terms of accessing these cycle parking spaces, it is acknowledged that the route would be shared with the disabled parking bay, however the manoeuvring space adjacent to the parking space would allow provide a width of 1.6 metres that would give sufficient room to allow any occupier to walk their cycle adjacent to any car park.

70. Car parking

71. 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. For offices within the controlled parking zone, it is suggested that a maximum of 1 space per 100 sqm metres is provided plus disabled car parking. 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.

72. The proposed development is car-free, except from the provision of one disabled parking space to the east of the building. The proposed car-free approach is considered to be acceptable in this location given the sustainable links into the city centre. The representations received on the application did raised concerns about adding parking pressure to the surrounding areas, however as the application is located in a controlled parking zone the roads surrounding the development are restricted to residents and permit holders, and therefore parking would not be available within the surroundings. The disabled parking space is considered sufficient and meet the size recommended in the Manual for Streets guidance.

73. The representations received as part of the application raise concerns over the removal of parking and turning space from the residents of Grafton House, however the proposal would not comprise the space in front of Grafton House, it is set within the car parking area adjacent which is not used by the residents. It is understood that the flats have no formal parking provision on site, although the representation confirm that this the area directly in front of

Grafton House is sometimes used for informal car parking. Notwithstanding this, the proposal would not comprise this area as to restrict parking for the residents.

74. 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.

75. **Amenity**

76. 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.

77. **Neighbouring Properties**

78. The proposal site is located in close proximity to residential occupiers. The proposed office building would be erected to the west of Grafton House, 64 Maids Causeway, the south of properties fronting Maids Causeway (Nos. 52 – 62 Maids Causeway) and to the south east of the properties backing onto Salmon Lane (Nos. 42 – 50 Maids Causeway are closest to the site).

79. **Grafton House**

80. Grafton House, 64 Maids Causeway, is located to the east of where the office would be erected. It comprises studio flats, and features windows which serve these properties directly facing the proposal site at both ground floor and first floor level.

81. The proposal has been designed so that no windows would face this elevation, ensuring that there would not be a loss of privacy to these residents.

82. It is recognised, however, that the proposal would be sited in direct view of the windows in the western elevation of Grafton House and that concerns have been raised regarding a loss of outlook. Officers are aware that the flats on this side of the building benefit from windows on the western elevation and either the north or south elevation depending on their position in the building. From the western view, both the single storey element and upper floor element would be visible. The single storey element is set 6.4 metres away from the windows and comprises a height of 3.3 metres above ground level, although it is noted that the ground floor slopes down towards this side of the site and so this would read as lower from these windows. The upper floor element is set 12.8 metres away from this elevation and comprises a height 8.5 metres. It is recognised therefore that the building would be visible from these windows and constitute a new built form in the car parking area, which was previously open, however considering the separation distance and taking into account the stepped nature of the development, it is not considered to

significantly adversely impact the occupiers of the flats to result in an enclosing impact.

83. In terms of daylight and sunlight, the application has been submitted with a Daylight and Sunlight Assessment which includes an assessment of these matters in accordance with BRE and BS EN17037 guidance. The representations received with the application have raised concerns about a potential loss of light to these flats and therefore this assessment is appreciated to support Officers assessment. The windows in the west elevation of Grafton House are listed as windows numbers 28 – 33. In terms of VSC, the BRE Guidance states that if VSC is less than 27% and less than 0.8 times its former value daylight is likely to be affected. The submitted assessment demonstrates that all windows would achieve greater values than this and as such it is considered that the daylight reaching these windows is not likely to result in adverse impacts from the development.

84. The assessment also provides information on sunlight impacts through consideration of APSH. The BRE guidance explains that sunlight availability is likely to be adversely impacted if the centre of the window: receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours in the winter months and; receives less than 80% of its former sunlight hours during either period and; has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours. It demonstrates that whilst, windows 31, 32 and 33 would have a reduction greater than 4%, they would retain in excess of 80% of their current sunlight hours and therefore would not be adversely impacted in terms of sunlight. The BRE Guidance outlines that all conditions would need to be met in order for there to likely be a significantly noticeable impact, and in this case, Officers are satisfied that this would not be significant.

85. Nos. 52 – 62 Maids Causeway

86. Nos. 52 – 62 Maids Causeway are located to the north of the proposal site. In terms of views towards these neighbours, the northern side of the upper storey, contains only one opening. This is a roof light which would be set well above 2 metres from finished floor level, as such would be of a height that would not provide any views towards neighbouring occupiers. It is recognised that the occupiers of these properties have raised concerns about a loss of privacy, however the scheme has been carefully designed in order to protect the privacy of these occupiers following pre-application advice with Officers. The proposal is considered to be acceptable in this regard.

87. The proposed development has been designed so that the majority of the built form is set away from the common boundaries with these properties, however it is acknowledged that it would be visible from the rooms at the rear of these properties and partially visible from the rear gardens. The single storey would be slightly taller than the existing boundary wall, however it is largely set away from the boundary line. The entrance of the building would extend up to the boundary to the rear of 54 Maids Causeway, however given the low height of this element, 2.5 metres, it would not be considered an overbearing

presence to this property above the existing boundary wall. It is considered that the two storey element would be set a sufficient distance away from the common boundaries as to not have an enclosing impact, given that the separation distance ranges from 9 to 12 metres from the rear boundaries of the adjacent properties.

88. These properties have also been included in the daylight and sunlight assessment, which provides an assessment on the impact to the windows at the rear of these properties and the rear garden spaces. It is demonstrated that the proposal would retain an acceptable VSC and APSH for all windows at the rear of these properties which Officers consider acceptable. It is also demonstrated using the BRE guidance that the proposal would not adversely impact sunlight to the rear gardens of these properties and therefore would not adversely impact the amenity of these spaces.

89. Nos. 42 – 50 Maids Causeway

90. The proposal is set away from these properties, to the south east and beyond the existing west boundary wall. The existing wall partially obscures the development, however, it is acknowledged that it would be visible from the rear of these properties along Salmon Lane and from the coach houses. Given that the proposed development is set away from these properties and behind the existing wall, it is not considered that it would result in loss of light nor enclosing impacts. The proposal would contain glazing within the west facing gable end, however much of this is obscured by the proposed louvres and the wall. The glazing that would allow views west directly faces down the far side of Salmon Lane and therefore would not compromise the privacy of the coach houses to the rear.

91. Construction and Environmental Impacts

92. 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.

93. The Council's Environmental Health team have assessed the application. Upon review, the Officer initially requested additional information regarding the proposed plant unit to be installed as part of the development to provide clarify on the location of the sensitive noise receptor and potential noise mitigation such as an enclosure. It is noted that in addition to this, one representation was received raising concerns about the impact of the plant unit on resident occupiers. Following these comments, the Noise Impact Assessment was updated and plans submitted showing the proposed enclosure that would be installed around the plant equipment. Following this the Environmental Health Officer was satisfied that the proposal would not adversely impact surrounding residents in terms of noise, subject to appropriate conditions to secure these noise levels. Officers agree with this

position, the impact has been carefully considered to ensure that the surrounding residents would not be subject to unacceptable noise levels that would impact their amenity. The Officer also requested conditions regarding contaminated land and external lighting. These are considered reasonable to protect human health and ensure that any lighting would not adversely impact the surrounding residential occupiers.

94. The application has received a number of representations which raise concerns about the potential disturbance from increased daily movements to the Office space, as well as the noise and lighting that would be emitted from the building. The Environmental Health Officer has suggested that noise and lighting impacts can be appropriately managed through conditions recommended and Officers agree with this approach. The Environmental Health Officer has not raised concerns about the impact of increased daily movements, although Officers do acknowledge that there will be an intensification on the site which would see visitors increase. It is estimated that the office space could hold up to 32 users, however it is not anticipated these would all be on site at one time but to flexible working arrangements. The travel to and from the site would be by pedestrian and cycle access only (other than the single disabled car parking space), and therefore significant disruption is not anticipated. It is noted that the site is already within a central location to the city, directly adjacent to the Grafton Centre car park, therefore the increase is not likely to be disruptive over and above this. It is considered that with a condition to control opening hours, this can be managed to ensure that residents would not be unduly disturbed.

95. In terms of construction, a number of representations have been received which have raised concerns regarding noise and disturbance during construction. It is acknowledged that construction may cause some additional noise and disturbance to the surrounding residents for a temporary period. It is considered that this can be managed with appropriate conditions to limit construction hours, collection times and a traffic management plan. This would ensure that construction takes place at appropriate times only, and that the vehicles are appropriately managed when accessing the site so disruption to occupiers can be managed. This is especially important for this application given the constrained access routes available to the site for construction, along Salmon Lane and Maids Causeway. Whilst, no longer extant, the previous application was conditioned with a TMP which was approved showing that safe construction operations could be achieved for the site.

96. Summary

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

98. **Third Party Representations**

99. The majority of third-party representations have been addressed within the body of the report, however the table below will outline those that have not been considered:

Representation	Officer Response
Grafton House flat sale and advertising material included provision of landscape garden that has not been delivered.	This is a civil matter, and as such cannot be addressed as part of a planning application.
Building work/ inference with trees could result in subsidence	This is a civil matter, and as such cannot be addressed as part of a planning application.
There could be contamination on site	A condition will be added to any permission given to ensure any unexpected contamination is appropriate dealt with.
Given that the previous scheme was never built, questions have been raised about the viability of the scheme	Officers have been presented with a scheme to assess; it is not for Officers to question the likelihood of the scheme coming forward at this stage.
There may be security risks from increased users to the site	Officers suggest that activating the vacant site with additional users would likely bring additional natural surveillance to the site and do not consider the proposal would result in security concerns.
Concerns raised that drainage issues along Salmon Lane, may be made worse by construction with the potential to collapse under heavy machinery.	The Drainage Officer has been consulted on the application and does not raise any concerns about the proposed drainage methods.
One representation has raised concerns about the piers and capping stones which have not been re-erected.	These structures were to be re-built as permitted by application ref. 18/1680/FUL. This does not form part of this application.

100. **Other Matters**

101. Bins

102. Policy 57 requires refuse and recycling to be successfully integrated into proposals. The application has not been submitted with details of an appropriate arrangement for refuse arrangements and therefore this will be conditioned to ensure is provided in an appropriate manner. One representation has been received suggest that large commercial bins could be used which would result in an eye-sore and health hazard, the detail of the proposed bins size and storage will be required to be submitted through

condition and therefore Officers consider that this can be dealt with in an appropriate manner.

103. Cadent Gas

104. Cadent Gas have commented on the application to suggest that the development site is in close proximity to their assets. They have no objection to the application, however do request that informatives are added to ensure the applicant is aware of their responsibilities in regard to this equipment, they have also provided a map of the assets. The informatives are considered reasonable to ensure the applicant is aware of these matters and is advised accordingly.

105. **Planning Balance**

106. 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).

107. It is acknowledged that the application has received a number of third party representations, however these have been addressed as part of the application and conditions added where appropriate.

108. The application would provide a high-quality, sustainable office space within the city centre, that would add vitality to the site and add to the mix of uses within this part of the city. It has been carefully designed to provide a contemporary addition that would successfully contrast with the surrounding development and not adversely impact surrounding heritage assets and neighbouring occupiers.

109. 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. **Recommendation**

1. **Approve** subject to:

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

Agenda Item 5



Planning Committee Date	3 July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference Site	24/00245/REM 111 - 113 Queen Ediths Way Cambridge Cambridgeshire CB1 8PL
Ward	Queen Ediths
Proposal	Reserved matters application for approval of access, appearance, landscaping, layout and scale following outline planning ref, 22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).
Applicant	Mr Leneghan
Presenting Officer	Dominic Bush
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1.Design and appearance 2.Amenity 3.Highways 4.Other matters
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks approval of reserved matters of access, appearance, landscaping, layout and scale following outline planning ref, 22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).
- 1.2 It should be noted that the principle of the proposed development for a single dwelling within the application site is not a matter for consideration within this application. This was established within the extant outline permission on the site. This application can only be assessed on the matters reserved at outline, the access, appearance, landscaping, layout and scale of the proposed development.
- 1.3 Officers recommend that the Planning Committee approves the application subject to conditions.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The existing site comprises the rear residential gardens of No.111 & 113 Queen Ediths Way. The application currently comprises an outbuilding to the rear of the garden of No.113. Within the red line of the application, a pedestrian access is included running along the existing footpath between No.113 and 115. Meanwhile the vehicular access is also included within the red line of the location plan and utilises the existing shared access road that runs to the east of No.117 Queen Ediths Way.
- 2.2 The application site is located to the rear of the predominant building line of houses that front Queen Ediths Way to the south. Immediately to the north of the site is the neighbouring property of No.119 Queen Ediths Way that utilises the same shared access as the proposed dwelling.

3.0 The Proposal

- 3.1 Reserved matters application for approval of access, appearance, landscaping, layout and scale following outline planning ref,

22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).

3.2 This application follows the previously approved outline planning application and seeks approval of access, appearance, landscaping, layout and scale of the proposed development. The proposed dwelling is a single storey in height with a private residential garden provided to the south of the property. Car parking is proposed to the front of the dwelling with a shared bin storage area located part of the way along the pedestrian access.

3.3 The application has been amended to address comments received from the Local Highways Authority and Councils Environmental Health officer and further consultations have been carried out as appropriate.

4.0 Relevant Site History

Reference	Description	Outcome
14/1838/OUT	Outline application for construction of bungalow/chalet style bungalow.	Refused
15/1322/OUT	Outline application for construction of bungalow/chalet style bungalow.	Refused
22/01411/OUT	Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge	Permitted

4.1 The most recent outline planning application submitted regarding the site was approved as a delegated decision. Within this application, all matters were reserved for the current reserved matters stage, however the principle of development, with the current red line plan was established.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

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

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 32: Flood risk

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting garden land and subdivision of dwelling plots

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

6.0 Consultations

6.1 Local Highways Authority – No Objection

6.2 Comments 15.02.2024:

6.3 Objects due to the intensification of the use of the access as a result of the additional dwelling. It is suggested that the access is extended to be 5m in width for a distance of 5m from the highway.

6.4 Comments 11.04.2024:

6.5 No objection to the proposed development subject to conditions regarding:

- Heavy construction vehicle access hours

6.6 Environmental Health – No Objection

6.7 Comments 07.02.2024:

6.8 Confirmation of whether an Air Source Heat Pump is proposed is required.

6.9 Comments 12.02.2024:

6.10 It is suggested that the location of the proposed Air Source Heat Pump is revised to further its distance from neighbouring properties.

6.11 Comments 15.03.2024:

6.12 No objection to the proposed development subject to conditions regarding:

- a noise impact assessment and noise insulation/ Mitigation scheme for the proposed Air Source Heat Pump.

6.13 Sustainability Officer – No Objection

6.14 No objection to the proposed development subject to a condition regarding:

- water efficiency.

6.15 Tree officer – No objection

6.16 Comments 02.04.2024:

6.17 Objects to the proposed development due to discrepancies within the provided arboricultural information, with further information required.

6.18 Comments 09.05.2024:

6.19 No objection to the proposed development, subject to a condition regarding:

- compliance with the provided tree protection methodology.

7.0 Third Party Representations

7.1 Three representations have been received.

7.2 Those in objection have raised the following issues:

- Access concerns including ownership of the shared access.
- Impact upon trees

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

8.0 Assessment

8.1 Planning Background

8.2 This application follows a previously approved outline planning consent that established the principle of the development of the site outlined in red on the location plan provided. The details of the proposal were not assessed within this previous application and are subject to this application currently under consideration.

8.3 Appendix A is the decision notice for the previous outline permission which includes the conditions applied which would continue to apply in the case that permission is granted for this proposal. This outline permission included conditions requiring further approval of Biodiversity Net Gain, Cycle parking, Drainage, EV Charging, renewable energy, M4(2) compliance and others.

8.4 This application is therefore assessing the proposed development with regards to its access, appearance, landscaping, layout and scale. Where applicable further conditions can be attached to Reserved Matters applications such as this.

8.5 Principle of Development

8.6 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.

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

8.8 This application is proposing the addition of one additional dwelling located within the residential gardens of No.111 and 113 Queen Ediths Way. The principle of the addition of a single residential property within this application site was established within the previous outline permission granted. This is therefore not a matter to be determined within this application.

8.9 The principle of the development is acceptable as approved within the outline permission, reference 22/01411/OUT.

8.10 Design, Layout, Scale and Landscaping

8.11 Policies 52, 55, 56, 57 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.

8.12 The area surrounding the application site is characterised by pairs of semi-detached dwellings that front Queen Ediths way and have large, deep rear private gardens. As stated above, there are a few, exceptions to this prevailing character, with No119 Queen Ediths Way located beyond the prevailing building line. The majority of the surrounding properties are a full two storey in height, including No. 119 Queen Ediths.

8.13 This application is proposing the addition of a single storey dwelling within the application site. Whilst not for consideration at outline stage, indicative plans were submitted with the outline application also showing a single storey dwelling within the application site. As was stated at this stage, it is acknowledged by officers that there are no existing dwellings within the immediate surrounding context that are a single storey in height and within the rear gardens of an existing property, there are a number of single storey incidental and ancillary outbuildings. It is considered by officers that the height and footprint of the proposed dwelling is similar to that of a large outbuilding and would therefore not appear out of character with the surrounding area.

8.14 The proposed dwelling measures approx. 7.8 metres in width and is at most approx. 11.3 metres in depth. As such it would be smaller than any of the surrounding neighbouring properties. Additionally, it is considered that its massing would not visually compete with the larger semi-detached dwellings that front Queen Ediths Way. The height of the proposed dwelling measures approx. 2.6 metres to the eaves and 4.8 metres in height to the ridge. It is therefore significantly set down from any of the neighbouring properties and ensures that any views of the dwelling from the public realm along Queen Ediths Way are largely mitigated.

8.15 The provided site plan shows that a single car parking space will be located to the front of the proposed dwelling, located just off of the shared access road, with a private rear garden located to the south which adjoins

the boundary of the rear gardens of Nos. 111 and 113 Queen Ediths Way. The design of the proposed dwelling is of a modest, sympathetic form, with red buff brick work to the walls and a slate roof. Therefore, within the surrounding context, along Queen Ediths Way where the design of surrounding dwellings varies significantly, the design of the proposed development is considered acceptable.

8.16 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 59 and the NPPF.

8.17 Amenity

8.18 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.

8.19 Neighbouring Properties

8.20 Impact on No. 111 and 113 Queen Ediths Way.

8.21 The proposed development, by virtue of its proximity to the existing dwellings of Nos. 111 and 113 would have a minimal impact on the amenity of these neighbouring properties. The height of the proposed dwelling is considered to be modest, the siting of the property is such that it would be set away from the rear elevations of Nos.111 and 113 by approx. 25 metres at the closest point. This distance, in combination with the height of the proposed dwelling is such that it is not considered to break a vertical 25-degree splay from any windows within the rear elevations of the neighbouring properties, and would therefore, not cause any undue harm through overbearing or loss of light.

8.22 The proposed site plan also shows a proposed 1.8-metre-high boundary fence between the rear garden of the proposed dwelling and the rear gardens of Nos. 111 and 113 Queen Ediths Way. This boundary treatment would be considered to ensure that there are no views from the rear windows within the proposed dwelling to the amenity space within the gardens of Nos. 111 and 113 or the windows within the rear elevations of the neighbouring properties. Therefore, it would not be considered that the proposed development would lead to any loss of privacy for these neighbouring dwellings.

8.23 The proposed development would result in the loss of parts of the residential gardens of both No.111 and 113 Queen Ediths Way. As a result of the proposed development, both neighbouring properties would retain a private rear garden that is approximately 19 metres in length. Which given the width of the gardens is sufficient private amenity space for two dwellings of this size. In addition, given the height of the proposed

dwelling within this application, it is not considered that it would overlook the rear gardens of No.111 or 113. As highlighted on the proposed site plan the area for bin storage is for both the proposed dwelling and Nos. 111 and 113, Indeed No.111 has a right of access across the rear of No.113 for this bin storage area.

- 8.24 Impact on No. 119 Queen Ediths Way
- 8.25 The proposed development would have a minimal impact on no.119 Queen Ediths way located to the north of the site on the opposite side of the access road. The front elevation of this neighbouring property is approx. 17 metres set away from the front of the proposed dwelling. Officers therefore consider that the proposed dwelling would also not break a vertical 25-degree splay from any windows within the front of this neighbouring property and would therefore not be deemed to cause any undue harm through overbearing or loss of light.
- 8.26 This separation distance, in addition to the boundary treatments along the northern edge of the access road also ensure that the windows within the front elevation of the proposed dwelling would not directly overlook those within the front of No.119. Given that the primary external amenity of this neighbouring property is to the rear, it is not considered that the proposal would lead to any loss of privacy for this neighbouring dwelling.
- 8.27 Impact on nos. 115, 117, 121 and 109 QEW.
- 8.28 The proposed development, by virtue of its siting and access along the shared driveway would have a minimal impact upon the neighbouring properties that border the access road. It is however important to consider that the principle of a single dwelling and the likely level of car use resulting from this has previously been established and is therefore not disputed in this application. Indeed, given the provision of only one car parking space for the proposed dwelling, officers do not consider, in line with the comments from the Local Highways Authority that the development would result in the significant intensification of use of the access. Therefore, it is deemed that the proposed development would not cause any significant increase disturbance to these neighbouring properties through noise created by the access.
- 8.29 Future Occupants
- 8.30 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).
- 8.31 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	71	+1

- 8.32 As shown by the above table, the internal floorspace of the proposed dwelling meets the nationally described minimum standards for a single storey dwelling with this number of bed spaces.
- 8.33 Garden Size(s) and Privacy
- 8.34 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.
- 8.35 The proposed dwelling would have a private residential garden that is located to the south of the dwelling, as well as a small area of grass to the front of the dwelling. The rear garden would also include a shed/ bike store which would leave a space of approx. 45sq meters of external amenity space. The space would be entirely private and bounded by a 1.8 metre high fence on the southern and western boundaries. It would directly abut the gardens of Nos. 111 and 113 Queen Ediths Way, however the rear elevations of these properties are approx. 19 metres away. Officers therefore consider that the first-floor windows within these elevations would not directly overlook the residential garden and ensure that the space can be effectively and privately used by future occupiers.
- 8.36 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. A condition was attached to the outline permission granted and would continue to apply in this instance.
- 8.37 Construction and Environmental Impacts
- 8.38 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 8.39 This application is proposing an Air Source Heat Pump to be located to the rear of the proposed dwelling. The location of this pump has been revised during the process of the application to move it away from the neighbouring boundaries as much as possible. As such it is now located a significant distance from any neighbouring properties. The Council's Environmental Health team have assessed the application and raised no objection to the proposal subject to a condition regarding a noise impact

assessment and mitigation measures for the proposed air source heat pump. In addition to the previous conditions regarding construction hours and piling attached to the previous outline permission.

8.40 Summary

8.41 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 and 57.

8.42 Trees

8.43 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 136 of the NPPF seeks for existing trees to be retained wherever possible.

8.44 The application is accompanied by an Arboricultural Impact Assessment and method statement. The Council Tree officer has been consulted on the application, and whilst initially objecting to the proposal, following the submission of additional information has raised no objection. This is subject to a condition requiring compliance of works with the details set out in the Arboricultural method statement as provided. Given that within the previous outline permission, conditions were attached regarding the submission of an arboricultural method statement and compliance with tree protection methodology, given these conditions continue to apply, it is not considered reasonable to attach an additional condition regarding compliance with the method statement provided with this application.

8.45 It is acknowledged by officers that the proposed development is closely surrounded by a number of trees, although these are not protected by a TPO, nor are they within a conservation area. As a result of this the northern part of the rear garden for the dwelling would be under the canopy cover from trees beyond the northern boundary. It is important to consider however, that there are no windows within the proposed dwelling located beneath this canopy cover and there is a significant portion of the garden that would still receive adequate levels of natural light from the south. Therefore, it is not considered by officers that the proposed development would place significant pruning pressures on the trees surrounding the application site that would in turn harm the potential growth of the trees. To ensure that the development would not harm the root protection areas of the trees within the site a condition will be attached to any permission regarding the foundation design of the dwelling ensuring that it takes account the surrounding trees.

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

8.47 Carbon Reduction and Sustainable Design

- 8.48 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.
- 8.49 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.
- 8.50 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.
- 8.51 The application is supported by SAP calculations and as stated about an Air Source Heat Pump is proposed to heat the proposed dwelling. Conditions regarding EV charging and a Carbon reduction statement were attached to the previous outline planning permission.
- 8.52 The Council's sustainability officer has been consulted on the application and has raised no objection to the proposed development subject to a condition regarding water efficiency. Considering the conditions previously attached to the Outline will continue to apply, subject to the condition regarding water efficiency the proposal is deemed acceptable in this instance.
- 8.53 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.

8.54 Biodiversity

- 8.55 The Environment Act 2021 and the Council's 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.

8.56 Within the previous outline application consultation was undertaken with the Council's Ecology officer who raised no objection to the proposed development. Within this outline permission a condition was attached requiring a biodiversity net gain plan, this condition would continue to apply and is considered reasonable to ensure that the proposal is acceptable with regards to biodiversity.

8.57 Water Management and Flood Risk

8.58 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.

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

8.60 The Council's Drainage officer has advised within the previous outline application that the proposal is acceptable subject to conditions regarding surface water drainage and foul drainage. Both conditions were attached to the outline permission and continue to apply.

8.61 Given these conditions remain, in addition to the low flood risk of the site it is considered that the proposed development is acceptable in this regard.

8.62 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.

8.63 Highway Safety and Transport Impacts

8.64 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.

8.65 Para. 115 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.

8.66 Access to the site would be along the shared access road that runs between Nos.117 and 121 Queen Ediths Way. This is an existing access road that serves a number of other dwellings and their garages found at the rear of their gardens. This includes Nos.111 and 113 Queen Ediths Way where the proposed dwelling would replace the existing garage.

- 8.67 At outline stage, no objection was raised to the proposed development and access from the Local Highway Authority as it was deemed that the proposal would not result in an intensification of the use of the access above that of the existing garage location on the application site.
- 8.68 Within this application, initially the proposed site plan showed a larger area of hardstanding to the front of the property that had the potential for the parking of more than one car. Which the Local Highway Authority believed would result in an intensification of the use of the access. Therefore, initially they objected to the proposed development and requested that the access be widened to 5 metres width for a minimum of 5 metres from the highway.
- 8.69 Following revisions to the provided plans, the layout has been amended to clearly show that there is space for only a single car to park within the application site. Therefore, considering, the existing car parking space within the site as existing, the proposed development would not result in any increase in car usage into and out of the site. Therefore, in line with the most recent comments received from the Local Highway Authority, there is no objection to the proposed development with regards to its highway impact, subject to the requested condition regarding access times for heavy construction vehicles, which given the constrained access is considered to be reasonable.
- 8.70 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.71 Cycle and Car Parking Provision

8.72 Cycle Parking

8.73 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.

8.74 The provided site plan shows the provision of a cycle parking store to the rear of the garden with convenient access from along the proposed footpath to the dwelling. Revisions have been received to show the rear gate for the site to be widened to 1.1 metres which is considered sufficient to allow access for bikes. Full details regarding design of the cycle parking store have not been provided within this application. However, within

appendix L, the proposal is required to provide 2No. cycle parking spaces within the site. Condition 22 of the outline permission requires details of this cycle parking. This condition is considered sufficient to ensure that the proposed development is acceptable in this regard.

8.75 Car parking

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

8.77 The proposed development includes the provision of 1no. car parking space within the application site for the dwelling which would have two bedrooms. As the site is outside of any controlled parking zone, it is considered that the level of car parking provided is acceptable for a dwelling of this size.

8.78 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.

8.79 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.

8.80 Third Party Representations

8.81 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
Ownership	Multiple concerns have been raised regarding the proposed development and the use of the access road to the site. Within the Outline permission notice was served to the other owners of the access road and no conclusive

	evidence has been provided to the council to state that the information regarding this ownership is incorrect.
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8.82 Other Matters

8.83 Bins

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

8.85 The proposed development provides a separate in storage area for the additional dwelling as well as Nos.111 and 113 part of the way along the pedestrian access to the site. With the bin collection point at the end of this access where it joins the highway. Given the distances between these points and the proposed dwelling it is considered that the development provides acceptable refuse provisions and would comply with Policy 57.

8.86 Planning Balance

8.87 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).

8.88 The proposed development would preserve the character and appearance of the surrounding area, through the high-quality replacement of the existing dwelling and the retention of sufficient garden land and considerable numbers of trees within the site. The scheme provides for a high-quality living environment for future occupiers.

8.89 It is considered that the impact of the proposed development on the amenity of neighbouring properties would not be significant and is acceptable in this instance.

8.90 Objections regarding the proposed access and its ownership are noted, however it is considered that the necessary notice has been served to the other owners of the land and that the access to the site is acceptable in this instance.

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

9.0 Recommendation

9.1 **Approve** subject to:

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

1. The development hereby permitted shall be 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. Any demolition, construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall only service the site between the hours of 09.30hrs -16.00hrs, Monday to Saturday.

Reason: in the interests of highway safety, in accordance with Policy 81 of the Cambridge Local Plan 2018.

3. Prior to the installation of any Air Source Heat Pump (ASHP) a noise impact assessment and any noise insulation/mitigation scheme as required for the ASHP shall be 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 neighbouring occupiers in accordance with Policy 35 of the Cambridge Local Plan 2018.

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

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

5. No development shall commence until detailed plans and an associated report for the foundation design of the development have been submitted to and approved in writing by the Local Planning Authority. The plans and report shall demonstrate that the foundation design accounts for tree variety and age, soil type, root growth (including root barriers), ground movement and tree growth. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure the tree roots are suitably protected from

development and that the design of the foundations are appropriate (Cambridge Local Plan 2018, policy 71).



Planning Committee Date	03 July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/05556/FUL
Site	198 Queen Edith's Way, Cambridge, CB1 8NL
Ward / Parish	Queen Edith's
Proposal	Demolition of the existing dwelling and erection of four dwellings and associated works
Applicant	Mr Sean Dudley
Presenting Officer	Michael Sexton
Reason Reported to Committee	Called-in by a Councillor
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Principle of development2. Impact of the development upon the character and appearance of the area.3. Highway safety4. Residential Amenity5. Ecology6. Trees and Landscaping
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks full planning permission for the demolition of an existing dwelling and the erection of four dwellings (two pairs of semi-detached properties) and associated works.
- 1.2 The principle of subdividing the plot for four dwellings, a net gain of three units, is acceptable and complies with Local Plan policies.
- 1.3 The design and layout of the proposed development is in keeping with the overall character and appearance of the area, with details of external materials secured by planning condition. Additional and replacement planting is provided to the front of the site, within the rear gardens and along the side boundaries of the site. The development would provide a measurable net gain in biodiversity. Biodiversity, landscape, and tree details are secured by planning condition.
- 1.4 Secure cycle parking is provided to the front of the site, with a cycle store providing two spaces for each unit and further cycle storage provided in the rear gardens of each unit. Four car parking spaces are incorporated to the front of the site, each equipped with EV charging points, providing one space per unit.
- 1.5 The application was considered by the Planning Committee on 06 December 2023 and deferred by Members who sought further information / clarification on matters relating to:
- Biodiversity Net Gain calculations: the accuracy of the information provided in respect of felled trees and removal of vegetation prior to submission.
 - Cycle Parking Provision: two cycle spaces to the front per unit and three to the rear.
 - Bat Survey: submission of survey prior to determination rather than by way of pre-commencement conditions.
 - Internal Layout: downstairs toilet linking to kitchen area.
 - Highway Safety: clarification from Highways Authority given proximity to school.
- 1.6 The application is returned to the Planning Committee following progression of the matters above, the details of which are embedded within this report.
- 1.7 Officers recommend that the Planning Committee approve the proposed development subject to conditions outlined in the report.

2.0 Site Description and Context

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

- 2.1 The application site is located south of Queen Edith's Way and to the north of Netherhall School and Sixth Form Centre.
- 2.2 To the rear of the site is a private garden that abuts onto car parking serving the School and Sixth Form. To the east of the dwelling there is a narrow gated Emergency Track Road from Queen Edith's Way to the School car park, beyond which is no.200 Queen Edith's Way, a two storey detached dwelling, the first of a long row of two storey residential properties extending to the east. To the north of the site is a large play area. To the west is the frontage of Netherhall School and Sixth Form Centre.
- 2.3 The existing dwelling within the site is a small flat roof detached bungalow constructed from facing brickwork of no architectural merit. The existing dwelling is set back from the public highway and benefits from a large front garden.
- 2.4 The site had mature trees and hedgerows surrounding the front garden but several of these have been removed. At the time of removal there were no Tree Preservation Orders on site and the site is not located within a Conservation Area, which would have provided a degree of protection.
- 2.5 There is a Tree Preservation Order in the north-western corner of the site. This tree, a Field Maple, is to be retained as part of the development.
- 2.6 The site is location within Flood Zone 1 (low risk) and falls outside the controlled parking zone. The site is not located in a Conservation Area or near to any listed buildings, or buildings of local interest.

3.0 The Proposal

- 3.1 The application seeks planning permission for the demolition of the existing dwelling and the erection of four dwellings and associated works.
- 3.2 The proposed dwellings comprise two pairs of 3-bed semi-detached dwellings. The design of the pairs of semi-detached dwellings is identical, having hipped roof designs and front hipped-gable projections intersecting the main roof. Each unit would have a small box dormer on the rear roof slope. The dwellings would be finished in red stock brickwork laid in stretcher bond in a light-coloured mortar. For the roof covering, concrete

interlocking plain tiles is proposed, and galvanised steel for the downpipes and rainwater gutters. The windows would be aluminium composite in a matt black finish.

- 3.3 At the front of the site, each dwelling would have one allocated car parking space equipped with an EV charger along with a communal bike store providing two spaces for each dwelling. Rear bike stores for each unit would also be provided offering a further three spaces.

4.0 Relevant Site History

- 4.1 None relevant.

5.0 Policy

5.1 National

National Planning Policy Framework 2023
National Planning Practice Guidance
National Design Guide 2021
Environment Act 2021
Equalities Act 2010
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Technical Housing Standards – Nationally Described Space Standard (2015)
Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development
Policy 2: Spatial strategy for the location of employment development
Policy 3: Spatial strategy for the location of residential development
Policy 28: Sustainable design and construction, and water use
Policy 29: Renewable and low carbon energy generation
Policy 30: Energy-efficiency improvements in existing dwellings
Policy 31: Integrated water management and the water cycle
Policy 32: Flood risk
Policy 33: Contaminated Land
Policy 35: Human health and quality of life
Policy 36: Air quality, odour and dust
Policy 50: Residential space standards
Policy 51: Accessible homes
Policy 52: Protecting Garden land and subdivision of dwelling plots
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 59: Designing landscape and the public realm
Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 71: Trees
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

Trees and Development Sites SPD – Adopted January 2009

5.5 **Other Guidance**

N/A

6.0 **Consultations**

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

6.2 Recommend conditions for a Traffic Management Plan, construction/demolition vehicle weight, removal of redundant vehicular crossing, pedestrian visibility splays and driveway falls and levels along with an informative relating to works to or within the public highway.

6.3 **Ecology Officer – No objection**

6.4 Comments received 10 February June (support):

6.5 No ecology objection. Support the submitted biodiversity enhancement plan.

6.6 Comments received 15 June (no objection):

6.7 Reviewed the Small Site BNG metric submitted for this scheme and can confirm that the baseline has been set prior to the identified vegetation clearance, in line with best practice. As such the BNG metric is acceptable and demonstrates a measurable net gain in biodiversity in line with NPPF. Please note this BNG relies on the proposed landscape conditions and recommend the standard BNG plan condition to ensure the proposed features are installed and maintained and the BNG is realised.

6.8 Comments received 20 June (holding objection):

6.9 Holding objection until evidence to support statement that the submitted small site BNG metric was assessed on a pre-vegetation clearance baseline. Within the submitted metric '1d. Tree area calculator' there is no reference of medium or large trees being lost from site, contrary to what the provided images are showing. In line with the Environment Act, if the local planning authority believe a site to have been cleared to aid development after January 2020, then the baseline can be set from aerial

photographs or previous habitat surveys if available. The condition of these habitats or features should be assessed on a precautionary approach.

- 6.10 Given the site is within 500 metres of designated wildlife sites the small site metric flagged the potential use of the full BNG metric 4.0 for this scheme. The applicants ecologist assessed the likely impacts of the scheme on these sites as being low. Given the plot size and wider urban context, I originally agreed with this assessment and felt the small site metric remained appropriate. However, given the apparent scale of vegetation loss and local concerns raised, I would now recommend requesting a revisit of BNG using the more detailed 4.0, based on an agreed pre-site clearance date. The metric should be accompanied by supporting evidence that clearly maps and references the habitats, individual trees and linear hedgerows, lost, retained, enhanced or created.
- 6.11 Given the previous vegetated nature of the site I would also request that an internal and external preliminary bat roost inspection be provided for the building proposed for demolition. This assessment can be carried out by a qualified ecologist at any time of year.
- 6.12 Comments received 06 October 2023 (no objection):
- 6.13 Not in a position to challenge whether the site was cleared by the applicant, but evidence has been submitted that tree and hedgerow removals have taken place in the recent past. Given the small scale of the site, refer to case officer to determine if it is expedient to challenge this further.
- 6.14 The small site metric has been revised in line with additional proposed amendments and demonstrates a potential plus 35% BNG uplift from the applicants submitted baseline. Given the scheme currently only needs to demonstrate a measurable net gain, there is suitable contingency to achieve this within the proposals. This could be secured via a BNG Plan condition.
- 6.15 The proposed nest box and additional biodiversity enhancements are appropriate and acceptable.
- 6.16 The applicants do not appear to have provided further evidence with regard our request for preliminary bat roost inspection of the building proposed for developed. Protected Species survey are required pre-determination as per the adopted Biodiversity SPD. The preliminary survey is not seasonal and can be undertaken by an experience ecologist at any time of year. If, however, bat roosts are suspected or identified then emergence surveys may be required which are seasonally dependent.
- 6.17 Comments received 06 October 2023 (no objection; updated comments regarding Preliminary Bat Roost Inspection):

- 6.18 Arguably it is asked for within the adopted and available Biodiversity SPD. However, the risk is likely low and not just a planning matter for the applicant, as all bat species and their roosts sites are protected by law. Although not best practice, content for the requested survey to be a pre-demolition condition.
- 6.19 Comments received 12 June 2024, following deferral (no objection):
- 6.20 Content with timing and duration of emergence survey within the JD Ecology Bat Report (May 2024), following identification of the on site buildings as having 'low bat roost potential' within the Preliminary Bat Roost Assessment (JD Ecology). The follow up emergence survey accords with bat survey best practice guidelines for such features.
- 6.21 No bat roosts have been identified and therefore no additional bat roost surveys are required prior to determination.
- 6.22 Support the proposed Biodiversity Enhancement Plan detailing specification and location of integrated bird and bat box features, request this plan forms part of any approved plans.
- 6.23 **Environmental Health – No objection**
- 6.24 Recommend standard conditions for construction / demolition hours, demolition / construction collections / deliveries, construction/demolition noise/vibration & piling, dust and plant noise insulation.
- 6.25 A bespoke informative relating to air source heat pumps is also recommended along with an informative relating to plant noise insulation.
- 6.26 **Sustainable Drainage Officer – No objection**
- 6.27 The development proposed is acceptable subject to the imposition of a condition requiring surface water drainage and foul drainage schemes.
- 6.28 **Tree Officer – No objection**
- 6.29 Recommend a condition for hard and soft landscape details, an Arboricultural Method Statement and Tree Protection Plan and its implementation, and replacement planting.
- 7.0 Third Party Representations**
- 7.1 Prior to the deferral of the application in December 2023, two representations have been received.
- 7.2 Those in objection have raised the following issues:
- Comments received 17 January:
- Error about the ownership of the hedgerow that marks the boundary with no.200 Queen Edith's Way.

- The impact of development on the hedgerow has not been recognised and is not clear.
- Application form ignores the emergency access track land.
- Density of development is disproportionate relative to neighbouring properties and previous occupational density.
- Impact on residential amenity (no. 200)
- Impact on biodiversity.
- Need to assess future parking, waste storage collection and drop kerb/grass verges and cumulative effects on Queen Edith's Way.
- Request conditions placed upon construction.

Comments received 14 March:

- Proposal to remove half width of hedgerow questioned.
- Arboricultural Impact Assessment (AIA) does not mention trees within hedgerow.
- AIA doesn't explain Category C conclusion for the hedgerow or how an 80+ year hedgerow is "young".
- AIA inconsistent in its assessment the hedgerow.
- No assessment of impact on animal biodiversity on the site or hedgerow.

Comments received 18 April:

- Hedgerow: lack of proper identification, recognition and assessment and its notable contribution to the local area (history, landscape, biodiversity).
- Biodiversity impact; no justification for premature, unauthorised removal of the sites biodiversity and habitats.
- Restrictive covenant upon no.200 to grow and maintain hedgerow.

Comments received 01 May:

- Procedural regularity and fairness; documents published back-dated.
- Dispute AIA concluding hedgerow being in poor condition.
- Hedgerow contains plum trees.
- Legal boundary determined according to the methodology set out in the Royal Institute for Chartered Surveyors' professional standard.
- Hedgerow has significance concerning history, landscape, biodiversity.

Comments received 22 June:

- Refers to commenting on Small Site Biodiversity Net Gain metric after applicants submission of information requested by the Biodiversity Officer.

Comments received 22 September:

- Biodiversity Enhancement Plan would appear to be coming onto no. 200 (if to scale), which is not acceptable.
- Impact of new trees on no. 200 (shadow and leaves falling).
- The BNG 4.0 does not seem to have a baseline starting date from before the first of the three site clearances i.e., before 30 May 2022.

- BNG 4.0's description and assessment of the hedgerow are inaccurate.

Comments received 20 October:

- Question timing of publication of information on website.
- Highlights information not published (third party photos, and attachment to pre-commencement conditions email to agent).

Comments received 02 November:

- Question timing of publication of information on website.
- Provides historic photos and context to site, highlighting removed biodiversity surrounding the front and sides of the site.
- Reiterates inaccuracies of existing site use, existing private road, number of existing parking spaces, hedgerow importance and purpose against AIA assessment, BNG 1.0 and BNG 4.0.
- Need to recognise and assess biodiversity on existing site, areas adjoining the site, an accurate assessment of the hedgerow, TPO request for the entire hedgerow.
- Clarification of the private road's status and the rights of way.

7.3 Those in support have raised cited the following reasons:

- Delivery of much needed housing from a windfall site in a very sustainable location.
- Appropriate in design.
- Development would support the education of 1200 students from local area releasing funding for much needed capital developments.

7.4 Five third party objections have been received from nos.163, 200, 222, 232 and 234 Queen Ediths Way following publication of a Preliminary Bat Roost Assessment in January 2024 and a Bat Report in May 2024 raising the following concerns:

- Overdevelopment of the site.
- Parking and highway safety concerns.
- Wildlife impact.
- Vegetation already cleared from site.
- Does not address lack of affordable housing.
- School has insufficient provision for parking or dropping off.
- Bat survey does not consider recent bat surveys nearby.
- Inadequacy of Bat Survey duration.

7.5 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 Member Representations

8.1 Cllr Richard Robertson has made representations objecting to the application on the following grounds:

Comments received 10 March:

- Concerned about the loss of trees on this site and the risk of further loss.
- Concerned about the risk to the substantial hedge along the boundary between 198 and 200 Queen Edith's Way; plans cutting into this hedge not acceptable and unnecessary if buildings were pulled back to wider part of site, or reduced in size.
- Have asked for a TPO to be put on the hedge
- Call application in (in event of recommendation of approval).

Comments received 15 March:

- Impact on biodiversity, removal of half width of existing hedge; should not accept current proposals so close to hedge and the whole hedge should be reduced in width (or height) at any point.

Comments received 17 May:

- Applications must demonstrate a net gain in biodiversity; applicant has failed to comply.

Comments received 25 May:

- Reference to site visit with neighbour, photographs of trees cut down, tree stumps photographed, incorrect claim from applicant that there were three parking spaces already on site.

Comments received 17 October:

- Metric is incorrect in pre-development assessment and diameter of trees.
- Metric appears to have excluded landscaping, hedge and trees removed in May 2022; wrong baseline date has been assumed.

8.2 A further representation from Cllr Robertson was received following publication of a Preliminary Bat Roost Assessment in January 2024 and a Bat Report in May 2024 raising the following concerns:

- Boundary hedge (with no.200 Queen Ediths Way) should be given full protection and moving proposed building footprint should be considered.

8.3 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.

9.0 Assessment

9.1 Background: Committee Deferral 06 December 2023

9.2 The application was considered by the Planning Committee on 06 December 2023 and deferred by Members. Following concerns raised by Members, officers were tasked with seeking further information / clarification on a range of matters including biodiversity and highway

safety. These issues have been explored by officers and relevant responses / updates embedded within this revised report as follows:

Biodiversity Net Gain calculations: the accuracy of the information provided in respect of felled trees and removal of vegetation prior to submission.

- No change, see paragraph 9.50.

Cycle Parking Provision: two cycle spaces to the front per unit and three to the rear.

- No change, see paragraphs 9.76.

Bat Survey: submission of survey prior to determination rather than by way of pre-commencement conditions.

- Preliminary Bat Roost Assessment and Bat Report submitted, no bat roosts have been identified and therefore no additional bat roost surveys are required prior to determination, see paragraphs 9.54 to 9.57.

Internal Layout: downstairs toilet linking to kitchen area.

- No change, see paragraphs 9.95.

Highway Safety: clarification from Highways Authority given proximity to school.

- No change, Local Highways Authority have considered proximity of the site to the school, see paragraphs 9.70.

9.3 **Principle of Development**

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

9.5 The proposal would contribute to housing supply and would therefore comply with Policy 3 of the Local Plan.

9.6 Policy 52 sets out that proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will be allowed where the dwellings will be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

9.7 The application proposes the demolition of an existing dwelling and erection of four dwellings, subdividing the existing land to allow three additional dwellings to be built.

- 9.8 The proposed two storey height, with habitable space in the roof, is appropriate to the surrounding pattern of development and character of the area. The proposed siting, scale, height, and massing of the proposed development is generally acceptable as it would maintain the existing ridge height and building line in the street scene.
- 9.9 The proposed layout provides for reasonable plots with sufficient garden space measuring a depth of approximately 8 metres. The gardens would provide an area of lawn and a patio area with integrated lockable bike shed and an area for an air source heat pump.
- 9.10 Compared to the deep and narrow rear gardens of neighbouring properties, the proposed gardens would be shallow. However, the gardens abut an area of car parking to the rear of the site associated to Netherfield School making it impossible to provide the deep gardens consistent with neighbouring gardens in the area. Nonetheless, future occupiers would be provided with a reasonable amount of private amenity space.
- 9.11 Landscape conditions are recommended to ensure that planting to the frontage contributes to the character of the area and towards the biodiversity quality of the site, to maintain a varied and suburban character to match the streetscape.
- 9.12 The principle of development aligns with the aims and objectives of Policy 52.
- 9.13 **Design, Layout, Scale and Landscaping**
- 9.14 Policies 52, 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.
- 9.15 The site is approximately 0.07 hectares and comprises a detached single storey flat roof residential unit. The site is relatively expansive with a large, landscaped area to the front, bounded by an area of car parking to the rear. To the north is the public highway beyond which is a large playing field.
- 9.16 Apart from the Netherhall School, this area of Queen Edith's Way is largely residential. The dwellings in the area consist of two storey detached and semi-detached dwellings. Their design is varied with a mixture of roof design, external finishing materials and fenestrations. The pattern of development is generally linear and properties typically have large rear gardens with parking accommodated in front driveway and parking areas.
- 9.17 The proposal would introduce four, two storey semi-detached dwellings following the demolition of the existing bungalow.
- 9.18 The density of development would be 57 dwellings per hectare, providing a higher density of development than surrounding plots. However, the

density is considered acceptable; the general layout and appearance of the site does not appear overly cramped and provides semi-detached dwellings that have a form and scale that is comparable to residential dwellings within the street scene. The design of the dwellings has taken clues to reflect the height, scale, and external finishing of neighbouring properties. The use of red stock brickwork, aluminum composite windows and concrete interlocking plain tiles (dark red/brown) is considered to provide an appropriate palette of materials that can be secured by planning condition.

- 9.19 Notwithstanding the higher density of development, the proposed layout maintains the front setback and building lines evident in the street scene, with parking accommodate to the front of the site. The proposal is cohesively and appropriately situated within the site and would be in keeping with the prevailing character and appearance of the area.
- 9.20 Aside from one tree which has been retained (a Field maple), all other trees and vegetation have been removed / cut down from the front of the site. A landscaping scheme has been submitted showing replacement tree planting at the front and rear of the site, which is supported. Full details of hard and soft landscaping, including tree planting, can be secured by condition to ensure the development is compatible with its surroundings and makes a positive contribution to the character of the area.
- 9.21 As amended, a bike store is proposed towards the front of the site. Although structures to the front of properties is not common within the immediate street scene, given the stores modest scale, it is not considered to result in harm to the visual amenity of the area and to provide an important function for the potential occupiers of the site.
- 9.22 Overall, officers are satisfied that the site can accommodate the proposed development while respecting the character and appearance of the area. However, to ensure the proposed dwellings and Plots do not become overly dominant or cramped in appearance, officers consider it reasonable and necessary to remove permitted development rights under Classes A, B and E.
- 9.23 Overall, and subject to conditions, the proposal is compliant with policies 52, 55, 56, 57, 58 and 59 of the Local Plan and the NPPF.
- 9.24 **Trees and Landscape**
- 9.25 Policies 59 and 71 of the Local Plan seek to preserve, protect, and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Paragraph 136 of the NPPF seeks that existing trees are retained wherever possible.
- 9.26 At the time of an officer site visit undertaken on 06 January 2023, the front and side boundaries of the site contained mature trees and vegetation, none of which were covered by Tree Preservation Orders at the time.

- 9.27 In February 2023 an Arboricultural Impact Assessment was submitted to support the application.
- 9.28 Appendix 3 of the Assessment provides an Arboricultural Site Plan (existing) and notes a tree in the northwest corner of the site (T1: Field Maple), a group of trees on the western boundary of the site (G1: line of cypress located on adjacent site) and a hedgerow along the eastern boundary with no.200 Queen Edith's Way (H1: mixed species hedge).
- 9.29 Appendix 4 of the Assessment provides an Arboricultural Site Plan (proposed), which illustrates the retention of T1, the removal of G1 and works to H1.
- 9.30 The Plan annotates that G1 offer no Arboricultural or amenity value and the removal does not require offsetting through new tree planting, although as part of the sites landscaping 3/4 new tree plantings are proposed that would offset any associated loss.
- 9.31 It is important to note that these trees (G1) fall slightly outside of the application boundary and therefore outside the control of the applicant / planning application. The 'schedule of trees' in the Plan notes that the owners of the trees have stated that the group is going to be removed.
- 9.32 The annotations for H1 propose to remove secondary line of stems to ensure adequate clearance of the development and to offset the proposed removal a new mixed native species hedgerow will need to be planted along the edge of the site to create a more management hedge for the proposed dwellings to maintain.
- 9.33 Since the initial officer site visit, several trees along the frontage of the site have been removed / cut down along with vegetation in the eastern portion of the site adjoining the Emergency Track Road. Works were also undertaken to the common hedge between the Emergency Track Road and No.200 Queen Edith's Way on the eastern boundary of the site. Additionally, some trees along the western boundary of the site have been removed.
- 9.34 The removal of trees is noted in the comments of the Council's Trees Officer, referring to a site that was, until recently, dominated by trees on three sides and offered a significant contribution to the verdant character of the area. The comments also set out that it is not clear why T1 has been given a category of C1; no estimated life expectancy has been provided in the schedule but a semi-mature tree of this species with good structure and vitality with no recorded significant defects could be expected to live in excess of 40 years making it suitable for consideration in category A and inclusion in at least Category B2.
- 9.35 During the application three provisional Tree Preservation Orders were served on the site, although only T1 (Field Maple) was present on site at

- the time. The Tree Preservation Order on the Field Maple has now been confirmed.
- 9.36 The development seeks to retain T1. This is strongly supported and details of protection measures during construction can be secured by condition.
- 9.37 New tree planting is proposed in the rear gardens of each Plot, along with additional trees to the frontage of the site. Areas of soft landscaping and new planting are also proposed. Additional / replacement planting within the site is supported, which would respond positively to the character of the area and contribution the planted frontage of the site previously provided within the street scene.
- 9.38 In consultation with the Council's Trees Officer, no objections are raised to the proposed development, subject to conditions.
- 9.39 Officers consider it reasonable and necessary to impose conditions relating to full details of hard and soft landscaping, the submission of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), compliance with the approved AMS and TPP, and the replacement of any tree that is removed, uprooted, destroyed or dies within five years of project completion.
- 9.40 Officers acknowledge the third-party objections / concerns relating to the removal of existing trees and hedgerows from the site. However, as noted above, at the time of removal no Tree Preservation Orders were on site. Nonetheless, the aesthetic value and contribution the site made to the character of the area prior to the removal of trees and hedgerows is noted and the proposal for additional / replacement planting is strongly supported and recommended to be secured by planning conditions.
- 9.41 Subject to conditions, the proposal would accord with policies 59 and 71 of the Local Plan.
- 9.42 **Biodiversity**
- 9.43 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a measurable 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.
- 9.44 Policy 70 of the Local Plan states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 9.45 Third party concerns have been raised regarding the loss of biodiversity from the site following the removal of existing trees and vegetation and consider the submitted biodiversity enhancement plan as inadequate

- compensation for the removal of habitat. Additionally, concerns are raised that the applicant failed to comply with planning policy clarified by the Biodiversity SPD and it has been requested that the applicant should demonstrate biodiversity net gain from a baseline before removal of trees and vegetation.
- 9.46 The application, as amended, is supported by two Small Site Metrics (4.0), the first published on 06 June 2023 and the second on 01 September 2023. Two biodiversity enhancement plans have also been submitted, the first published on 22 December 2022 and the second on 01 September 2023. These documents/plans seek to demonstrate a measurable net gain in biodiversity can be achieved as part of the proposed development.
- 9.47 The updated Metric sought to respond to concerns that the initial submission did not adequately account for the loss of trees and vegetation that had been removed from the site. This is evident in the 'Headline Results' tab of both Metrics, where the baseline units in the September 2023 Metric for habitat units appear as 1.0568 (previously 0.6075). No change is indicated for hedgerow units (remaining 0.0470) or river units (remaining at zero).
- 9.48 The total net change of the updated metric, considering the proposed landscaping and biodiversity enhancements that have also evolved as part of amended proposals, sets out a gain in habitat units of 0.3714 and hedgerow units of 0.0573. This equates to a net percentage change of 35.15% of habitat units and 121.99% hedgerow units.
- 9.49 Based on the information submitted, the proposed development would provide an on-site measurable net gain in biodiversity.
- 9.50 Following deferral of the application in December, officers have discussed the updated metric with the developer and reviewed the information available further. A Tree Location Plan has been submitted to show the location of trees removed prior to the submission of the application, which are reflected in the updated September metric. Officers remain satisfied that the updated metric (September 2023) is an acceptable representation of the baseline conditions prior to removal of several trees and hedgerows and no further updates are sought or considered necessary.
- 9.51 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposed development, as amended.
- 9.52 To ensure that the development delivers a measurable net gain in biodiversity and complies with relevant policy, officers consider it reasonable and necessary to include the biodiversity enhancement plan as an approved plan and its compliance secured by a standalone condition. This condition, together with landscape conditions as noted above, would secure a net gain in biodiversity on site.

- 9.53 Initially, in discussion with the Council's Ecology Officer, it was considered necessary to impose a pre-demolition condition requiring the submission of a Preliminary Bat Roost Inspection conducted by a licenced ecologist, to be submitted and approved by the Local Planning Authority, with works to proceed in accordance with the approved report. However, this approach was rejected by Members in December 2023.
- 9.54 Following deferral of the application in December, where Members sought Bat Surveys prior to determination, a Preliminary Bat Roost Assessment and Bat Report have been submitted.
- 9.55 These reports identify the existing buildings as having 'low bat roost potential' within the Preliminary Bat Roost Assessment (JD Ecology). The follow up emergence survey accords with bat survey best practice guidelines for such features and no bat roosts have been identified; therefore, no additional bat roost surveys are required prior to determination. The Council's Ecology Officer is supportive of the additional technical reports that have been submitted.
- 9.56 As part of the consultation response, the Council's Ecology Officer notes the concerns of third parties with the technical reports submitted.
- 9.57 The requested surveys were to identify potential bat roosts within the onsite building, not wider bat activity survey. Given the sites scale, habitats and location it is not considered proportionate to require commuting and foraging surveys in this instance. However, a condition requiring the submission of an ecological sensitive lighting scheme has been recommended to ensure the neighbouring hedge line to Plot 4 and southern boundary to the rear of the proposed garden remain favourable for commuting bats. Such a condition is considered reasonable and necessary as part of any consent.
- 9.58 Subject to the recommended conditions, the proposal would accord with Policies 57, 59 and 70 of the Local Plan and the Council's Biodiversity SPD.
- 9.59 **Water Management and Flood Risk**
- 9.60 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 9.61 The application has been subject to formal consultation Council's Sustainable Drainage Engineer, who raises no objection to the proposal subject to conditions to secure a scheme of surface water and foul water drainage. Officers consider the recommended conditions reasonable and necessary as part of any consent, to ensure a satisfactory method of drainage and to prevent an increased risk of flooding.
- 9.62 Subject to the recommended conditions, the proposal would comply with Policies 31 and 32 of the Local Plan.

9.63 **Highway Safety and Transport Impacts**

- 9.64 Policy 80 of the Local Plan supports developments where access via walking, cycling and public transport are prioritised and is accessible for all.
- 9.65 Policy 81 of the Local Plan states that developments will only be permitted where they do not have an unacceptable transport impact.
- 9.66 Paragraph 115 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.
- 9.67 The application is proposing a new access off Queen Edith's Way, with an existing dropped kerb to be reinstated and made good to highway standards. Queen Edith's Way is a 20mph road outside a control parking zone.
- 9.68 The application has been subject to formal consultation with the Local Highways Authority, who raise no objection to the proposal subject to conditions for a Traffic Management Plan, construction/demolition vehicle weight, removal of redundant vehicular crossing, pedestrian visibility splays and driveway falls and levels.
- 9.69 Officers consider the recommended conditions reasonable and necessary as part of any consent to ensure the proposal does not result in harm to highway safety.
- 9.70 Following deferral of the application in December, officers have discussed the proximity of the development to Netherhall School with the Local Highways Authority, who confirmed their comments account for this. The Traffic Management Plan would deal with the construction period and potential conflicts that may arise during that phase of the development. Once occupied, suitable visibility splays can be achieved with for both vehicles and pedestrians, with several compliance conditions securing appropriate access arrangements.
- 9.71 Subject to conditions, the proposal accords with the objectives of Policies 80 and 81 of the Local Plan and is compliant with NPPF advice.

9.72 **Cycle and Car Parking Provision**

Cycle Parking

- 9.73 Paragraph 9.32 of the Cambridge Local Plan states that the provision of good, high quality and easily accessible cycle parking is important to encourage cycling and also reduce the theft of bikes. Like car parking, cycle parking should be 'designed in' to developments from an early stage.

- 9.74 Appendix L of the Cambridge Local Plan sets out that cycle parking should accord with the Council's Cycle Parking Guide for New Residential Developments (para. L.24) and should be located in a purpose-built area at the front of the house and be at least as convenient as the car parking provided. For residential dwellings a minimum standard of 1 space per bedroom up to 3-bedroom dwellings.
- 9.75 The proposal, as amended, provides secure and covered cycle parking at the front of the site, with two spaces provided for each residential dwelling through a modest flat roofed cycle store with sedum grass roof. Further cycle parking is provided in the rear gardens of each Plot in the form of cycle stores, which can accommodate a further three spaces.
- 9.76 Following deferral of the application in December, officers have discussed the provision of cycle parking with the developer. A revised bike store plan has been submitted, which still shows the provision of two cycle spaces per Plot to the front of the site but has revised the three spaces in the rear garden of each Plot to provide one cargo space and two cycle spaces, retaining the provision of five spaces per Plot. Officers are satisfied that the updated parking arrangements are acceptable.
- 9.77 The Council's Cycle Parking Guide sets out in paragraph 3.7.1 that, if unavoidable, where cycle parking is provided to the rear or sides of private dwellings, the access way should preferably be 1500mm wide or a minimum of 1200mm over a distance of no more than 10 metres.
- 9.78 In this instance a minimum width of approximately 1.2 metres is provided to the side of Plots adjacent to the side boundaries of the site. The gap between the two central Plots is approximately 1.2 metres over approximately 11 metres, slightly more than the recommendations of the Council's Cycle Parking Guide. However, as two cycle parking spaces are provided at the front of the site for each Plot, the accessibility of the rear cycle parking provision is considered acceptable in this instance.
- 9.79 The proposal, as amended, therefore provides five cycle parking spaces for each 3-bedroom unit, exceeding the minimum requirements of the Local Plan. The provision of the cycle stores would be secured through the approved plans condition and could also be secured through a pre-occupancy condition.

Car parking

- 9.80 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.
- 9.81 The proposed car parking provision for the new dwellings will be off-street car parking spaces provided at the front of the site. Each dwelling will be

allocated one car parking space and is considered an acceptable arrangement given the presence of public transport alternatives and proximity to services and facilities. The site is within walking and cycling distance from Queen Edith's Way, Fulbourn Road and High Street which provides shops and services. Bus stops are located approximately 2 minutes walking distance from the site which provides regular bus services to and from the city centre.

- 9.82 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.
- 9.83 The submitted site plan indicates that each car parking space will have EV charging points. This is acceptable and can be secured by planning condition.
- 9.84 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.
- 9.85 **Residential Amenity**
- 9.86 Policies 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 9.87 The residential property that would be most affected by the development is No. 200 Queen Edith's Way. The proposed dwelling on Plot 4 would be the closest to No. 200.
- 9.88 The separation gap between Plot 4 and no.200 Queen Edith's Way ranges from approximately 2.6 metres to 3.6 metres. The depth of this Plot (and all other Plots) extends approximately 1.8 metres beyond the rear elevation of No.200 Queen Edith's Way. Based on the siting of the dwellings, it is considered that the proposal would not result in a significant sense of enclosure, loss of light or overbearing impact to this neighbour.
- 9.89 Concerns have been raised with regards to loss of privacy from the flank windows of the dwelling on Plot 4. The windows on the side elevation will serve non-habitable areas (bathroom) and the plans indicate that the window at first floor level will be obscure glazed. Officers consider it reasonable and necessary to include a condition requiring the first floor side window to be obscure glazed as part of any consent.
- 9.90 With regards to rear windows, they would overlook the car parking area of the adjacent school. Therefore, it is considered that no significant loss of privacy would occur in this instance.

9.91 With respect to environmental impact, the elements that would generate noise and disturbance would be vehicles accessing the site. Given that cars would be parked at the front of the site, there would be limited impact on the general environment of neighbouring properties in terms of noise from vehicle movements.

Future Occupants

9.92 Consideration is also given to the amenities of the future occupants of the proposed development.

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

9.94 The gross internal floor space measurements will be identical for units is 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
4	3	5	2	93	112	+19

9.95 Following deferral of the application in December, officers have discussed the internal layout of the proposed dwellings with the developer with respect to the central downstairs toilet opening into the kitchen area. No updates to the floor plan have been made, which continue to show an open plan ground floor living-kitchen-dining area. No policy conflict is identified that would sustain a refusal of the application based on the proposed ground floor plan of the proposed dwellings.

9.96 Policy 50 of the Local Plan states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size, and location to allow effective and practical use of the intended occupiers.

9.97 The private garden areas for each Plot have been calculated to be (approximately):

- Plot 1: 54.9 sqm
- Plot 2: 46.2 sqm
- Plot 3: 45.9 sqm
- Plot 4: 68.6 sqm

9.98 The private garden areas provided are considered acceptable.

9.99 Policy 51 requires all new residential units to be of a size, configuration, and internal layout to enable Building Regulations requirement part M4(2)

accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings.

- 9.100 The Design and Access Statement submitted states the proposal would comply with these standards (M4(2)). To ensure compliance with Policy 51, a condition is recommended as part of any consent that the dwellings are constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings'.

Construction and Environmental Impacts

- 9.101 Policy 35 of the Local Plan guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.
- 9.102 The Council's Environmental Health Team have assessed the application and recommended standard conditions restricting construction/demolition hours, demolition/construction collections and deliveries, construction/demolition noise/vibration & piling, dust control and plant noise insulation.
- 9.103 Officers consider it reasonable and necessary to impose conditions relating to construction/demolition hours, demolition/construction collections and deliveries, dust and plant noise insulation to protect the amenities of neighbouring properties.
- 9.104 Given the scale of development a condition requiring a demolition/construction noise and vibration impact assessment is not considered reasonable or proportionate to the development. Officers do however recommend a condition is imposed requiring a method statement in the event of piling on site, to protect residents from noise and/or vibration.
- 9.105 Subject to the conditions, the proposed would comply with Policy 35 of the Local Plan.

Conclusion

- 9.106 Subject to the recommended conditions, the proposal would adequately respect the amenity of its neighbours and of future occupants of the site and is considered to comply with Local Plan policies 35, 50, 51, 52, 53, 57 and 58.
- 9.107 **Sustainability**
- 9.108 Policy 28 of the Local Plan states that all development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals.

- 9.109 The revised proposed site plan proposes air source heat pumps for each dwelling. Additionally, the Design and Access Statement sets out that where possible renewable energy systems such as photovoltaic panels will be used.
- 9.110 Full details of these systems have not been provided as part of the application. However, conditions are recommended to secure carbon reduction and water conservation measures.
- 9.111 Officers consider it reasonable and necessary to impose conditions to secure details of carbon reductions as required by the 2021 edition of Part L of the Building Regulations and water efficiency as part of any consent.
- 9.112 Subject to the recommended conditions, the proposal would accord with Policy 28 of the Local Plan.

9.113 **Other Matters**

Bins

- 9.114 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 9.115 Recycling and waste provision has been accommodated within the garden of each unit. The waste collection point will be from the kerb of Queen Edith's Way, a tow distance of approximately 23 metres. The travel distance for the bins to the collection point will not exceed the recommended 30 metres tow distance. Therefore, it is considered that the proposal is acceptable subject to the bins being left on the kerbside for collection.
- 9.116 The proposal is compliant with the RECAP guidance and is in accordance with Local Plan policy 57.

Permitted Development

- 9.117 The proposed development has been found acceptable in terms of its impact on the character of the area and residential amenity, as set out above. However, given the small-scale nature of the site, officers consider it reasonable and necessary to remove permitted development rights under Schedule 2, Part 1, Classes A, B and E of the GDPO.
- 9.118 Without such restrictions, extensions, dormer windows and outbuildings could be added to the Plot without formal planning consent, which may give rise to greater impacts on the character of the area and amenities of neighbouring properties considered as part of the current application (Local Plan policies 52, 55, and 57).

Pre-Commencement Conditions

9.119 Pre-commencement conditions have been agreed in writing with the agent/applicant prior to the determination of the application.

9.120 **Third Party Representations**

9.121 Matters relating to principle of development, impact of the character and appearance of the area, biodiversity, impact and loss of trees and residential impact have been addressed in the body of the report. The remaining third-party representations are summarised and considered in the table below:

Third Party Comment	Officer Response
<p>Application form ignores the emergency access track land.</p> <p>Loss of emergency access track</p>	<p>The access track has not been in use for a considerable length of time following the redevelopment of Netherhall School in the 1990's. Since this time, it has formed the access to the existing bungalow and associated informal parking and is not required for purposes relating to the operation of the school.</p>
<p>Clarification of the private road's status and the rights of way.</p>	<p>There are no designated public rights of way or bridleways in or around the application boundary.</p>
<p>Covenants issues of rights for hedge maintenance / restrictive covenant upon no.200 to grow and maintain hedgerow.</p> <p>The impact of development on the hedgerow has not been recognised and is not clear.</p>	<p>Third party comments have outlined that there is a restrictive covenant upon no.200 Queen Ediths Way to grow and maintain hedgerow. This statement highlights that the requirement is on no.200 Queen Ediths Way, not the applicant/application site.</p> <p>Officers acknowledge that the hedgerow may qualify as an important hedgerow under the criteria for hedgerows in the Hedgerows Regulation 1997.</p> <p>The development does not propose to remove the hedgerow between the application site and no.200; the Arboricultural Impact Assessment details some cutting back of the hedgerow within the application boundary. The applicant would have rights to cut back vegetation within their boundary.</p> <p>Covenants are legal / civil matters dealt with outside of the planning process.</p> <p>Conditions are recommended as part of any consent to deal with the final details of landscaping (including protection measures) and boundary treatments.</p>

<p>Land ownership errors and incorrect plans</p> <p>Ownership issues with regards to land known as the Emergency Track Road between No.200 Queen Edith's Way and the application site</p>	<p>The application form contains a signed copy of Certificate B, serving notice on Anglian Learning and Cambridgeshire County Council Highways Department as "notice to everyone else who, on the day 21 days before the date of the application, was the owner and/or agricultural tenant of any part of the land or building to which this application relates."</p> <p>Land Registry Plan illustrating the ownership of no.200 Queen Ediths Way have been submitted (copyright date 1971). These show a thick red line around the residential boundary of no.200 that appears to abut the Emergency Access Track on the south-west boundary of no.200.</p> <p>The Site Location Plan submitted illustrates a red line boundary extending up to the south-west boundary of no.200, abutting the red line shown on the submitted Land Registry Plan.</p> <p>Therefore, no clear conflict is identified.</p> <p>The existing and proposed Site Plans provide a more detailed interpretation of the boundaries and layout of the application site. Here, the Emergency Access Track, which appears as the common boundary between the application site and no.200 on the Land Registry Plan and Location Plan, is shown to be stepped off the boundary by a metre (approx.).</p> <p>This finer detail is consistent with observations that can be made on site, where a small strip of soft landscaping exists between the Track and hedgerow boundary with no.200.</p> <p>The red line boundary on both Site Plans follows a straight north-west to south-east boundary line between the application site and no.200 and appears consistent with both the Land Registry Plan and Location Plan.</p> <p>Therefore, no clear conflict is identified.</p> <p>On an assessment of the Certificates served within the application form and the evidence advanced by third parties no conclusive evidence has been provided to demonstrate</p>
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	<p>that there are clear land ownership errors within the application.</p> <p>The plans submitted to support the application are considered to be accurate for the purposes of assessment and determination of the proposed development.</p>
Procedural regularity and fairness; documents published back-dated	<p>All plans and technical documents relevant to the public consultation have been made available at the start of any formal consultation period for the application.</p> <p>Some information, such as officer-agent/applicant correspondence was published with a date relevant to the email exchange rather than date of publication.</p> <p>However, where such publications have occurred they are not considered to have prejudiced public consultation and consideration of the proposed development; correspondence was added for completeness.</p>
Removal of trees within the ownership of Netherhall School	<p>The submitted documents show that there is an agreement between the applicant the owner of the trees of Netherhall School for the removal of the trees. The removal of those trees is outside of the control of this planning application.</p>
Does not address lack of affordable housing	<p>The proposal is for the development of four residential properties (a net gain of three); there is no policy requirement for this scale of development to provide affordable housing.</p>
School has insufficient provision for parking or dropping off	<p>This matter is not relevant to the proposed development; the application does not result in the loss of any existing parking provision from Netherhall School.</p>

10.0 Planning Balance

- 10.1 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).
- 10.2 The principle of subdividing the plot for four dwellings, a net gain of three units, is acceptable and complies with Local Plan policies.
- 10.3 The design and layout of the proposed development is in keeping with the overall character and appearance of the area, with details of external materials secured by planning condition. Additional and replacement planting is provided to the front of the site, within the rear gardens and

along the side boundaries of the site. The development would provide a net gain in biodiversity. Biodiversity, landscape, and tree details are secured by planning condition.

- 10.4 Secure cycle parking is provided to the front of the site, with a cycle store providing two spaces for each unit, with further cycle storage provided in the rear gardens of each unit. Four car parking spaces are incorporated to the front of the site, each equipped with EV charging points, providing one space per unit.
- 10.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

11.0 Recommendation

11.1 Approve subject to:

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

12.0 Planning Conditions

1 Time Limit

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

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

2 Approved Plans

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

Plans to be listed:

Location Plan

PL(90)01 Rev P3 (Proposed Site Plan)

PL(21)01 Rev P1 (Proposed Floor Plans and Elevations)

PL(90)02 Rev P1 (Proposed Highways Plan)

PL(21)02 Rev P3 (Proposed Bike Stores)

PL(90)03 REV P2 (Biodiversity Enhancement Plan)

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

3 Dust

No development shall commence (including demolition) 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).

4 Traffic Management Plan

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).

5 Tree Protection Plan

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

supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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

6 Surface Water

No development above ground level, other than demolition, shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority.

The scheme shall include:

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

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 the implementation programme agreed in writing with the Local Planning Authority.

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

7 Foul Water

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).

8 Hard and Soft Landscape

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, 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.

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

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

9 Renewables

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

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

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

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

10 Water Consumption

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

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

11 EV Charging

The electric vehicle charge points and associated infrastructure as detailed in and as shown on drawing numbers PL(90)01 Rev P2 (Proposed Site Plan) shall be fully installed and operational before final occupation of the residential units and shall be 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 (2023) paragraphs 110 and 114, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

12 Redundant Crossing

Prior to first occupation of the development, hereby permitted, the redundant vehicular crossing, as shown on drawing number PL(90)02 Rev P1, shall be removed and the grass verge and footway returned to having full face kerbs.

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

13 Lighting (Ecology)

Prior to first occupation of the development, hereby permitted, a "lighting design strategy for biodiversity" including features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To fully conserve and enhance ecological interests (Cambridge Local Plan 2018 policies 57, 59 and 70).

14 Biodiversity Enhancement

The development shall be carried out in accordance with the submitted Biodiversity Enhancement Plan (drawing number PL(90)03 REV P2). The scheme shall be carried out prior to the occupation of any part of the

development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

15 Cycle Parking

The development shall not be occupied, until the covered, secure parking of cycles for use in connection with the development have been installed on site as detailed in and as shown on drawing numbers PL(21)02 Rev P3 (Proposed Bike Stores). 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 stores and green roof shall be retained as such.

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

16 Obscure Glazing

The development, hereby permitted, shall not be occupied until the proposed first floor window in the side elevation (east) of Plot 4 has, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity) and shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

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

17 Plant Noise Insulation

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).

18 Pedestrian Splays

Two pedestrian visibility splays of 2 metres x 2 metres, as shown on drawing number PL(90)02 Rev P1, shall be maintained free from

obstruction exceeding 0.6 metres above the level of the adopted public highway for the lifetime of the development.

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

19 Demolition/Construction Vehicles

Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 0930 hours and 1530 hours, seven days a week.

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

20 Driveway Construction

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 and uses a bound material to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall be retained as such.

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

21 Tree Protection (implementation)

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.

22 Replacement Planting

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

23 Materials

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

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

24 Part M4(2)

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)

25 Construction / demolition hours

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

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

26 Demolition / construction collections / deliveries

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

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

27 Piling

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

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

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

28 Permitted Development: Class A

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

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 52, 55, and 57).

29 Permitted Development: Class B

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

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 52, 55, and 57).

30 Permitted Development: Class E

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

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

13.0 Informatives

1 Highways

The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

2 Air Source Heat Pumps

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

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

3 Plant Noise Insulation

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

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

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound" or

similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the application boundary having regard to neighbouring premises.

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

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

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



Planning Committee Date	3 rd July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01360/FUL
Site	237 Hills Road, Cambridge
Ward / Parish	Queen Ediths
Proposal	Construction of a replacement dwelling and garage following the demolition of the existing dwelling.
Applicant	Mrs Hutchinson
Presenting Officer	Dominic Bush
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Character 2. Amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the construction of a replacement dwelling and garage following the demolition of the existing dwelling.
- 1.2 This application follows an extensive planning history at the site, the most recent of which was an application for the erection of two dwellings, one being a replacement of the existing within the blue and red line land of this application. This application was refused and dismissed at appeal.
- 1.3 This application seeks permission for the erection of the replacement dwelling as proposed within the previous application. The appeal decision for the previous application was dismissed largely due to issues surrounding plot 2 which is the dwelling that has been removed for this application. Indeed, the Inspectors decision raised no concern with the scale and design of plot 1 which is almost identical to the proposed dwelling within this application.
- 1.4 The proposed dwelling within this application is a large two and a half storey detached dwelling that is located behind the building line of properties that front Hills Road. Whilst significantly larger in scale the dwelling is proposed on a similar siting to the existing dwelling of No.237. The application includes a detached double garage with integrated car parking to the front of the main dwelling, utilising the existing access to the site from Hills Road.
- 1.5 Officers recommend that the Planning Committee approve the application subject to the suggested planning conditions.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The application site as existing comprises a residential dwelling and its surrounding curtilage. The residential garden of No.237 extends to the south such that its southern boundary adjoins the highway along Hills Avenue, whilst an additional portion of land to the rear of the existing

property has been purchased by the applicant. Within this application, a large portion of this land to the south of the dwelling has been designated as blue line land and is therefore not subject to this application. There are a number of trees within and surrounding the site that are protected by tree preservation orders, although there have been separate tree applications on the site including the removal of T17 which was granted permission in 2022. None of the remaining trees within the red line of the application are protected by a TPO, however T13, T15 and currently T/17 are all protected and within the blue line of the application.

- 2.2 The application site is located within a predominantly residential area, the existing dwelling is surrounded on three sides by neighbouring properties, due to its backland location. To the west of the site, either side of the access to the site are the residential properties that front Hills Road, including the apartment building of Homerton Court. Immediately to the south of the site is the residential garden of No.237, however either side of this are neighbouring properties that front Hills Avenue. On the corner of Hills Avenue and Hills Road are the slightly smaller dwellings of Velen, Calidore and Tirnalía House, whilst to the east along Hills Avenue are the prevailing character is of larger detached dwellings within large plots. To the north of the site is the residential dwelling of No.3 Cavendish Avenue, although, owing to the size of its rear garden, this neighbouring property is a significant distance from the existing dwelling within the application site. Finally, to the east of the site it is largely comprised of the rear residential gardens of the properties along Hills Avenue, however in recent years there is sporadic cases of back land development from along both Cavendish and Hills Avenue that has introduced built form to this area.

3.0 The Proposal

- 3.1 Construction of a replacement dwelling and garage following the demolition of the existing dwelling.
- 3.2 This application is proposing the demolition of the existing residential dwelling within the site and its replacement with a larger dwelling on a similar footprint that is two and a half storey in height plus a basement. The proposed replacement dwelling occupies a total footprint of approximately 15 metres in width and 15 metres in depth with heights of approximately 5.1 metres to the eaves and 8.7 metres to the ridge.
- 3.3 The application is also proposing a detached double garage to the front (west) of the dwelling with a lean-to element attached to this for the parking of cycles for the dwelling. The access to the proposed dwelling, is to utilise the existing access for No.237 which is from Hills Road to the west, with a bin storage area for the dwelling proposed to the south western corner of the building.
- 3.4 The application has been amended to address representations and further consultations have been carried out as appropriate.

3.5 A similar proposal on the same site for two dwellings was brought to Planning Committee on the 29th March 2023. The application was refused. This application seeks to address the four reasons for refusal that were given for the previous application.

4.0 Relevant Site History

Reference	Description	Outcome
C/85/0600	Outline application for the erection of a detached dwelling	Approved
21/02357/FUL	Development of 3 No. four bedroom dwellings together with a new carport replacing the existing dwelling and garage	Refused
22/0285/TTPO	TPO application to remove and replace Norway Spruce (T12), Atlas Cedar (T19), Holly (T20) (T2, T3 and T6 on TPO plan).	Accepted as a 5 day notice
22/0329/TTPO	Removal of Pine tree (T11) (T7 on TPO plan)	Approved
22/02657/FUL	Erection of two dwellings with garage, parking, landscaping and associated ancillary works to replace the existing dwelling and garage	Refused (Dismissed at appeal)

4.1 As is displayed within the table above there has been multiple applications on the application site, including the blue line for more than one dwelling. In this instance, the most relevant previous application was that submitted in 2022 (22/02657/FUL). This proposed two dwellings within the site, one within the blue line land to the south of this application site, and the other being a replacement of the existing dwelling, very similar in scale and appearance to that proposed within this application.

4.2 Whilst this application was refused by planning committee on four reasons, the planning inspectors (appendix 1) appeal decision determined that the harm arose from the provision of amenity for future occupiers, and harm to the character of the area, however this focused on Plot 2 which is not proposed within this application. The appeal decision concluded that the design and scale of Plot 1 were acceptable and this application follows for a similar design.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 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 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 34: Light pollution control

Policy 35: Human health and quality of life

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting garden land and subdivision of dwelling plots

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Trees and Development Sites SPD – Adopted January 2009

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No objection subject to conditions regarding:

- Traffic management plan
- Heavy construction vehicle access hours

6.3 Ecology Officer – No Objection

6.4 No objection subject to conditions regarding:

- Biodiversity net gain
- Ecology enhancement

6.5 Tree Officer – No Objection

6.6 No objection to the proposed development subject to conditions regarding:

- Arboricultural method statement and tree protection plan
- Compliance with tree protection methodology
- Replacement planting details
- Compliance with replacement planting

6.7 Environmental Health –No Objection

6.8 Comments 03.05.2024:

6.9 Objects to the proposed development due to a lack of information regarding the proposed Air Source Heat pump and its noise impact.

6.10 Comments 07.06.2024:

6.11 No objection to the proposed development subject to conditions regarding:

- Construction hours
- Piling

7.0 Third Party Representations

7.1 11 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment

- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Impact on and loss of trees
- Flooding
- Car Parking quantity

8.0 Member Representations

Not applicable

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

9.0 Assessment

9.1 Planning Background

- 9.2 In assessing this current application, officers gave significant consideration to the previously refused application on the site and the appeal decision that was received. As will be detailed in the following sections, the proposed development is considered to overcome the relevant reasons for refusal in the previous application.

9.3 Principle of Development

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

- 9.5 The proposed development is for the one-for-one replacement of the existing dwelling within the application site. Therefore, the principle of the use of the site for a single residential dwelling has already been established and the proposed development is therefore acceptable in this regard.

- 9.6 The principle of the development is acceptable and in accordance with policy 3 of the Cambridge Local Plan 2018.

9.7 Design, Layout, Scale and Landscaping

- 9.8 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.

- 9.9 The existing application site comprises a single, detached dwelling that is set within a significantly sized plot, behind the dwellings that front the surrounding roads of Hills Road, Hills Avenue and Cavendish Avenue. Indeed, the surrounding context is made up of predominantly large, detached dwellings that are mostly two or two and a half storey in height. Whilst most of these surrounding neighbouring properties are set within large plots with large private gardens, there are examples of the subdivision of these plots which has resulted in smaller dwellings within more compact plots. Examples of this can be seen to the east of the site with No.6a Cavendish Avenue and No.3 Hills Avenue.
- 9.10 The proposed development involves the replacement of the existing dwelling within this site with a significantly larger dwelling that includes a basement, as well as the subdivision of the curtilage of the existing dwelling.
- 9.11 Officers acknowledge that multiple third-party comments have been received raising concerns regarding the scale of the proposed development within this site. The proposed dwelling is rectangular in form with a footprint that measures approximately 15 metres in width and 11 metres in depth, with a small protruding element to the rear that projects an additional 4 metres to the rear. As noted, officers do not dispute that the proposed dwelling is significantly larger than that it is proposed to replace with regards to its footprint. However, when assessing this in the context of which it sits, it is considered that the footprint is comparable to multiple dwellings within the surrounding context. Whilst most of the larger dwellings within the surrounding area are along either Cavendish or Hills Avenue, by virtue of its siting back from Hills Avenue, officers do not consider that the footprint would appear significantly out of keeping with the area.
- 9.12 Concerns received also concern the height of the proposed dwelling within this application. Firstly, officers note that the height of the proposed dwelling is identical to that of the previously refused application. Within the appeal decision of this previous application, the inspector determined that the eaves are of a similar height to the existing building and the increase in ridge height would not represent a significant increase in the context of the large buildings in the area. It was concluded that the massing of the dwelling would generally be absorbed into the row of large buildings that front the surrounding roads. As such, whilst the increase in size of the dwelling is noted, following the previous appeal decision and the identical height of the proposed dwelling in this application, that the scale of the proposed replacement dwelling is acceptable in this context.
- 9.13 The proposed dwelling within this application is considered to be relatively traditional in its design and form with double fronted gables and small pitched roof rear dormer windows. Minor alterations have been made to the appearance of the dwelling from the previously refused application. Officers do not consider that these would significantly alter the appearance of the dwelling from the appeal decision where it was determined by the

inspector that the dwellings design and appearance was in-keeping with the surrounding buildings. Therefore, the design of the proposed dwelling is considered to be acceptable in this context.

- 9.14 This application is also proposing the erection of a detached double garage to the west of the dwelling, with cycle parking integrated within this structure. The total footprint of the garage and cycle parking measures 6 metres in depth and 9 metres in width, with a total ridge height of 4.1 metres. Therefore, officers consider that this proposed outbuilding would be clearly subservient to the main residential building and that within the surrounding area there are multiple other examples of detached garages of a similar scale. The scale and traditional appearance of this structure are therefore considered to be acceptable in this context.
- 9.15 The proposed development would result in the subdivision of the existing residential curtilage of No.237, with the southern portion of the site including within the blue line of the application. This would reduce the size of the plot for any dwelling within the site, however officers do not consider that the resulting residential curtilage would be out of keeping with the surrounding area. With examples of smaller plots found at the neighbouring backland plots along Cavendish and Hills Avenue.
- 9.16 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

9.17 Amenity

- 9.18 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.
- 9.19 Neighbouring Properties
- 9.20 Impact on No. Homerton Court
- 9.21 The proposed replacement dwelling is located to the northeast of the apartment building of Homerton Court. There are a number of windows within the rear elevation of this building that would face onto the proposed dwelling and there would, therefore, be a minimal impact on the amenity of these neighbouring flats.
- 9.22 The front facing windows of the proposed dwelling would face in the direction of this neighbouring building. However, as was determined previously, the windows would not face directly onto the rear garden space of the apartment building. Rather the windows are off-set approximately 3 metres to the north and 4 metres from the shared boundary. As a result, there would be a certain level of overlooking to the rear garden of the

apartment block, however this harm is considered to be moderate to low. The distance from the front elevation of the proposed dwelling and the rear elevation of Homerton Court is approx. 21 metres, which, in addition to the vegetation between the two is considered to ensure that any impact in terms of loss of light, overbearing and loss of privacy is considered to be acceptable.

9.23 Impact on No.235 Hills Road

9.24 The distance of the proposed dwelling from the rear elevation of No.235 is considered to be such that, in combination with the scale of the dwelling, that it would not cause significant harm to the neighbouring property through loss of light or overbearing. Regarding any potential loss of privacy, the windows within the front elevation of the proposed dwelling would only have oblique views to the neighbouring property. The siting of the proposed detached garage structure would also provide a level of screening to the rear garden of No.235 which would ensure that there is no objection to the proposal regarding overlooking to this neighbouring property.

9.25 Impact upon No.3 and No.4a Cavendish Avenue

9.26 The proposed dwelling would present a side elevation to the rear boundary of both these neighbouring properties. However, the proposed dwelling would be inset by approximately 4.5 metres from the common boundary. While the distance to the common boundary from 3 Cavendish Avenue is 29 metres and from 4A Cavendish Avenue the distance is 22 metres.

9.27 The proposal includes two, first floor north facing windows that would face in the direction of these neighbouring properties. One of these windows is within the side of the front facing gable that serves a bedroom and the other is within the main side elevation that serves an ensuite. A condition to ensure that these would obscure glazed is considered to be sufficient to ensure that they would not result in any loss of privacy.

9.28 Impact upon No.4 Cavendish Avenue

9.29 The proposed replacement dwelling would overlook the far end of the garden of 4 Cavendish Avenue. There would be 4 rear bedroom windows and a one-bathroom window facing east. However, No. 4 Cavendish Avenue has a rear garden depth of some 45m.

9.30 The proposed new dwelling has a rear garden depth at its closest of approximately 8.97 metres. This is between the two-storey rear outshot and the common boundary to the east. The remaining section of rear garden is inset by approximately 12 metres (housing the 4 rear bedroom windows). Given this offset from the common boundary with 4 Cavendish Avenue, it is considered that there would not be a significant detrimental loss of amenity and privacy through overlooking into the most usable parts of the garden space of 4 Cavendish Avenue or the dwelling No. 4

Cavendish Avenue itself. The owner of this property has raised concerns regarding overlooking and detrimental loss of privacy. However, as the closest first floor window serves an ensuite. On balance, it is not considered a significant loss of residential amenity would occur.

- 9.31 Officers must also consider the previously refused applications on the site, none of which were refused due to overlooking from the dwelling proposed on the same location as this application.
- 9.32 Impact upon No.1 Cavendish Avenue
- 9.33 The proposed dwelling would be to the north of the rear garden of this property. Given the location of the flank and rear building lines of the proposed dwelling, only very oblique views towards the rear most garden space would be available. Overall, the proposed development is not considered to harm the amenities of this neighbouring property.
- 9.34 Future Occupants
- 9.35 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).
- 9.36 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	4	8	3	130	469	+339

- 9.37 Garden Size(s)
- 9.38 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.
- 9.39 The proposed development includes the provision of a private residential garden that surrounds the dwelling to the north, east and south. In total this garden measures approximately 370sqm. This is considered to be a sufficient size for a dwelling of this size and would not be significantly overlooked by any of the neighbouring properties.
- 9.40 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. A condition will be attached to ensure that the proposed dwelling complies with M4(2) regulations.

- 9.41 Construction and Environmental Impacts
- 9.42 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.
- 9.43 The Council's Environmental Health team have assessed the application and initially objected to the proposed development due to the potential impact of the proposed Air Source Heat pump with a lack of information provided to determine otherwise. The proposed heat pump has since been removed from this application and further comments received from the Councils environmental health officer. These comments raised no objection to the proposed development subject to conditions regarding construction hours and piling. Given the proximity of the site to neighbouring properties, these conditions are considered to be reasonable and necessary.
- 9.44 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 57 and 58#.
- 9.45 Trees**
- 9.46 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 136 of the NPPF seeks for existing trees to be retained wherever possible.
- 9.47 The application site includes and is surrounded by a number of mature trees, of which a number are protected by individual tree protection orders. This application is proposing the removal of a total of 4 trees within the application site, all of which are classified as category C trees within the arboricultural impact assessment provided by the applicant. Additional works are proposed to two other category C trees comprising partial pruning and removal.
- 9.48 The Council's tree officer has been consulted on this application and in line with their comments, the removal and works to the trees proposed would not have a material impact on the visual amenity of the site. Further information is requested by way of conditions requiring the submission of an arboricultural method statement and tree protection plan, compliance with this as well as details of replacement planting. These conditions are considered be necessary to ensure that the impact of the proposed development on surrounding trees which are of significant amenity value is acceptable, and that replacement planting due to the removal of trees is acceptable.
- 9.49 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

9.50 Carbon Reduction and Sustainable Design

- 9.51 The Councils' 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. Policy 28 of the Cambridge Local Plan (2018) requires development to reduce carbon emissions and to achieve a minimum water efficiency to 110 litres pp per day. As such, conditions would be attached to any permission regarding water efficiency and carbon reduction which are considered to be necessary to ensure that the proposed development complies with the above policy requirement.
- 9.52 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.

9.53 Biodiversity

- 9.54 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.
- 9.55 This application is required to achieve a biodiversity net gain of 10%. Further information has been provided regarding this during the process of the application. The metric provided highlights that within the site, the proposal is capable of providing a net loss of 0.0368 habitable units, equivalent to -33.34%. In line with the comments received from the Councils ecology officer, due to the restricted site size and the difficulties in achieving on site net gain with vegetated garden classification, the use of offsite provision is considered to be acceptable. The applicants have been approached to understand whether this provision could be secured within the blue line land within the applicant's control. The statutory BNG condition is appended to the recommendation.
- 9.56 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).

9.57 Water Management and Flood Risk

- 9.58 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.
- 9.59 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 9.60 No comment has been received from the council's drainage officer on this application. However, due to the scale of the proposal, in addition to the low flood risk of the site, it is considered that this application is acceptable and flood risk can be controlled via the water efficiency condition.
- 9.61 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.

9.62 Highway Safety and Transport Impacts

- 9.63 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.
- 9.64 Para. 115 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.
- 9.65 Access to the site would be through the existing access to the current dwelling within the site. No alterations are proposed to this access.
- 9.66 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal subject to conditions regarding a traffic management plan and limiting hours of access for heavy construction vehicles. Given the relatively constrained access to the site, and the lack of available parking within the surrounding area, a traffic management plan condition is considered to be reasonable to ensure that the impact resulting from the construction works would be acceptable.
- 9.67 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

9.68 Cycle and Car Parking Provision

- 9.69 Cycle Parking

- 9.70 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.
- 9.71 Amendments have been received through the process of this application to locate the proposed cycle parking to the front of the dwelling alongside the proposed garage. The plans show that there would be space for the parking of 5No. bicycles within a covered secure enclosure, the location of the cycle parking is to the east of the garage and therefore is considered to be more convenient than the car parking provision. A compliance condition will be attached to ensure the provision of this cycle parking.
- 9.72 Car parking
- 9.73 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.
- 9.74 The provided plan show that there are two car parking spaces provided within the proposed detached garage to the front of the dwelling with EV charging shown within the proposed site plan. As the site is located outside of a controlled parking zone, this level of car parking is considered to comply with the maximum standards set out in Appendix L and Policy 82 of the Local Plan.
- 9.75 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.
- 9.76 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.

9.77 Planning Balance

- 9.78 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).
- 9.79 The proposed development would preserve the character and appearance of the surrounding area, through the high quality replacement of the existing dwelling and the retention of sufficient garden land and considerable numbers of trees within the site. The scheme provides for a high-quality living environment for future occupiers.
- 9.80 Whilst objections from third parties regarding neighbouring amenity impacts are acknowledged, it is considered that on balance, the impact of the proposed development on the amenity of neighbouring properties would not be significant and is acceptable in this instance.
- 9.81 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

10.0 Recommendation

10.1 Approve subject to:

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

- 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 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).

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

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

- 5) No works to any trees shall be carried out until the LPA has received and approved in writing the full details of replacement planting. Details are to include number of replacements, species, size, location and approximate date of planting.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity.

- 6) No development above ground level shall take place until an ecological enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of bat and bird box installation, hedgehog provisions and other ecological enhancements. The approved scheme shall be fully implemented prior to first occupation or in accordance with a timescale agreed in writing by the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan policies 57, 59 and 70 and the Greater Cambridge Planning Biodiversity Supplementary Planning Document (2022).

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

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

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

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

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

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution

(Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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

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

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

- 10) Please add a condition requiring that demolition, construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall only service the site between the hours of 09.30hrs -16.00hrs, Monday to Saturday.

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

- 11) 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.

- 12) Trees will be planted in accordance with the approved planting proposal. If, within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed or die another tree of the same size and species shall be planted at the same place,

or in accordance with any variation for which the Local Planning Authority gives its written consent. Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity.

- 13) 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).

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

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

- 15) 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)

- 16) The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

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

17) A minimum of 1 no. parking space proposed will be equipped with EV charge points in line with the requirements of building regulations approved document S prior to the occupation of the dwelling hereby approved and shall be maintained 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).

Statutory BNG Condition:

18) Development may not be begun unless:

(a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

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Appeal Decision

Site visit made on 6 November 2023

by **G Sylvester BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 December 2023

Appeal Ref: APP/Q0505/W/23/3322818

237 Hills Road, Cambridge, Cambridgeshire CB2 8RW

- 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 Mrs Hutchinson of H&T Hills Road Ltd, against the decision of Cambridge City Council.
 - The application Ref 22/02657/FUL, dated 7 June 2022, was refused by notice dated 3 April 2023.
 - The development proposed is the construction of two dwellings with garage, parking, landscaping and associated ancillary works to replace the existing dwelling and garage.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Submitted with the appeal are new drawings and documents relating to the relationship between proposed Plot 2 and a side window in Tirnalia House, images of buildings in the area, shading of the proposed garden of Plot 2 by existing trees and alternative options for replacement tree planting. The images of buildings in the area are matters of fact. The relationship between Tirnalia House and proposed Plot 2, and potential shading of its garden, relate to the living conditions of future occupiers. As such, these submissions would not constitute a fundamental change to the proposal or unfairly prejudice the interests of third parties. The Council has had the opportunity through the appeal process to make representations on those submissions. Therefore, I have taken them into account in determining this appeal.

Main Issues

3. The main issues are:
 - Whether the proposed development would provide adequate living conditions for future occupiers of the proposed dwelling on Plot 2, with particular regard to outlook, access to light, and privacy within the rear garden/patio area.
 - The effect of the proposed development on the character and appearance of the area, including its effect on protected trees.

Reasons

Living conditions

4. The patio area of the proposed dwelling on Plot 2, would be located close to the common boundary with Tirnalia House. The occupiers of this property would have an elevated view of the patio of Plot 2 from a relatively large upper floor window in the side wall of the building that serves a study. Although the patio

is a small part of the spacious garden of proposed Plot 2, it would have a close association with the door opening serving the kitchen/diner. As such it would be likely to be well used and highly valued by future occupiers as a space for recreation and relaxation.

5. The view of the patio from the study window in Tirnalia House would be across a relatively short distance and therefore future occupiers of proposed Plot 2 would be likely to experience being overlooked and a perception of being so when using the patio area. As such, future occupiers of Plot 2 would not be provided with adequate levels of privacy.
6. The appellant's technical assessment of access to daylight and sunlight, demonstrates that even when the canopies of the Copper Beech and Walnut trees are taken into account, the habitable rooms in Plot 2 would meet the internal daylight targets recommended within the BRE guidelines, including at least one habitable room in the dwelling meeting the target sunlight exposure. Furthermore, the assessment shows that on 21 March, the trees would have relatively modest effects on the extent of overshadowing of the garden of Plot 2, when assessed against the BRE guidelines. I have no alternative technical evidence to cast doubt over the appellant's evidence in this regard.
7. The Walnut Tree in the rear garden of proposed Plot 2 would be clearly visible in views from the rear facing windows given its position and closeness to the rear wall of the proposed dwelling. Its canopy would be a relatively imposing feature, particularly when in leaf. However, in combination with the findings of the appellant's daylight and sunlight assessment, I do not find that this tree, or indeed the canopy of the adjacent Copper Beech, would lead to an unduly restricted outlook for future occupiers from the rear facing rooms in the dwelling.
8. Nonetheless, for the reasons given above, I conclude that the proposal would not provide adequate living conditions for the future occupiers of proposed Plot 2, with particular regard to privacy. As such, it would be contrary to Policy 58 of the Cambridge Local Plan 2018 (the CLP), which amongst others, requires development on gardens or subdividing a plot to protect the amenity and privacy of new properties.
9. Insofar as is relevant to this case, this Policy is consistent with the objective of the National Planning Policy Framework (the Framework) Paragraph 130.f), which states that decisions should ensure that developments create places with a high standard of amenity for future occupiers. For the reasons given above, the proposal would be contrary to this objective of the Framework.
10. Although cited in the refusal reasons, CLP Policies 34, 35, 50 and 59, relate to light pollution, noise and vibration, internal space standards, alterations and existing buildings. The appeal proposal seeks to demolish an existing building rather than alter it, and I find no substantive evidence of any conflict with the objectives of these Policies.

Character and appearance, and trees

11. The area of the appeal site consists predominantly of wide residential streets in a grid-like pattern that are fronted by generally large buildings of various ages and styles, set within relatively long plots with spacious rear gardens. The appeal site has frontages to Hills Road, which is a principal route in and out of

the City, and Hills Avenue, which is a residential street lined by mature trees with buildings set back from the road, often behind hedgerows and trees that are growing in front gardens. The relationship between the buildings, trees and roads gives the area a mature verdant and sylvan character and appearance.

12. Growing on the part of the appeal site fronting Hills Avenue are 3 trees protected by a Tree Preservation Order (the TPO). These include a Walnut Tree (T1) growing broadly in a central position and a Copper Beech (T5), growing within the garden of the adjacent dwellinghouse. The Copper Beech (category A) is of good health, with a substantial canopy spread that is highly visible from the road and of high amenity value. Although lower in height at approximately 16m, and with a smaller canopy spread, the Walnut Tree (category B) was also clearly visible from the road and of high amenity value. Despite reference to some decay, this tree is assessed as being of fair condition and structure, with a considerable life expectancy, and it appeared to be a healthy specimen with consistent leaf coverage. Together, these trees make a positive contribution to the character and appearance of the area.
13. Based on the evidence before me, the siting of the proposed building on Plot 2 would avoid excavation in the root protection areas of the retained trees. The Copper Beech tree is shown as roughly equidistant between the proposed building at Plot 2 and the adjacent dwelling. This tree does not appear to have been harmed by the adjacent dwelling. It is expected that the proposed building on Plot 2 would be clear of the canopy of the Copper Beech tree, which the evidence suggests has reached maturity, and that it would enable normal development of the Walnut Tree. Nonetheless, the evidence indicates that the Walnut Tree is not yet fully grown such that it is likely to grow further. The extent of future growth is not covered in the evidence before me.
14. The Walnut Tree would appear as a relatively imposing feature in views out of the proposed dwelling's rear windows given its proximity to the rear wall of the proposed building on Plot 2 and its broadly central position in the rear garden. Although set to the north of the proposed building, and notwithstanding my conclusions above on its effect on access to light, the Walnut Tree, in combination with the large canopy of the Copper Beech, is likely to have some effect on shading of this area of garden, particularly when in leaf.
15. The garden size of proposed Plot 2 would exceed space standards. Nonetheless, the position of the tree would be likely to affect usability of the part of the garden most closely associated with the dwelling and of the greatest value for relaxation and recreation by future occupiers. The tree will drop leaves, branches and other detritus, over the garden and potentially the roof of the dwelling, which although seasonal could nonetheless be seen as a nuisance by some occupiers. Given its closeness, future occupiers of proposed Plot 2 are also likely to perceive this tree as a threat to the proposed building in respect of damage and a nuisance to their living conditions.
16. Taken together, in my judgement the potential effects of the trees are likely to subject the Walnut Tree to additional pressure for pruning works, to thin out the canopy or even felling to avoid perceived or actual damage to people and property, aid usability of the garden, and reduce the amount of leaf litter, branches and detritus falling on the property. Given its potential lifespan, I find that this issue would only become more acute as the tree continues to grow.

17. The TPO would enable the Council to have some control over future work to this tree. However, I have limited evidence to demonstrate with sufficient certainty that the Council would be able to resist an application to prune or potentially remove a tree that was a threat to the property or its occupiers, or was harming their enjoyment of the property. Even if the Council was to resist such an application, a right of appeal would be outside of its jurisdiction.
18. I note that the Inspector in appeal decision APP/Q0505/W/18/3211453, considered that works to a preserved tree would fall under the control of the Council. While some general similarities can be drawn with that appeal case, I am not familiar with all the details of that other case, nor can I be certain that it is directly comparable to the proposal before me. As such, it does not alter my conclusion on this main issue.
19. Although I have found that the Walnut Tree would not directly cause unacceptable living conditions for future occupiers of proposed Plot 2, this does not reassure me that future occupiers would be deterred from seeking to fell the tree. Furthermore, that future occupiers of proposed Plot 2, would not be likely to exert any control over the neighbouring Copper Beech tree, the canopy of which partly overhangs the appeal site, only adds to my concern that potential future occupiers would seek to have the Walnut tree removed. This would be in order to open-up the part of the garden closest to the rear wall of the dwelling and to remove its perceived threat to living conditions and the building, particularly given its life expectancy. Consequently, there is a realistic risk that the proposed development would threaten the integrity and long-term future of the protected Walnut Tree and its important contribution to the character and appearance of the area.
20. Compared to the mature deciduous trees on the appeal site and in the locality along Hills Avenue, the Pine tree (T11) has a relatively modest amenity value. I have limited evidence to demonstrate that there is insufficient space on the site frontage to accommodate a replacement tree or trees of suitable species in the locations shown on the drawings submitted with the appeal.
21. The position of the dormer on the rear roof slope of the proposed dwelling on proposed Plot 2 would limit its visibility in views from any public vantage point. Nonetheless, it would be visible from nearby properties within the garden scene and nothing I have read or seen would limit the application of the relevant design planning policies to developments visible from the public domain only. Although the roofscape in the garden scene consists of a mix of roof forms, those roofs are generally sloping roofs with slopes generally undisrupted except by relatively modest roof dormers. Even the larger box-like dormers at 7 Hills Avenue, are considerably smaller than proposed in this appeal.
22. In the context of its surroundings, the width of the proposed dormer and its considerable elevated mass and box-like form would overwhelm the roof slope of the proposed dwelling. As such, it would be a visibly discordant feature that would detract from the appearance of the proposed dwelling and the roofscape in the garden scene. Its visual impact would not be mitigated by the filtering effect of the existing trees, even when in leaf.
23. The proposed replacement dwelling on Plot 1, although markedly larger than the building it would replace, would have a similar eaves level, and its taller ridgeline would not represent a significant height increase in context of the large buildings in the area. I have not read or seen anything in the evidence

- that requires a replacement dwelling to be of a similar scale to the dwelling it would replace, let alone subservient in scale to that dwelling.
24. Even were I to accept that it is good practice for buildings set to the rear of buildings fronting on to roads to be smaller in scale, the proposed dwelling on Plot 1 would have its own frontage to Hills Road, albeit narrow. It would be sited just behind and close to the markedly larger flat block of Homerton Court, and comparable in scale to several large buildings in the locality. Viewed in this context from either the nearby properties or from Hills Road, the proposed dwelling on Plot 1 would not appear overly large and it would respect the general pattern of development fronting onto roads in the area. As such, its massing would generally be absorbed into the row of large buildings that front the roads in the area.
 25. Several dwellings in the area feature relatively high levels of architectural detailing and are of a traditional style. However, taken as a whole, the buildings in the area display a varied mix of architectural styles, particularly along the section of Hills Avenue closest to Hills Road, which includes more recent buildings, some of which have a simple form and appearance. In this context the traditional architectural style of the proposed dwelling on Plot 1, with its double fronted gables, sloping roofs, gabled dormers and substantial chimney stack, would be in-keeping with the appearances of existing buildings in the area.
 26. The proposed dwelling on Plot 2 would be noticeably lower in height than the flanking dwellings, and with a lesser scale and massing. Although it would not display a high level of architectural detailing, its facade would have a simple form with well-ordered and proportioned window openings and a sloping roof. It would be reflective of the simple style of the modern Tirnalia House, with some traditional detailing in the form of stonework and subdivided window frames, consistent with the traditional buildings in the area. As such, it would form an appropriate visual transition in the street scene between Tirnalia House and the more traditional bay window and hipped roof appearance of 1 Hills Avenue. Consequently, the architectural styles of the proposed dwellings would be in-keeping with the mixed styles of buildings in the area.
 27. In drawing together my findings on this main issue, I conclude on this issue that the appeal proposal's threat to the protected Walnut Tree, combined with the scale and appearance of the dormer window to proposed Plot 2, would harm the character and appearance of the area, contrary to CLP Policies 52, 55, 56, 57 and 71, which together seek high quality design that responds positively to its context in terms of massing, scale, form, and that any trees worthy of retention due to their contribution to the character of the area are preserved, protected and enhanced.
 28. Insofar as is relevant to this case, those policies are consistent with the aims of the Framework in Paragraphs 130 and 131, which require planning decisions to ensure that developments are well designed and sympathetic to local character, including the surrounding built environment, and opportunities are taken to incorporate trees in developments and retain existing trees where possible. For the reasons given above, the proposal would be contrary to those aims of the Framework.
 29. Although cited in the Council's refusal reasons, CLP Policy 50 relates to internal space standards and CLP Policy 59 relates to alterations and existing buildings.

The appeal proposal seeks to demolish the existing building rather than alter it and I find no substantive evidence of any conflict with interior space standards.

Other Matters

30. Whether or not the proposed dormer would meet the restrictions and limitations set out in the relevant permitted development right is of limited relevance to my considerations. This appeal relates to a new dwelling which requires planning permission on application, and I have determined the appeal accordingly. In any case, the Council is recommending that certain permitted development rights are removed by condition in the event of planning permission being granted.
31. The Council can demonstrate a 5-year supply of deliverable housing land and is therefore achieving the boost in the supply of housing that the Framework expects. There is no upper ceiling on housing delivery and the additional dwelling would bring economic and social benefits through the construction process and occupation by future residents spending money in the locality. However, the benefits attributed to the delivery of an additional dwelling would be small, and of modest weight in its favour.
32. The environmental benefits derived from the proposed dwellings exceeding Building Regulations standards in respect of energy and carbon dioxide emissions, including fitting heat pumps, and delivering a net gain in biodiversity, would be relatively modest given the scale of the proposed development. As such, those benefits attract very modest weight in its favour.

Planning Balance and Conclusion

33. The proposed development would harm the character and appearance of the area and fail to secure acceptable living conditions for the future intended occupiers, which would bring it into conflict with the development plan as a whole. I give significant weight to the appeal proposal's conflict with the development plan in this regard. Although I have not identified any other planning harms, an absence of harm does not weigh positively in favour of the proposal.
34. The proposed additional housing unit would make efficient use of land in a sustainable location as a matter of principle. It would deliver some relatively small economic, social and environmental benefits, which attract modest weight in its favour. However, these would not outweigh the conflict with the development plan. There are no material considerations of sufficient weight, including the provisions of the Framework, to indicate that a decision should be made other than in accordance with the development plan. Having considered all matters raised, I therefore conclude that the appeal should be dismissed.

G Sylvester

INSPECTOR

Agenda Item 8



Planning Committee Date	3 rd July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01095/HFUL
Site	65 Ferrars Way
Ward / Parish	Arbury
Proposal	Part single storey and part two storey rear extension. Resubmission of 23/03778/HFUL
Applicant	Mr Diren Tas
Presenting Officer	Rachel Brightwell
Reason Reported to Committee	Called-in by Cllr Mike Todd- Jones The City Council has been notified as part owner of the site as part of the certification associated with the application.
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Character, appearance and scale2. Overdevelopment3. Residentail amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance)4. Car parking and parking stress5. Bin and cycle storage
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application proposes a part single storey and part two storey rear extension and associated works, which include a bin and bike store located to the front of the property.
- 1.2 The proposed extensions and alterations will appear as subservient additions to the dwelling. The proposed materials are to match the existing brick on the dwelling. The proposal is therefore not considered to have an adverse impact on the character of the dwelling or the surrounding area.
- 1.3 The proposed works have been assessed in relation to overlooking, overshadowing and overbearing impact on neighbouring properties. The proposal is not considered to result in significant residential amenity harm to neighbouring occupiers.
- 1.4 There are no highway safety concerns. The existing car parking provision will be retained which meets the requirements of policy 82 and Appendix L.
- 1.5 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	x
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The existing site is a 2-bedroom dwelling situated on Ferrars Way, within the Arbury Ward of Cambridge. The dwelling sits within the terrace of properties located on the west side of Ferrars Way. Ferrars Way forms a residential area centred around a green space. Directly to the front of the property is a grassed area to the east, directly to the west is the rear gardens of residential properties on Perse Way and to the north and south are the adjoining neighbouring residential properties.
- 2.2 The site is not located within a conservation area or the controlled parking zone.

3.0 The Proposal

- 3.1 Part single storey and part two storey rear extension. Resubmission of 23/03778/HFUL.
- 3.2 The proposed single storey extension will extend approximately 5m in length, 6m in width and 2.8m in height with a flat roof.
- 3.3 The proposed first floor extension will project approximately 1.8m from the rear elevation of the original dwelling, the proposal will be approximately 4.3m in width. The proposed first floor extension has been amended from a flat roof to a pitched roof design. The eaves will align to the eaves of the original dwelling and the ridge line will be set down by approximately 0.5m from the ridge of the original dwelling.
- 3.4 The application has been amended to include the location of bins and bikes stores to the front of the property.
- 3.5 The plans have also been amended to correct the existing plans which had previously shown a dormer and potential outbuilding at No.63.
- 3.6 The application has been amended to address representations and further consultations have been carried out as appropriate. The consultation period for the re-consultation is on-going, a verbal update will be provided to the committee on any additional comments received.
- 3.7 A similar proposal at the same site was brought to Planning Committee on 6th March 2024. The application was refused. The application has been amended seeks to address the previous reasons for refusal:
- 3.8 Reason for refusal 1:
- 3.9 The proposed development by virtue of its excessive scale, bulk and poor design would result in disproportionate extensions that would appear out of character with the existing dwelling. Due to the scale and design of the scheme, the proposal would appear overly dominant within the context of the surrounding area, and as a result would be harmful to the character and appearance of the dwelling within the surrounding area.
- 3.10 Reason for refusal 2:
- 3.11 The proposal would result in an overdevelopment of the site and cause harm to the residential amenity and living conditions of neighbouring properties and future occupiers of the property. As a result of developing the property to the proposed extent and given its internal layout and likely number of occupants, it would have a harmful impact on the residential amenity of surrounding neighbours due to the potential increase in noise and disturbance and overlooking from proposed first floor and dormer windows resulting in an unacceptable loss of privacy. Internally, the proposed layout would appear cramped for the intended number of occupants, lacking sufficient communal spaces. Neither would bin storage

or cycle parking for a dwelling of the proposed size be adequately retained or be capable of being provided for.

4.0 Relevant Site History

Reference	Description	Outcome
23/03778/HFUL	Part single storey, part two storey rear extension, rear dormer that raises ridge height, and garden studio/outbuilding.	Refused at committee

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Equalities Act 2010

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

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 35: Human health and quality of life

Policy 50: Residential space standards

Policy 52: Protecting garden land and subdivision of dwelling plots

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 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 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

Open Space SPD – Adopted January 2009

Trees and Development Sites SPD – Adopted January 2009

6.0 Consultations

6.1 County Highways Development Management – No Objection

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

7.0 Third Party Representations

7.1 3 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Overdevelopment
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance)
- Construction impacts
- Car parking and parking stress
- Cycle parking provision
- Loss of biodiversity
- Impact on and loss of trees
- Consultation process
- Inconsistencies in the plans
- Removal of permitted development rights

8.0 Member Representations

8.1 Cllr Mike Todd-Jones has made a representation objecting to the application on the following grounds:

- Inconsistencies in the existing and proposed plans
- Overshadowing No.63
- Reduction in garden size and external amenity space
- Overdevelopment
- Potential HMO and subsequent negative impact on surrounding residential amenity if an HMO

- Lack of bin storage
- Lack of cycle parking
- Construction impact due to shared access to rear

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 Planning Background

9.2 The previous planning application was for a part single storey, part two storey rear extension, rear dormer that raises ridge height, and garden studio/outbuilding. This application was refused due to the following reasons set out in 3.7-3.10 of this report.

9.3 This proposal has removed the proposed raise in ridge height, proposed rear facing dormer and proposed outbuilding. The design of the proposed first floor extension has been amended. Information on the bins and cycle storage has been provided.

9.4 Design, Layout, Scale and Landscaping

9.5 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.

9.6 The proposed single storey rear extension is considered to be of a modest scale and would read as a subservient addition to the original dwelling house.

9.7 The flat roof design of the ground floor extension with brick to match the existing dwelling is not considered to appear out of character with the existing property or within the surrounding area.

9.8 The proposal would result in the creation of a flat roof on the single storey extension and outbuilding. Policy 31(f) of the Local Plan requires that all flat roof is a green or brown roof, providing that it is acceptable in terms of context. A condition will therefore be added to secure this.

9.9 The proposed first floor extension has been amended to alter the roof form from a flat roof to a pitched roof. A pitched roof is considered to enhance the appearance of the rear elevation as the roof forms have a more cohesive relationship. The proposed flat roof extension was considered to have a sympathetic relationship to the existing property. The ridge line will be set down from the ridge of the main dwelling and the eaves will align to the eaves height of the main dwelling. Due to the width of the proposed extension it will be set in from the sides and so will retain some of the

existing rear elevation. The proposed extension will project approximately 1.8m from the rear elevation. When considering its scale and massing, in particular the marginal projection from the rear elevation, the first-floor extension will appear as a subservient addition to the dwelling.

- 9.10 The proposal will utilise brick to match the existing, which is considered to minimise its visual appearance. In addition to this, the proposal will be similar in scale to the existing first floor extension at No.61 Ferrars Way, therefore will not appear out of character with the neighbouring properties.
- 9.11 Representations have raised concerns with the overall scale of the development. Given that the part single part two storey rear extension appears subservient to the main dwelling it is not considered to result in an overdevelopment of the plot. Furthermore, given the proportion of garden space to be retained the proposal will not constitute overdevelopment. The proposed extension will accommodate an additional bedroom and additional living space, increasing a two bed dwelling to a three bed dwelling is not considered to result in an overdevelopment.
- 9.12 The existing garden is approximately 20m in length, as a result of the proposed extensions the garden will be reduced to approximately 15m. The ground floor extension will be predominately situated on the existing patio area and so the proposal is not considered to result in a significant reduction in the grass area and biodiversity on the site. It is considered that there is sufficient garden space retained and the proposal will not appear out of character of the surrounding gardens.
- 9.13 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 31, 55, 56, 58 and 59 and the NPPF.

9.14 Amenity

- 9.15 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.
- 9.16 Neighbouring Properties
- 9.17 Impact on No.67 Ferrars Way
- 9.18 The proposed single storey extension will extend up to the boundary with No.67. The rear elevation and garden of the application site is west facing. No.67 is located to the south of No.65. When considering the orientation of the site the proposal is not considered to result in a significant loss of light to the ground floor windows of No.67. The proposed single storey extension will extend for 5m at the boundary with No.67 however when considering the modest height of the extension it is not considered to have

an overbearing impact. The windows on the proposed single storey extension outlook onto the rear garden therefore will not overlook neighbouring properties.

9.19 The proposed first floor extension will be set off the boundary with No.67 by approximately 0.9m and will project approximately 1.8m from the existing rear elevation. The pitched roof form is not considered to result in any additional residential amenity harm to No.67 given that the same height will be retained at the eaves. When considering the orientation of the site and that the first-floor window at No.67 serves a bathroom and is obscurely glazed, the proposal will not result in a harmful loss of light. The 45-degree line from this window will not be obstructed. Furthermore, due to the orientation, the proposed first floor extension is not considered to result in significantly harmful loss of light to the glazed doors on the ground floor level of No.67. The projection of 1.8m from the rear elevation is considered to be modest and the proposal is therefore not considered to have a significantly overbearing impact on No.67. The proposed window will provide oblique views of the rear garden of No.67 however this is not considered to increase the harm in overlooking any more so than the existing first floor windows on the rear elevation of No.65.

9.20 Impact on No.63

9.21 The proposed single storey extension will be set off the boundary with No.63 by approximately 1.7m, when considering this and the scale and massing of single storey extension the proposal is not considered to have an overbearing impact or cause a significant loss of light to No.63. The proposal is not considered to overlook neighbours given that the windows are located on the rear elevation.

9.22 The proposed first floor extension will set off the boundary with No.63 by approximately 2.2m. When considering the scale and positioning of the proposed first floor extension it is not considered to have an overbearing impact or cause loss of light to No.63. The amendment from a flat roof to a pitched roof is not considered to have a significant overbearing impact given that the height would be the same at the eaves as previously proposed and the modest height of the ridge which will be set off the boundary by approximately 4.4m. The proposed window will provide views of the rear garden of No.63 however this is not considered to increase the harm in overlooking any more so than the existing first floor windows on the rear elevation of No.65.

9.23 Representations have raised concern that No.61 is not comparable to No.65 due to No.61 being positioned at the end of a terrace and its siting within a larger plot. The proposed first floor extension will have the same impact on No.67 as the existing extension does at No.63 which is not considered to be significantly harmful in terms of residential amenity. The proposal therefore is considered to have an acceptable relationship with No.63.

9.24 Impact on Nos.11-17 Perse Way

- 9.25 The proposed single storey rear extension by virtue of its scale, massing and siting is not considered to result in any residential amenity harm to neighbouring properties on Perse Way.
- 9.26 A window is proposed on the rear elevation of the first-floor extension. Concerns have been raised regarding the loss of privacy for properties on Perse Way, in particular No.13 and No.17. The proposed window will be approximately 1.8m closer to the properties on Perse Way than the existing windows on the rear elevation. This distance is not considered to significantly increase overlooking from the proposed window any more so than the existing windows on the rear elevation.
- 9.27 Construction and Environmental Impacts
- 9.28 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.
- 9.29 Concerns have been raised regarding the construction impacts of the proposal. The scheme is, however, relatively small in scale and such impacts are likely to be limited to a temporary period. Whilst there may be impacts arising from construction related activities that would give rise to some harm to the amenity of nearby occupiers, the level of harm would not be significant. A condition will be added to limit the hours that construction works, and construction related deliveries are carried out. The proposal is compliant with Local Plan policy 35 (subject to conditions).
- 9.30 Representations have raised concern with the potential noise impact due to the increased number of occupants. Representations are concerned about the impact of noise on more vulnerable residents in the surrounding area. The proposal will increase the size of the dwelling from two beds to three beds. This application retains the use as a dwelling house. The increase in number of occupants is not considered to cause significant noise and disturbance to surrounding neighbours. Overall, as a retained use as a dwelling the noise impact is not considered to be significant.
- 9.31 Impact on future occupants
- 9.32 The proposal is considered to provide sufficient shared amenity space on the ground floor.
- 9.33 Representations have also raised concerns that the study and living room on the ground floor could be used as bedrooms. It is not reasonable for the LPA to control how an applicant wishes to use an internal room in the future and the speculative use cannot be considered under a householder application.
- 9.34 Summary

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

9.36 Highway Safety and Transport Impacts

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

9.38 Para. 115 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.

9.39 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal. The proposal is not considered to have an adverse effect on the safety and functioning of the highway.

9.40 Representations have raised concerns with the use of Ferrars Way as a rat run and speeding in the area. This is not considered to be a material planning consideration for the assessment of this proposal on the impact on highway safety.

9.41 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.

9.45 The plans have been amended to show that cycle storage is proposed to the front of the property. The details have not been submitted, a condition will be added to require the details of the cycle storage to be submitted to the LPA to ensure the cycle parking is covered, secure, convenient and provides the required quantum for a dwelling of this size.

9.46 Car parking

9.47 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is 2 spaces per dwelling per 3 or more bedrooms.

- 9.48 There are two on site car parking spaces provided on the front drive of the property, therefore the proposal complies with requirements set out in appendix L.
- 9.49 Representations have raised concern with the impact on the proposal on parking pressure within the surrounding streets. Representations imply that the use of the dwelling as an HMO would significantly increase the parking demand and pressure. This application has been assessed with the parking requirements for a dwelling. A HMO use has not been applied for in this application.
- 9.50 The site is located in a sustainable location with close and convenient access to bus routes and cycle routes, which reduces the reliance of occupants on a car. When considering this and the retention of the existing on-site car parking provision, the proposal is not considered to significantly impact parking pressure on the surrounding streets.
- 9.51 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.

9.52 Refuse Arrangements

- 9.53 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 9.54 The plans have been amended to indicate that the bins will be stored to the front of the property. A condition will be added to ensure that the details of the bin storage are submitted to and approved by the LPA. The storage of bins had been a previous reason for refusal, the proposal has since been scaled back and number of bedrooms have been reduced. The provision for size of bin storage would be for a standard single occupancy dwelling.
- 9.55 Subject to conditions, the proposal is compliant with Policy 57 of the Local Plan with regards to refuse and recycling.

9.56 Third Party Representations

- 9.57 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
Representations have raised concern with the consultation process and number of	The statutory process was followed, and all required neighbours were consulted. All neighbouring properties that adjoin the site and previously commented received letters and a site notice was displayed.

properties that were consulted.	
Concerns have been raised with the accuracy of the plans	The dormer shown on the existing plans have been removed. The plans show an outbuilding in the rear garden of No.63, planning history has been checked and a site visit has been undertaken, there is no outbuilding proposed or in place. This has not taken into consideration when assessing this application.
Representations have requested that permitted development rights are removed.	It is considered to be unreasonable to remove permitted development rights for this dwelling.
There are concerns that the dwelling could become an HMO in the future and the subsequent impact to the surrounding residential amenity as a result of this.	This application has been assessed as extensions and alterations to a dwellinghouse. No change of use is part of this application, and applications cannot be assessed on a speculative use.
Representations queried the access to the rear garden via a shared passageway which runs under No.63.	The shared passageway measures at approximately 1m in width and is sited underneath the overhang of the neighbouring property. No.65 has a right of access via this passage and during the construction process the rear will be accessed this way. This is considered to be a civil matter between the neighbouring properties in which the local planning authority has no role.
Management of drainage and sewerage	The proposed works would be connected to the existing foul water and surface water drainage systems for the dwelling. This would need to be checked and signed off by building control. A planning permission does not override the requirement for Building Regulations to be obtained which help ensure works are safe, structurally sound, water and fire protected.

9.58 Planning Balance

9.59 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).

- 9.60 The proposed part single storey part two storey rear extensions are considered to be appropriate in scale and massing and are in keeping with the character of the existing dwelling. The proposal is not considered to appear out of character within the surrounding area. Due to the subservient extensions and increase in the dwelling from a two-bed dwelling to a three-bed dwelling, it is not considered to constitute overdevelopment.
- 9.61 The proposal is not considered to cause unacceptable harm to the amenity or living conditions of neighbouring occupiers.
- 9.62 Third party representations have raised concern regarding the proposal impact on noise and disturbance to neighbouring occupiers due to the increase in occupancy and the construction process. Officers consider that the given the retained use of a dwelling, such impacts would be minimal and construction impacts temporary. Conditions will be added to limit the hours of construction and construction related deliveries.
- 9.63 Third party representations have also raised concern regarding the proposals impact on the demand in car parking in the surrounding streets. When considering that the proposal retains the existing parking provision which meets the requirements for a dwelling and the sustainable location of the site the proposal is not considered to have a significant impact on the demand in parking.
- 9.64 The details of the proposed bin and cycle storage will be required to be submitted and approved by the LPA via a condition.
- 9.65 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

10.0 Recommendation

10.1 Approve subject to:

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

11.0 Planning Conditions

1 – Time Limit

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

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

2- Drawings

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

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

3- Bins and Bike Storage

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

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

4- Green Roof

Notwithstanding the approved plans, the flat roof of the single storey rear extension hereby approved, shall be a biodiverse (green) roof(s) and shall be constructed as such prior to occupation. It shall include the following:

- a) access for maintenance
- b) the make-up of the sub-base to be used which may vary in depth from between 80-150mm
- c) Planting/seedling (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)

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

Reason: To help mitigate and respond to climate change and to enhance ecological interests. (Cambridge Local Plan 2018 policies 28 and 31)

5- Noise Construction Hours

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

Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

6- Demolition and Construction Deliveries

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

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

Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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Agenda Item 9



Planning Committee Date	3 July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01532/FUL
Site	Coldhams Common, Sporturf Pitch, Coldhams Lane, Cambridge, CB5 8NT
Ward / Parish	Abbey
Proposal	Replacement of a 2G Artificial Turf Pitch (2G ATP) with a 3G Artificial Turf Pitch (3G ATP) with associated works including replacement artificial turf sports surface, additional fencing, replacement lighting, improved hard-standing areas, and supplementary storage containers.
Applicant	Cambridge City Council
Presenting Officer	Melissa Reynolds
Reason Reported to Committee	Land within ownership of the Council
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Green Belt2. Public Open Space
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks full planning permission for replacement of a 2G Artificial Turf Pitch (2G ATP) with a 3G Artificial Turf Pitch (3G ATP) with associated works including replacement artificial turf sports surface, additional fencing, replacement lighting, improved hard-standing areas, and supplementary storage containers.
- 1.2 The site is an existing area of public open space adjacent to Coldhams Common and Abbey Leisure Centre. It lies within the area designated as Cambridge Green Belt, Wildlife Site, and is Protected Open Space.
- 1.3 The application is supported by consultees, including Sport England, and no representations have been received.
- 1.4 The principle of development is in accordance with planning policies relating to Green Belt and Protected Public Open Space. It is appropriate development in the Green Belt as it provides outdoor sports facilities which do not erode the openness of it and enables people in the city to access sports.
- 1.5 Considerations relating to biodiversity, trees, wildlife and the impact on human health have been considered by the relevant specialist officers and found to be acceptable subject to a number of planning conditions recommended.
- 1.6 Officers recommend that the Planning Committee approve the application with conditions.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The site, measuring 0.91ha, is an area in use as a multi-use games area (MUGA). It currently provides sports pitches for: 11V11 open ages and youth; U15 / U16 football pitch 100 X 65m (1No.); 7V7 small-sided pitches

65 X 22.7m (4no.); 11V11 hockey field 91.4 X 55m (1no.); and mini hockey pitches 55 X 43m (2no.).

- 2.2 Within the site there is a central, all-season surfaced pitch area surrounded by asphalt on all sides. In addition, there are 3 no. storage facilities to the southeast and northeast comprising. There are 6.no lighting columns (15m high). The site is enclosed by 2.50m high boundary fencing constructed of metal mesh.
- 2.3 The site is accessed via a gated entrance off a footpath from Pool Way to the southeast and to Coldhams Common to the northwest.
- 2.4 The site is bordered to its northwestern side and southeastern corner by large trees, the southwestern corner and remainder of the southeastern boundary is bordered by beech hedges. To the northeast of the site is a smaller area of ATP, the subject of a recent decision to approve an upgrade (see planning history for details). To the northeast is a children's play area, an outdoor gym, and the Abbey Leisure Complex. Beyond the site to the north, south and west is Coldhams Common.
- 2.5 The site and Coldhams Common are designated Protected Open Spaces and fall within the Cambridge Green Belt. In addition, Coldhams Common is a designated Local Nature Reserve (LNR) and County Wildlife Site (CWS).

3.0 The Proposal

- 3.1 Replacement of a 2G Artificial Turf Pitch (2G ATP) with a 3G Artificial Turf Pitch (3G ATP) with associated works including replacement artificial turf sports surface, additional fencing, replacement lighting, improved hard-standing areas, and supplementary storage containers.
- 3.2 The application proposals comprise:
 - 3.2.1 Replacement artificial turf pitch from 2G to 3G artificial turf pitch (3G ATP) with all year playing pitches.
 - 3.2.2 Additional fencing comprising:
 - 3.2.2.1 New 4.5m high ball stop fencing with access gates (334m linear);
 - 3.2.2.2 New 1.20m high pitch barriers with access gates (75m linear); and
 - 3.2.2.3 New 3.0m high dividing net system (1no.).
 - 3.2.3 Replacement lighting – 6no. 15.0m high lighting masts, each with 2 no. led luminaires.
 - 3.2.4 New 2.60m high maintenance equipment store (1no.).
 - 3.2.5 Replacement of 312m² of asphalt surfacing.

3.3 Additional information has been to address comments from Environmental Health Officers and further consultation with officers has been carried out as appropriate.

4.0 Relevant Site History

Reference	Description	Outcome
C/76/0690	Provision of flood lit all weather play area. Cambridge.	Permitted
23/04849/FUL	Replacement of existing artificial pitch with a new multi use games area (including tennis court), construction of new bowls green, erection of new pavilion and associated works.	Permitted

4.1 The site has been used as a sports pitch for many years. The existing 2G Artificial Turf Pitch (2G ATP) and multi-use-games-area appear circa 2008 on aerial imagery. It follows approval by Planning Committee on 11 June 2024 of a replacement ATP on land adjacent to the site.

5.0 Policy

5.1 National

National Planning Policy Framework 2023
 National Planning Practice Guidance
 National Design Guide 2021
 Environment Act 2021
 Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
 Conservation of Habitats and Species Regulations 2017
 Equalities Act 2010
 Planning and Compulsory Purchase Act 2004
 Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
 ODPM Circular 06/2005 – Protected Species
 Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan

Policy 1: The presumption in favour of sustainable development
 Policy 4: The Cambridge Green Belt
 Policy 5: Sustainable transport and infrastructure
 Policy 28: Sustainable design and construction, and water use
 Policy 31: Integrated water management and the water cycle
 Policy 32: Flood risk
 Policy 33: Contaminated land
 Policy 34: Light pollution control
 Policy 35: Human health and quality of life
 Policy 36: Air quality, odour and dust

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding
Policy 39: Mullard Radio Astronomy Observatory, Lord's Bridge
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 59: Designing landscape and the public realm
Policy 61: Conservation and enhancement of historic environment
Policy 62: Local heritage assets
Policy 67: Protection of open space
Policy 68: Open space and recreation provision through new development
Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 73: Community, sports and leisure facilities
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Neighbourhood Plan

None applicable

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
Landscape in New Developments SPD – Adopted March 2010
Open Space SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009

5.5 Other Guidance

None applicable

6.0 Consultations

6.1 Sport England – No Objection

6.2 Sport England has contacted the relevant sports' national governing bodies for comments on the proposals.

6.3 England Hockey – no objection.

6.3.1 The location and layout of the site and previous condition of the surface made it a poor option for the hockey community.

6.3.2 There will now be very little spare pitch capacity in the city, and current and anticipated future growth in participation levels amongst the local clubs, means it can foresee the need for additional provision in the not-too-distant future.

6.4 The Football Foundation and the County FA – support.

- 6.4.1 It meets an identified strategic deficit of pitches and complies with the Guide to 3G Football Turf Pitch Design Principles and Layouts.
 - 6.4.2 It will support the growth of local clubs, and provide opportunities for local schools, multiple disability groups, walking football, weight loss programmes, pro club community organisation programmes and a range of affiliated football from youth through to adult provision – including women & girls, mixed and male provision. Cambridge City Lacrosse will also be accommodated on the pitch.
 - 6.4.3 The current surface is best suited to hockey; it is understood that this proposed resurfacing will be better suited to football. As the resurfacing of this facility is supported by the Football Foundation and there is no objection from England Hockey, Sport England has no concerns.
- 6.5 It is considered to accord with exception five of its Playing Fields Policy and paragraph 103 of the NPPF. It will meet community sports need, as identified in the Council's most recent playing pitch strategy.
- 6.6 County Highways Development Management – No Objection**
- 6.7 No significant adverse effect upon the public highway should result from the proposal.
- 6.8 County Definitive Map Officer – No Objection**
- 6.9 It is noted in the response that the land is registered as Common Land (Coldham's Common ref. CL 61). Informatives are recommended.
- 6.10 Ecology Officer – Awaited**
- 6.11 Comments awaited. An update will be provided.
- 6.12 Natural England –No Objection**
- 6.13 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 6.14 Tree Officer – No Objection**
- 6.15 The application is supported by an arboricultural impact assessment. No trees are to be removed and with appropriate tree protection and construction techniques no material damage to trees is expected. While the AIA includes some preliminary tree protection information the detail is not sufficient to safeguard tree health during all aspect of the works. Conditions are requested requiring (1) an Arboricultural Method Statement

and Tree Protection Plan and (2) implementation of the approved tree protection methodology.

6.16 Environmental Health – Comments awaited

6.17 Additional information is required:

6.17.1 Justification for the light intrusion assessment

6.17.2 Confirmation of the existing hours of operation

6.18 Planning conditions are recommended relating to construction hours.

6.19 At the time of writing further comments are awaited on the above details set out above and an update will be provided.

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Assessment

8.1 Principle of Development

8.2 Green Belt

8.3 Policy 4 of the Cambridge Local Plan 2018 states that '*new development in the Green Belt will only be approved in line with Green Belt policy in the National Planning Policy Framework (2012)*'. The supporting text notes that the Cambridge Green Belt '*preserves the unique setting and special character of the city...it includes green corridors that penetrate deep into the urban and historic heart of Cambridge. It is a key component in providing for active and passive sport and recreation, for amenity and biodiversity*'. It goes on to acknowledge its key role in contributing to the high quality of life, place and economic success of Cambridge.

8.4 The NPPF (2023) set out what may be considered 'appropriate development' in the Green Belt. This can include '*(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*'. The proposals relate to an existing sports use of the land and is an appropriate use in the Green Belt. The continued use of the land for outdoor sports is in accordance with the purposes of the Cambridge Green Belt which include to ensure it provides opportunities for active and passive sports. The proposals are compliant with Policy 4 of the Cambridge Local Plan 2018 and NPPF (2023).

- 8.5 The impact on the Green Belt of will be considered more generally below in further detail in relation to the built development (lights, fences, and storage).
- 8.6 Protected Open Space
- 8.7 Policy 67: Protection of open space seeks to protect against the loss of open space of environmental or recreational importance unless two criteria are satisfied covering the replacement and re-provision of the space lost. It requires that the space is satisfactorily replaced in terms of quality, quantity, and access with an equal or better standard than that which is proposed to be lost; and provision is located within a short walk (400m) of the original site.
- 8.8 The principle of the development is acceptable and in accordance with policy 67 as the proposal seeks to improve an existing outdoor sports facility. It will be upgraded to provide a better standard of sports pitch on the same site.
- 8.9 Design, Layout, Scale and Landscaping**
- 8.10 Policies 55, 56, and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 8.11 The site is located within a wider area of protected open space and relates to both Coldhams Common and Abbey Leisure Complex. It is also located within the Green Belt, as detailed above. The proposals will replace existing facilities on site and although some increase in its impact will result due to the increase in height of fences and provision of an additional storage unit, this will be seen in the context of the existing pitches and mature, natural landscape surrounding it.
- 8.12 The replacement lights are noted to be an improved design to the existing and, subject to clarification of opening times and light spill vertically, is likely to be similar in terms of impact on the wider area of the existing.
- 8.13 The layout is appropriate and supported by the key sports bodies including Sport England.
- 8.14 Landscape is likely be unaffected as the area of the site is not increasing from the existing 2G pitch. The proposals seek to move an existing storage unit to accommodate the enlarging of pitch to the northeast of the site. Storage will be provided in three units on the southeastern corner of the site, close to the entrance gates. One is existing and will be relocated adjacent to the northeastern boundary. This will make way for the new, larger unit proposed. An existing unit will be retained on the site in its current position adjacent to the entrance. All three units are seen in the

context of the sports pitches with the main leisure centre, to the southeast beyond. They are screened by landscaping.

8.15 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 59 and the NPPF.

8.16 Trees

8.17 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 136 of the NPPF seeks for existing trees to be retained wherever possible.

8.18 The application is accompanied by an Arboricultural Impact Assessment.

8.19 The Council's Tree Officer has advised that an Arboricultural Method Statement and Tree Protection Plan is required and that this will need to then be implemented.

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

8.21 Carbon Reduction and Sustainable Design

8.22 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.

8.23 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.

8.24 The application is supported by a Design and Access Statement which indicates at page 41-42 that the proposals seek to 'Apply a variety of efficiencies to construction and operational stages that mitigate environmental impacts and reduce the carbon footprint of this development'. It goes on to list these including:

8.24.1 'Imported granular sub-base aggregates to form the pitch foundations shall be locally sourced from local quarries or suppliers to reduce transportation.

8.24.2 Control gears for the proposed replacement floodlights include photocell units and time clocks, to ensure artificial lighting does not illuminate before dusk and lighting does not exceed the permitted curfew hours.

- 8.24.3 *LED lighting requires less electrical power than traditional sports-area lighting alternatives (say, HID floodlights), resulting in improved energy efficiency.*
- 8.24.4 *The 3G artificial turf pitch surface (the field of play) does not require watering.*
- 8.24.5 *For the 3G artificial turf pitch surface, modern textile manufacturing methods and technology continues to advance. As such, it is commonplace for artificial turf surfaces to be recycled at the end of their life cycle and be re-made into new similar surfaces or other products. It can be expected that technological innovations will continue to enable this environmentally sustainable form of recycling to affect this proposal when refurbishment is due after an initial life cycle’.*

8.25 Given the nature of the proposals it is considered that these measures will result in an improvement to the sustainable construction and operation of the facility. This is also balanced with the provision of improved sporting facilities, which encourages active lifestyles.

8.26 The applicants have suitably addressed the issue of sustainability and the proposal is in accordance with Local Plan policy 28 of the Greater Cambridge Sustainable Design and Construction SPD 2020.

8.27 Biodiversity

8.28 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.

8.29 In accordance with policy and circular 06/2005 ‘Biodiversity and Geological Conservation’, the application is accompanied by a preliminary ecological appraisal. This notes that the existing site comprises artificial sports pitch and hardstanding which *‘are of negligible value to nature conservation and there will be no negative impact on site due to the loss of these habitats’* (para. 4.2.1). Mitigation of construction impacts and enhancement opportunities are set out in the appraisal. These include measures covering:

- 8.29.1 Requirement for a CEMP due to the proximity to nationally designated sites.
- 8.29.2 Tree, hedgerow and scrub protection measures during construction.

- 8.29.3 If required, removal of any trees should not be undertaken until a qualified ecologist has checked for nesting birds, and if found, measures to leave these undisturbed implemented.
- 8.29.4 Precautionary measures to protect mammals and reptiles during works.
- 8.29.5 Additional tree, shrub or hedgerow planting along the site peripheries.
- 8.29.6 Incorporation of bird boxes on trees adjacent to site.

- 8.30 It is noted that the Preliminary Ecological Appraisal also anticipates an improvement in wildlife habitat, as the improved lighting may increase the areas bats are likely to forage.
- 8.31 The application has been subject to formal consultation with the Council's Ecology Officer, whose comments are awaited. It is anticipated that planning conditions will be required to ensure the protection of species and the estimated biodiversity net gain is delivered.
- 8.32 Subject to appropriate conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

8.33 Water Management and Flood Risk

- 8.34 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 8.35 An area on northeastern part of the site is in Flood Zones 2, with the northern corner also being in Flood Zone 3 and is, therefore, considered at risk of flooding from Coldhams Brook to the north of the site. The northern part of the site is also at low risk (between 0.1-1% chance each year) of surface water flooding.
- 8.36 The site is an existing hard surfaced area. Given the proposed land use classification (outdoor sports), the Sequential and Exception Tests do not apply. The application is considered acceptable subject to a condition securing implementation of the submitted Surface Water Strategy to ensure that slight improvement to the existing drained area is achieved and to ensure that the proposed flow rates are less than existing and do not increase flood risk elsewhere. Subject to conditions the proposals are therefore in accordance with Policies 31 and 32 of the Local Plan and paragraphs 165 – 175 of the NPPF.
- 8.37 The applicants have suitably addressed the issues of water management and flood risk, and subject to a condition, the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.38 Highway Safety and Transport Impacts

- 8.39 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 8.40 Para. 115 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.
- 8.41 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways which raises no objection to the proposal noting that it will not significantly impact the local highway network.
- 8.42 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.43 Cycle and Car Parking Provision

- 8.44 Access to the site would be via a footpath from the Abbey Leisure Centre site and Coldhams Common. An access track provides good access by foot or cycle from Coldhams Lane and Pool Way. Where people are unable to walk or cycle access to public transport is available on Whitehill Road and Coldhams Lane and Newmarket Road. Cycle parking for 60 cycles is available within the Abbey Leisure Complex.
- 8.45 Cycle Parking
- 8.46 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for sports and recreational facilities, swimming baths development states that two cycle spaces should be provided for every 5 staff plus 1 short stay space for every 25 sq. m net floor area or 1 short stay space for every 10 sq. m of pool area and 1 for every 15 seats provided for spectators. These spaces should be sized according to the council's standards, be conveniently located for employees and close to entrances, covered and subject to natural surveillance. A minimum of 20% should be within a secure location.
- 8.47 No details of specific cycle parking to serve the area has been provided. There is currently cycle parking in the form of Sheffield hoops by the gates into the MUGA. These provide approximately ten cycle parking spaces. The recent permission for the adjacent MUGA provided six for cycle parking spaces and a condition was recommended to require details of cycle parking store arrangements to be secured. It is considered

necessary and reasonable to require a planning condition to secure covered cycle parking adjacent to the MUGA rather than to rely on cycle parking in the wider area, which is not convenient to the application site.

- 8.48 Noting that the pitch area is approximately 5917 sqm, 237 cycle parking spaces will be required if applying the standard of 1 space per 25sqm. It is suggested that this is excessive for the type of use and relates better to indoor provision. For two football teams, coaches, and spectators, a reasonable level of provision would be circa 20 spaces as not everyone will cycle, some will walk, use public transport or arrive by car or car share. There is space in the area adjacent to the MUGA for the siting of additional cycle parking. It is understood that these ideally would not be covered to avoid issues of graffiti, vandalism and anti-social behaviour. A planning condition is recommended to secure these details and an appropriate quantum of provision.
- 8.49 Car parking
- 8.50 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 2 spaces for every 3 staff, plus 1 space for every 4 seats, including disabled car parking. This should be provided as bays designated for Blue Badge holders and provided from the outset at 1 space or 6% of the total capacity.
- 8.51 As the site is not increasing in size and is part of the wider leisure complex, for which there is existing car parking adjacent to the leisure centre building, it is considered that the level of provision for car parking is adequate, and no additional spaces are necessary.
- 8.52 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.
- 8.53 Other Matters**
- 8.54 Bins
- 8.55 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 8.56 The site currently has recycling and general waste bins on site. These are cleaned three times a week by the Council's crews and emptied daily by the operator of the Abbey Leisure Centre. It is understood from the Sport and Recreation Manager that this arrangement will continue, however, a larger number of bins will need to be provided as it is expected there will be more people using the site. The plans do not include details of refuse

bins and it is recommended that a planning condition to secure these details is added.

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 Summary of harm
- 8.60 Hours of lighting and operation are proposed to be longer than existing to enable ad hoc evening use up to 20:15 hours.
- 8.61 Summary of benefits
- 8.62 Upgraded sports provision to support active and healthy lifestyles.
- 8.63 Improved surface water drainage, reducing flood risk locally.
- 8.64 Improved wildlife – opportunities for biodiversity enhancement.
- 8.65 Opportunity to improved cycle parking provision to encourage sustainable travel.
- 8.66 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

9.0 Recommendation

9.1 Approve subject to:

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

10.0 Planning Conditions

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

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

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

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

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

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

4. The 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.

5. No development, other than demolition, shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The SEA Consulting Engineers' 'Surface Water Strategy' (Ref. R - 00192 - 001 - SDS - 0) dated 8 May 2024 shall be fully implemented in accordance with the approved details prior to the first use and maintained thereafter.

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

6. The newly laid pitches shall not be used until details of facilities for the parking of cycles for use in connection with them have been submitted to and approved in writing by the Local Planning Authority. The details shall include the type and layout of the cycle parking. The cycle parking shall be provided prior to first use of the re-laid pitches and shall be retained as such.

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

7. A scheme for the provision of waste bins on-site shall be submitted to and approved in writing by the local planning authority. The scheme shall identify the specific positions of where bins will be sited. The approved scheme shall be carried out before the use is commenced and shall be retained as such.

Reason: To ensure that the need for refuse bins is successfully integrated into the development. (Cambridge Local Plan 2018 policy 57).

8. Prior to the commencement of development above slab level, a scheme for biodiversity enhancement shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of bat and bird box installation, hedgehog connectivity, habitat provision and other biodiversity enhancements, including how a measurable net gain in biodiversity will be accomplished, when it will be delivered and how it will be managed. The approved scheme shall be fully implemented within the agreed timescale following the substantial completion of the development unless, for reasons including viability or deliverability, it is otherwise agreed in writing by the local planning authority.

Reason: To provide ecological enhancements in accordance with Cambridge Local Plan 2018 policies 57, 59 and 69, the Greater Cambridge Shared Planning Biodiversity SPD 2022 and NPPF paragraphs 8, 180, 185 and 186.

9. The development shall be carried out in accordance with the Surfacing Standards Ltd 19/06/2024 Abbey Leisure Complex Proposed Lighting Scheme Rev01, plan ref. S23-296 / DWG / 0006 01 and associated vertical boundary and flat ceiling illuminance grid levels confirmed in Tom Betts e-mail of 19 June 2024. Prior to first use of the new lighting system, a verification report shall be provided to the Local Planning Authority confirming that the lighting scheme has been installed in accordance with the approved scheme and plans (or any agreed

variation thereof). The lighting shall be maintained in accordance with the approved scheme / plans for the lifetime of the development.

Reason: In order to mitigation light pollution in the interests of amenity (Cambridge Local Plan 34)

Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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Planning Committee Date	3 July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03741/FUL
Site	261 Mill Road
Ward / Parish	Romsey
Proposal	Change of use of a takeaway to 1no. apartment
Applicant	Mr Copolla
Presenting Officer	Phoebe Carter
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Loss of commercial unit
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks the change of use of a takeaway to 1 no. apartment
- 1.2 The proposal would create the loss of a retail unit within the district centre of Mill Road. However, the unit has not been in use for a period of approx. 12 years and the works would allow the repair and upkeep of the building, improving the appearance of the building. The proposed works would externally retain the appearance of the shopfront to Mill Road and create an additional dwelling.
- 1.3 Officers recommend that the Planning Committee approve subject to conditions.

2.0 Site Description and Context

Conservation Area	X	District Centre	X
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- 2.1 The application site, no. 261 Mill Road, is comprised of the ground floor of a two-storey terraced unit situated on the north side of Mill Road. The property is an end of terrace with the side elevation fronting Belgrave Road. The ground floor was previously a take-away, although not in use for the past 12 years, and was originally built as a corner shop. The building is constructed in brick and there is a small outdoor hardstanding garden area to the rear of the site. The surrounding area is predominantly residential in character and is formed of similar sized terraced properties set linear to the pattern of the road.
- 2.2 The first floor of the property, No. 261A Mill Road is a residential flat, and to the north (1 Belgrave Road), east (263 Mill Road) and west (259 Mill Road) are residential properties. Opposite the site to the south is the Royal Standard Public House.
- 2.3 The site falls within the Mill Road Conservation Area and the Mill Road District Centre.

3.0 The Proposal

- The application proposes the change of use of the ground floor unit from a take-away (Sui Generis) to a residential unit (Use Class C3). The application would retain much of the existing shopfront appearance on Mill Road and Belgrave Road. The shop front window on Belgrave Road is proposed to be reduced in width by half and an additional window proposed on the side and rear elevation.
- 3.1 Following comments from the Conservation Officers one window to the side elevation has been removed and the original shopfront window retained in appearance.

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

4.0 Relevant Site History

Reference	Description	Outcome
23/02541/FUL	Change of use of a takeaway to 1no. new apartment	Withdrawn
16/1342/FUL	Proposed development of one new two bedroom dwelling to the rear of 259/261 Mill Road	Withdrawn
16/1135/FUL	Part first floor rear extension	Permitted
16/0557/FUL	Proposed development of two new apartments to rear of 259/261 Mill Road following demolition of existing outbuilding	Withdrawn
12/0374/FUL	Part single storey part two storey extension	Permitted

5.0 Policy

5.1 National

National Planning Policy Framework 2023

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 5: Sustainable transport and infrastructure
Policy 24: Mill Road Opportunity Area
Policy 28: Sustainable design and construction, and water use
Policy 31: Integrated water management and the water cycle
Policy 32: Flood risk
Policy 35: Human health and quality of life
Policy 36: Air quality, odour and dust
Policy 50: Residential space standards
Policy 51: Accessible homes
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 61: Conservation and enhancement of historic environment
Policy 64: Shopfronts, signage and shop security measures
Policy 72: Development and change of use in district, local and neighbourhood centres
Policy 82: Parking management

5.3 Supplementary Planning Documents

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

5.4 Other Guidance

Mill Road conservation area

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No objection subject to the addition of a condition regarding vehicles over 3.5 tonnes.

6.3 Conservation Officer – No objection

6.4 Amendments: The retention of the shop front window, reduced in width, would retain the appearance of the shop front and overcomes the original objection.

6.5 Environmental Health – No Objection

6.6 No objection subject to the imposition of a condition regarding construction hours and noise insulation scheme.

7.0 Third Party Representations

One representation has been received.

7.1 Those in objection have raised the following issues:

- Loss of jobs
- This area of Mill Road lacking facilities
- Important facilities like this are preserved
- Poor design
- UPVC windows are not in keeping
- Obscured film on windows not appropriate for area
- Should maintain shopfront
- Parking concerns
- Foul water drainage
- Amenity space inadequate

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

8.4 It is noted that the loss of centre uses at ground floor level to non-centre uses will not be permitted, unless it is demonstrated that the use is no longer viable, by evidence of active marketing for at least 12 months, should that the premises are not reasonable capable of being used or redeveloped for a centre use. It is acknowledged that the building is set towards the end of the District Centre and away from the central grouping of facilities. This of itself does not mean that the unit would not be attractive for Class E use or

Sui Generis Use as a take-away and by virtue of the frontage and appearance, is that of a small corner shop unit.

- 8.5 The applicant has not provided any information regarding the marketing of the property for use as a takeaway and planning permission would be required for the change of use of the building to Use Class E. It is further noted that the building is surrounded by residential units, and does not appear to have any extraction ducts for odour or cooking facilities usually associated with use as a takeaway. Given the siting on the junction of two roads and within the Conservation Area this would require a further planning permission to be sought. Policy 72 c) sets out that uses would not be permitted which give rise to detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems. Given the siting and lack of facilities, it is likely that in bringing this back into use as a takeaway would give rise to an impact on the neighbouring properties through smell and noise in particular.
- 8.6 The policy sets out that introducing a non-retail use and a non-active residential frontage would be harmful to the adequate provision of retail services within the local centre, making the area less vibrant and commercially attractive undermining the vitality, viability, character and function of the Local centre. However, Officers note that the unit has been unused in this location for a period of approx. 12 years, prior to the adoption of the current Local Plan, and that the unit appears to be run down and the existing frontage in a poor condition. Therefore, the change of use of the property, whilst no marketing of the unit has been provided, is considered not to harm the vitality of viability of the wider district centre in this instance and would bring an unused unit back into use. Furthermore, given the close proximity of the building to multiple residential uses, and a number of takeaways in relatively close proximity, in this instance, would be acceptable for the change of use to residential use.
- 8.7 Officers note that comments have been received regarding the loss of jobs however, at the current time there would be no loss of employment associated with the unit given the period of time it has been empty. It is noted that this would prevent a further employment use coming forward however, given a unit of this scale it is considered that it would likely be to a loss of a limited amount of jobs which is not considered to fail Policy 2 of the Cambridge Local Plan 2018.
- 8.8 Consequently, it is concluded that it would be acceptable, in this instance, for the building to change to a use falling within Class C3 (dwelling house).
- 8.9 Design, Layout, Scale and Landscaping**
- 8.10 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.

- 8.11 The application proposes minimal external alterations to the existing building. The existing shopfront, not original to the building, consists of a large shopfront window onto Mill Road, a front door situated on the corner of the building and a large two pane window on the side elevation. Further windows and doors to the side elevation of the building accessed the rear of the unit. The proposal is to retain the shopfront window to the front of the building, albeit replaced with an energy efficient window. The corner door will be retained externally to be in keeping with the unit, although blocked up internally. Following comments from the conservation officer, the application has been amended so the window on the side elevation linked to the shop unit is to be retained as a single panel window instead of a two-paned window which has overcome previous concern. A new window is proposed in the side elevation, whilst not traditional in design to the Conservation Area, the window proposed matches the design of the window at ground a first floor on the side elevation and therefore is considered appropriate in this instance.
- 8.12 Officers note comments from third parties regarding the proposed uVPC materials. uVPC windows are considered acceptable in conservation areas, subject to the design matching the original windows, as set out within Schedule 2, Part 1, Class A of the General Permitted Development Order 2015. Furthermore, the existing windows on the building are UVPC and the shopfront aluminium frames. Officers therefore, do not consider that it would be reasonable in this instance to insist that the materials are altered.
- 8.13 A low level brick wall is proposed to the front of the building, similar in design to the front elevation at number 259 Mill Road. A wall under 1 metre in height to the front of a building is considered to be permitted development under Schedule 2, Part 2, Class A of the General Permitted Development Order 2015. Officers therefore note the comments from the Conservation Officers however consider that the design and form is acceptable in this instance.
- 8.14 A condition is recommended to ensure that the proposed external materials and design are in keeping to the area.
- 8.15 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 58 and the NPPF.
- 8.16 Heritage Assets**
- 8.17 The application falls within the Mill Road Conservation Area. The application is within the setting of the Royal Standard, a Building of Local Interest.
- 8.18 Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 8.19 Para. 205 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.
- 8.20 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 8.21 261 Mill Road, on the corner with Belgrave Road, is one of the corner shops believed to be original to Romsey Town development between 1880 and 1900. It was recorded as a grocers and parcel shop c1900. It is a key component of the typical facilities that were provided to residents in the development of the area.
- 8.22 The original timber windows have been replaced by functional but unattractive metal units with clerestory vents. The flanking pilasters have been removed (though their location can be seen in the brickwork), as have the cornice and blind. However, the shopfront retains the fascia and corbels, hanging sign-arm, original front door, and large window apertures to Mill Road and Belgrave Road. The simple shopfront remains evident, with similarities to others in Romsey Town. The legibility of 261 Mill Road as a corner shop is a contributing factor to the significance of the conservation area. However, the quality of the building has suffered from alterations including to fenestration and lack of maintenance, so that it is not currently a 'positive building' in the conservation area and improvements would be welcome. Further decline in quality or loss of historic commercial character would be harmful to the conservation area and should be resisted.
- 8.23 The original application proposed that the Belgrave frontage be bricked up and two new uPVC windows inserted. It is now proposed to retain the metal-famed unit to the Mill Road Frontage, with new non-opening lights replacing the clerestory vents. Additionally, although reduced to a single pane, the large aperture window to Belgrave Road has now been retained, although reduced in width, overcoming the previous concerns from the Conservation Officers regarding the loss of the existing window and the shopfront frontage. The new window to the Belgrave frontage, would be of a similar design to the existing windows on the side elevation at ground and first floor and it is considered that it would retaining a neutral effect on the Conservation Area.
- 8.24 Comments regarding the retention indicates a neutral effect, the proposed dry lining would contrast poorly with the unobscured clerestory windows.

However, it is noted that a lining could be added to the windows without planning permission being required.

8.25 Local Plan Policy 58 requires that where proposals seek to alter existing buildings these changes do not adversely impact on the character or appearance of the conservation area and use materials and architectural detailing which ensure that proposals are sympathetic to the existing building and surrounding area. Policy 61 seeks to ensure that proposals should preserve or enhance the significance of the heritage assets of the city and respect the character, appearance and setting of the locality.

8.26 In the alteration of the window on the side elevation to retain the existing shop frontage window design 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 and has overcome the initial concerns with the application. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

8.27 Water Management and Flood Risk

8.28 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.

8.29 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. Given that the application is a conversion, albeit to a more vulnerable use, given the proposal is not within an area of surface water flooding and flood zone 1 it is considered acceptable and in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.30 Officers note comments have been submitted regarding foul water drainage at the site. Given the existing use of the building the unit will be connected to the existing foul water drainage system and the connection would be assessed under Building Control and Officers are therefore satisfied that the proposal would not lead to any significant concerns.

8.31 Highway Safety and Transport Impacts

8.32 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.

8.33 Para. 115 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.

8.34 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection subject to a condition regarding construction vehicles over 3.5tonnes to only service the site between 09:30hrs – 15:30 hrs to the proposal. Given the surrounding streets Officers considered that this is a reasonable condition.

8.35 An informative is recommended to ensure that the windows do not open over the public highway and cause an obstruction.

8.36 Cycle and Car Parking Provision

8.37 Cycle Parking

8.38 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.

8.39 There is no adequate space for cycle parking on the frontage. Cycle parking is therefore proposed to the rear of the dwelling. It is considered that the proposal would be satisfactory and would not impact the cycle parking arrangements for the neighbouring dwelling, and first floor flat no. 261A.

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. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.

8.42 The application proposes no car parking spaces and the existing site has no off street parking. Officers note that comments have been received setting out that the property originally had an off street parking space, however this was removed in an application around 2012. Officers can only assess the current situation on site and whether the proposed use would be acceptable.

8.43 Given the siting in close proximity to shops and with a high public transport network in proximity to the site it is considered acceptable in this instance

for the application to have no parking. Furthermore, the surrounding streets are outside of the controlled parking zone and therefore considered that a car-free status of the site could not be realistically enforced in this instance. Overall, Officers considered that a one bed dwelling would not put unnecessary stress on the existing parking arrangements.

8.44 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.

8.45 Amenity

8.46 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.

8.47 Neighbouring Properties

8.48 The neighbouring properties are 259 Mill Road, 1 Belgrave Road, 261A and 263 Mill Road which are residential properties. There are no extensions proposed as part of the application and therefore it is not considered that the proposal would give rise to any loss of light or overbearing impact. Additional windows are proposed to the side, east elevation. Given the separation of Belgrave Road to no. 263 Mill Road and the offset nature of the proposal it is not considered that the proposal would give rise to any loss of privacy to the neighbouring amenity.

8.49 Future Occupants

8.50 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).

8.51 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	1	50	50	0

8.52 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. As set out above, the proposal is compliant with the space standards.

8.53 Garden Size

- 8.54 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.
- 8.55 The application proposes a shared rear amenity space for No's 259, 261 and 261A Mill Road of 35sq metres, excluding areas for cycle storage and access routes. Given the central location and limited garden sizes of properties on Mill Road, Officers consider that there is sufficient space for washing to dry and occupants to sit outside from the existing units.
- 8.56 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings. While this is a policy requirement, the proposal is a conversion and would utilise the existing entrances. Therefore, it is not practicable to require part M4(2) compliance in this instance.
- 8.57 Construction and Environmental Impacts
- 8.58 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 8.59 The Council's Environmental Health team have assessed the application and recommended conditions regarding construction hours and noise insulation scheme. Given that the proposal fronts Mill Road, a busy road, it is unlikely that recommended DS8233:2014 internal noise levels will be achieved with windows open. Officers consider that the proposed conditions are reasonable and necessary to ensure that the amenity of neighbouring property and future occupiers.
- 8.60 Summary
- 8.61 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 and 58.
- 8.62 Carbon Reduction and Sustainable Design**
- 8.63 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.

- 8.64 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.
- 8.65 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.
- 8.66 Subject to conditions relating to carbon reduction technologies and water efficiency it is considered that the proposal would be compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

8.67 Biodiversity

- 8.68 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.
- 8.69 The application is for a change of use to the existing building and no extensions are proposed and the rear area of the building is to be retained. Officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species. A condition is recommended regarding nest boxes to ensure that that proposal would achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

8.70 Third Party Representations

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

Third Party Comment	Officer Response
Loss of jobs	Assessed within the report

Lacking facilities	The application site is located within the District Centre of Mill Road which has sufficient facilities within walking distance of the site.
Poor Design	Officers have assessed the design within the above paragraphs.
Windows	Details regarding windows has been assessed above. Obscured film on windows, if there are no logos, would not be controlled by planning permission as it can be added by the occupiers internally.
Shopfront	The existing shopfront is not original to the building and is not in keeping with the existing building. The application proposes to retain the shopfront design and frontage to the building with more energy efficient materials.
Foul Drainage	The proposal would not alter the existing connection to Foul Drainage. The details will be assessed by Building Control.
Amenity Space	Assessed within the Officer Report.
Neighbour consultation	Neighbour consultation was carried out in accordance with the Development Management Procedure Order 2015 and the Statement of Community Involvement. A neighbour further away from the site was notified due to commenting on a previous application at the same site.
Parking	Assessed within the Officer Report.

8.72 Other Matters

8.73 Bins

8.74 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The bin storage to the rear of the dwelling, accessed off Belgrave Road is considered sufficient for the proposed dwelling.

8.75 Planning Balance

8.76 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).

8.77 Summary of harm

8.78 The application would lead to the loss of a retail unit within the District Centre of Mill Road. No details of marketing have been submitted in support of the application which fails to comply with Policy 72 of the Local Plan 2018.

8.79 Summary of benefits

- 8.80 The application would create an additional dwelling with a shared external amenity space for future occupiers located within a sustainable location. The proposed development would retain the existing shop front and bring back a building, not currently in use, back into use.
- 8.81 Overall, the proposed development is considered to preserve the character and appearance of the surrounding area with the retention of the proposed shopfront. Whilst objections from third parties regarding the loss of the existing use are acknowledged, it is considered that on balance, the impact of the proposed development would not lead to a loss of facilities for local residents and the impact of the proposed development would not be significant and is acceptable in this instance.
- 8.82 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.

9.0 Recommendation

9.1 Approve subject to:

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

10.0 Planning Conditions

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

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

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

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

3. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential unit (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential unit as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted

to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area. (Cambridge Local Plan 2018 policy 35)

- 4 The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

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

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

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policies 57, 59 and 70).

- 6 No development shall take place above ground level, other than demolition, until details of the windows and bricks to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 7 Water efficiency measures for the scheme shall be implemented in accordance with the optional requirement as set out in Part G of the Building Regulations, which requires all dwellings to achieve a design standards of water use of no more than 110 litres/person/day.

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).

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

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

- 9 Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes to only service the site between the hours of 09:30 - 15:30hrs, seven days a week.

Reason: In the interests of Highway Safety in accordance with Policy 81 of the Cambridge Local Plan 2018 and para 115 of the NPPF 2023.

- 10 The dwelling, hereby permitted, shall not be occupied until access to the shared amenity 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).

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Planning Committee Date	3 rd July 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference Site	24/01743/FUL 1,3,18,19,21,25,27,28,33,35,39,41,43,44,45,49,51, 57,59,62,65,66,67,69,73,76,77,78,87,88,89,92,96,108,132,132A And 136 Ramsden Square
Ward / Parish Proposal	Kings Hedges Addition of external wall insulation to the solid wall constructed parts of the building, along with the replacement of the UPVC double glazed
Applicant Presenting Officer	Rob Townley (Aran Insulation Limited), Cambridge City Council Phoebe Carter
Reason Reported to Committee	Third party representations Land within ownership of the Council
Member Site Visit Date	N/A
Key Issues	1. Character and appearance
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the addition of external wall insulation to solid wall constructed parts of the buildings along with replacement of the existing UPVC double glazed windows with UPVC triple glazed windows
- 1.2 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 Site Description and Context

None-relevant	X		
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- 2.1 The application relates to 37 Council Houses on Ramsden Square. The houses are predominantly two storey brick built semi-detached dwellings with tiled roofs. There are no site constraints. Ramsden Square is a residential road accessed off Kings Hedges Road and Milton Road.

3.0 The Proposal

- 3.1 The application seeks planning permission for the addition of external wall insulation to solid wall constructed parts of the buildings along with replacement of the existing UPVC double glazed windows with UPVC triple glazed windows.
- 3.2 The application is accompanied by supporting information including:
- Drawings
 - Design and Access Statement
 - Insulation Data Sheet
 - Photomontages
- 3.3 The application proposes the external wall insulation to all solid brick external walls to improve the insulation to the buildings along with replacement of the windows to further increase the energy efficiencies of the dwellings.

4.0 Relevant Site History

- 4.1 No relevant site history.

5.0 Policy

- 5.1 **National**
National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

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

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 **Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 30: Energy-efficiency improvements in existing dwellings

Policy 35: Human health and quality of life

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings #

Policy 70: Biodiversity

5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

6.0 **Consultations**

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

6.2 Following a review of the documents provided to the Highways Authority as part of the above planning application, no significant adverse effect upon the Public Highway should result from this proposal.

6.3 **Environmental Health – No Objection**

6.4 The development proposed is acceptable subject to the imposition of the condition regarding construction hours.

7.0 Third Party Representations

7.1 5 representations have been received.

7.2 Those in objection have raised the following issues:

- Character and appearance
 - o Should use brick slips to mitigate harm
 - o Render colour (grey) does not achieve consistent appearance
 - o Colour will contrast with the bricks
 - o Maintenance of the render
 - o Could render incentive be offered to the privately owned dwellings as well to improve uniformity
 - o The aesthetic uniformity of the square will be destroyed
 - o Visually differentiate the Council and Private Households
- Bird Boxes
 - o How many are being added?
- Would not be approved in other parts of the city

7.3 Those in support have raised cited the following reasons:

- Energy improvements to the dwellings

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 Design, Layout, Scale and Landscaping

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

8.3 Ramsden Square is a residential street and the properties which form part of the application are all council owned dwellings. The character of the street scene is of semi-detached and terraced dwellings of brick form although it is noted that a couple of dwellings, have previously been externally rendered, or partially rendered. It is acknowledged that the change of material will alter the external appearance of the buildings and character of the streetscene, which is predominantly brick. However, Officers consider that with 37 dwellings being rendered it is considered that the external alterations will have little visual impact on the street scene. Furthermore, the insulation will result in an improved energy efficiency of the properties which is supported.

- 8.4 Officers note the third party objections to the alteration of materials and the proposed colour of the render to grey, as set out within the Design and Access Statement. It is therefore considered necessary for the colour of the render to be conditioned to ensure that a more suitable render colour is proposed.
- 8.5 Comments have been received setting out that this would not be accepted in other parts of the city. The application is one of a wider scheme of improvements to the energy efficiency of dwellings and the scheme has started to be implemented across the city.
- 8.6 Windows and doors are proposed to be replaced with triple glazing. The proposed windows and doors are of a similar appearance to the existing designs and therefore are considered to be acceptable, and would fall within the remit of the General Permitted Development Order 2015, Schedule 2, Part 1, Class A.
- 8.7 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 58.
- 8.8 Highway Safety and Car Parking**
- 8.9 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.
- 8.10 Para. 115 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.
- 8.11 The Local Highways Authority have assessed the application and no significant adverse effect upon the Public Highway should result from this proposal. Given the siting and location no conditions have been recommended in this instance.
- 8.12 Given the minimal increase in depth of the proposed render it is not considered to alter the existing parking arrangements to the dwellings.
- 8.13 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.
- 8.14 Amenity**
- 8.15 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.

8.16 Neighbouring Properties

8.17 The development would result in the external elevations of the houses moving marginally closer to the boundaries but it is considered that this would not affect residential amenity. A site visit has been undertaken.

8.18 Given the adjacent context, location, size, and design of the proposal it is unlikely to give rise to any significant amenity impacts in terms of overlooking, loss of daylight, enclosure or other environmental impacts. The proposal is compliant with Policies 30, 56 and 58 of the Cambridge Local Plan (2018)

8.19 Construction and Environmental Impacts

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

8.21 The Environmental Health Officer has been consulted on the proposal and they have not raised any objections subject to conditions relating to construction hours which are considered reasonable to protect the amenities of nearby residential properties. The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 35.

8.22 Biodiversity

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

8.24 It is noted, from third party comments that have been received, that several of the properties have bird boxes. Confirmation has been received from the agent that any proposed works would be carried out outside of the nesting season and that the bird boxes will be reinstated.

8.25 To ensure that the bird boxes are reinstated, and a biodiversity increase is achieved, it is considered reasonable to add a condition regarding bird

boxes to any permission granted. Taking the above into account, the proposal is compliant Policy 70 of the Cambridge Local Plan (2018).

8.26 Summary

8.27 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 and 58.

8.28 Third Party Representations

8.29 The third party comments have all been assessed within the above sections of the Officer Report.

8.30 Planning Balance

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

8.32 Whilst the proposed development would alter the existing streetscene with a change of materials the overall benefit of the scheme, with significant improvements to the insulation of the properties, is considered in this instance to outweigh the harm.

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

9.0 Recommendation

9.1 **Approve** subject to:

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

10.0 Planning Conditions

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

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

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

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

3 No development shall take place above ground level until details of the render to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4 The materials to be used in the windows and doors, hereby permitted, shall follow the specifications in accordance with the details specified within the Window and Door Replacement Specification Document unless otherwise agreed in writing by the Local Planning Authority.

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

5 No development above ground level shall commence until a scheme for the provision of nest boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box numbers, their specification and location.

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



Planning Committee Date	3 rd July 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	24/01362/LBC
Site	Maris House 1 Maris Lane Cambridge Cambridgeshire CB2 9LB
Ward / Parish	Trumpington
Proposal	Demolition of the single brick garage sited within the curtilage of Maris House (List entry number 1101728)
Applicant	Pemberton Settled Estates
Presenting Officer	Dominic Bush
Reason Reported to Committee	Demolition of a listed building
Member Site Visit Date	N/A
Key Issues	1.Heritage Impacts
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks permission for the demolition of the single brick garage sited within the curtilage of Maris House (List entry number 1101728)
- 1.2 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The application site comprises the Grade II listed residential dwelling of Maris House and its surrounding curtilage, which includes the detached garage that is subject to this application. The garage which is curtilage listed by virtue of its age and siting is located in the northeastern corner of the site, with the residential garden of Maris House to the west of the site.
- 2.2 The site is within the Trumpington Conservation Area, within Flood Zone 1 and is at low risk of Surface water flooding.
- 2.3 The site is located within an area that largely comprises commercial properties, with Francis Court and Kefford House to the north and northeast and multiple other commercial units to the east and southeast. Further to the north of the site the use is predominantly residential although the nearest residential property is significantly set away from the application site.

3.0 The Proposal

- 3.1 Demolition of the single brick garage sited within the curtilage of Maris House (List entry number 1101728)
- 3.2 This application is proposing the demolition of the curtilage listed, detached garage within the application site. A subsequent application has been submitted for the erection of a car port within the site to replace the

garage, however this application does not meet the requirements within the scheme of delegation to be determined at planning committee.

4.0 Relevant Site History

Reference	Description	Outcome
24/01581/HFUL	Construction of new 3 bay timber framed carport to the rear of Maris House.	Pending consideration

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

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

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

5.5 Other Guidance

Trumpington conservation area appraisal

6.0 Consultations

6.1 Conservation Officer – No Objection

6.2 No objection to the proposed development

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

Not applicable

9.0 Assessment

10.0 Planning Background

11.0 It should be noted that this application as a listed building consent application can only be assessed with regards to its impact on a listed building, in this case the Grade II listed dwelling, and the curtilage listed outbuilding. It is not considered that the proposed demolition requires planning permission or prior approval, given that the demolition is subject to this listed building consent application.

11.1 Heritage Assets

11.2 The application site comprises the curtilage of the Grade II listed Maris House, and is located within the Trumpington Conservation Area.

11.3 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.

11.4 Para. 205 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.

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

11.6 There has been a building within the location of the current garage within the site since 1804. The provided heritage statement also highlights that the form of this outbuilding has changed quite significantly over time and as such the building that currently lies within the site may not necessarily

be the original structure. It can also be seen that the building has been reduced in size and altered to include a garage door within its western elevation.

11.7 The Conservation Officer has advised that, considering the alterations to the structure that have occurred over time, and the proposed demolition of the building, which is curtilage listed, would not have a significant impact on the setting or character of the Grade II listed Maris House.

11.8 The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

11.9 Planning Balance

11.10 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).

11.11 The proposed demolition of the outbuilding is considered acceptable in its impact on the Listed Building of which it is within the curtilage. It would not result in harm caused to the setting of the listed building.

11.12 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.

12.0 Recommendation

12.1 **Approve** subject to:

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

13.0 Planning Conditions

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The works hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 010 – Garage Existing and proposed.

Reason: In the interests of good planning and for the avoidance of doubt.

Greater Cambridge Shared Planning
Cambridge City Council - Appeals for Committee



Appendix 1: Decisions Notified By The Secretary of State

REFERENCE	SITE ADDRESS	DETAILS	DECISION	DECISION DATE	PLANNING DECISION
23/03090/HFUL (APP/Q0505/D/24/3338475)	3 Kelsey Crescent Cambridge Cambridgeshire CB1 9XS	First floor side and single storey rear extensions.	Appeal Dismissed	05/06/2024	Refusal of planning permission (Delegated Decision)

Appendix 2: Appeals received

NO RESULTS

Appendix 3a: Local Inquiry dates scheduled

REFERENCE	SITE ADDRESS	APPELLANT	EVENT DATE
EN/00222/23 (APP/Q0505/C/24/3342331)	Charter House 62 - 68 Hills Road Cambridge Cambridgeshire CB2 1LA	Unex (NO.16) Limited	06/08/2024

Appendix 3b: Informal Hearing dates scheduled

NO RESULTS

Appendix 4: Appeals Awaiting Decision from Inspectorate

REFERENCE	SITE ADDRESS	DETAILS	REASON
23/00566/FUL (APP/Q0505/W/23/3324785)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of a modern, multifunction Hub unit featuring	Refusal of planning

		an integral advertisement display and defibrillator	permission (Delegated Decision)
23/00567/ADV (APP/Q0505/Z/23/3324786)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of 1no 86 inch LCD screen capable of showing illuminated static displays in sequence.	Refusal of planning permission (Delegated Decision)
23/00962/ADV (APP/Q0505/Z/23/3325985)	3-4 Market Hill Cambridge Cambridgeshire CB2 3NJ	Retention of 2no non-illuminated fascia signs, 2no non-illuminated double sided projecting signs, delivery drivers ID signage, manifestations to entrance doors glazing windows and 4no barrier banners in RAL 2003 with screen printed white logo.	Refusal of planning permission (Delegated Decision)
23/01238/LBC (APP/Q0505/Y/23/3327462)	3-4 Market Hill Cambridge Cambridgeshire CB2 3NJ	Retention to install of 2no non-illuminated fascia signs, 2no non-illuminated double sided projecting sign, delivery drivers ID signage, manifestations to entrance doors glazing windows and 4no barrier banners in RAL 2003 with screen printed white logo.	Refusal of planning permission (Delegated Decision)
23/00804/FUL (APP/Q0505/W/23/3323216)	37 Natal Road Cambridge Cambridgeshire CB1 3NS	Erection of 5No. dwellings following demolition of existing bungalow	Refusal of planning permission (Delegated Decision)
23/01362/FUL (APP/Q0505/W/23/3335278)	17 - 19 Radegund Road Cambridge Cambridgeshire CB1 3RH	Erection of 2no two-storey dwellings to the rear of 17-19 Radegund road	Refusal of planning permission (Delegated Decision)
23/01039/FUL (APP/Q0505/W/23/3333426)	45 Highworth Avenue Cambridge Cambridgeshire CB4 2BQ	Residential redevelopment comprising two detached dwellings to the rear with garages on the site frontage along with cycle parking and associated infrastructure following demolition of existing buildings on site. Resubmission of 22/05407/FUL	Refusal of planning permission (Committee Decision (Area/Main))
22/03677/FUL (APP/Q0505/W/24/3337163)	104A Flat At Mill Road Cambridge Cambridgeshire CB1 2BD	Alteration to existing maisonette, addition of dormers to second floor, first-floor rear extension and ground floor rear extension to form 3no 1 bedroom self-contained flats	Refusal of planning permission (Delegated Decision)
23/01554/FUL (3335078)	Land Adjacent To Grafton House Maids Causeway Cambridge Cambridgeshire CB5 8DD	Erection of new office building (use class E) and associated development, infrastructure and works	Refusal of planning permission (Committee Decision (Area/Main))

23/03417/FUL (3336796)	184 Thoday Street Cambridge Cambridgeshire CB1 3AX	Two storey side and single storey rear extensions and change of use from 6 bed HMO (C3) to large 6 bed HMO (8 people) sui generis, along with bike shed storage to the rear.	Refusal of planning permission (Committee Decision (Area/Main))
23/00456/FUL (APP/Q0505/W/23/3331695)	12 Silverwood Close Cambridge Cambridgeshire CB1 3HA	Residential development consisting of 1no. one and half storey detached dwelling with associated access, parking and amenity (revised proposal following a withdrawal).	Refusal of planning permission (Delegated Decision)
EN/00388/23 (APP/W0530/C/24/3338854)	106 Cherry Hinton Road Cambridge Cambridgeshire CB1 7AJ	This relates to planning application 23/01173/FUL. Despite withdrawal of this application construction has continued on site continuously both while it was a live application and since it has been withdrawn. Earlier this week foundations and a floor have been constructed on a similar footprint to the withdrawn application. Ventilation and extraction equipment have also been installed. This clearly is a serious breach and contempt for the planning process. Before (April 9) and after (June 6) can be seen in attached photos. Related Planning Reference: 23/01173/FUL Date breach occurred: 05/06/2023	Appeal against enforcement notice
23/00277/FUL (APP/Q0505/W/24/3338964)	47 Histon Road Cambridge Cambridgeshire CB4 3JD	Two bed dwelling	Refusal of planning permission (Delegated Decision)
EN/00222/23 (APP/Q0505/C/24/3342331)	Charter House 62 - 68 Hills Road Cambridge Cambridgeshire CB2 1LA	Alleged erection of a sculpture 'The Cambridge Don' without permission	Appeal against enforcement notice
23/01694/PIP (APP/Q0505/W/24/3339598)	Land At The Back Of 140 Foster Road Cambridge Cambridgeshire CB2 9JP	Erection of a single storey detached dwelling.	Refusal of planning permission (Delegated Decision)
23/04451/FUL (APP/Q0505/W/24/3340322)	40B Flat 1 Green End Road Cambridge Cambridgeshire CB4 1RY	Single storey rear extension to create studio dwelling	Refusal of planning permission (Delegated Decision)
23/03193/FUL (APP/Q0505/W/24/3339640)	2 The Grove Cambridge Cambridgeshire CB4 1TJ	Erection of 1no. adjoining dwelling formed as an extension to the existing dwelling	Refusal of planning permission (Delegated Decision)
23/02957/HFUL (3341078)	67 Shelford Road Cambridge Cambridgeshire CB2 9NB	Single storey rear extension	Conditions imposed on

			planning permission (Delegated Decision)
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Appendix 5: Appeals Pending Statement

REFERENCE	SITE ADDRESS	DETAILS	STATEMENT DUE
23/02487/FUL (APP/Q0505/W/24/3342214)	64 Cromwell Road Cambridge Cambridgeshire CB1 3EG	Demolition of existing garage and creation of new one bedroom dwelling including outdoor amenity space and pedestrian access from Cromwell Road	12/07/2024
23/03070/LBC (3340062)	2 Sussex Street Cambridge Cambridgeshire CB1 1PA	Installation of electronically operated security shutter to front entrance of shop premises	17/07/2024
23/03069/FUL (APP/Q0505/W/24/3341608)	2 Sussex Street Cambridge Cambridgeshire CB1 1PA	Installation of electronically operated security shutter to front entrance of shop premises	17/07/2024

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