

Application Number	17/0826/FUL	Agenda Item	
Date Received	10th May 2017	Officer	Michael Hammond
Target Date	5th July 2017		
Ward	Trumpington		
Site	2 Barrow Road Cambridge CB2 8AS		
Proposal	Demolition of the existing dwelling and construction of a replacement dwelling.		
Applicant	Ms C Speed c/o Agent		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The principle of demolition is considered to be acceptable in light of the fact that there is an extant permission which includes works for the demolition of the house which could be implemented. - The additional depth and mass of the proposed swimming pool extension, compared to permission 15/0225/FUL, would not give rise to any adverse impacts on the amenity of no.4 Barrow Road. - The impact onto the street of the proposed replacement dwelling would be nearly identical to what was approved previously and is considered to be acceptable.
<p>RECOMMENDATION</p>	<p>APPROVAL</p>

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site relates to a detached residential property situated within a large rectangular garden plot, on the southern

side of Barrow Road. The site is located close to the corner of Barrow Road and Trumpington Road.

- 1.2 The existing dwelling is partly screened from the road side by a front boundary hedge. Views of the dwelling from Trumpington Road are screened by boundary trees which are protected.
- 1.3 The existing building on the site has elements of the 'Arts and Crafts' style, which is characteristic of the area. It has a rectangular footprint and projecting front gable. The eaves, dormers and part external chimney breasts, are design features associated with the Arts and Crafts style.
- 1.4 The building is not Listed or a Building of Local Interest. The site is within the Barrow Road Conservation Area which was adopted in June 2016. On No.2 Barrow Road specifically, the Conservation Area appraisal states:

"Notwithstanding the growing ambition for alterations - witness the demolition and rebuilding of No.14 in 2014, to be followed shortly by No.2 – the character of the road remains recognisably as it was when built. Indeed, quite a number of houses remain virtually unchanged. And where there have been alterations these have for the greater part observed the convention of preserving what can be seen from the road, allowing owners greater freedom to adapt their houses on the garden side." (2016, 14)

"As in Town Planning in Practice, layout and architecture were complementary and the design of the houses provides architectural emphasis to the layout: thus the entrance to the road is 'framed' by two symmetrically designed houses, Nos. 1 and 2 and the length of the road, potentially monotonous, is broken by a wider passing or turning point." (2016, 15 – 16)

"No.14 was demolished in 2014 and is being rebuilt; permission for the demolition and rebuilding of No.2 was granted in 2015. Changes of this magnitude undermine the very qualities of the road summarised in section 3." (2015, 25)

"The open and leafy character of the road should be preserved by maintaining the green verges, the white double-flowering cherry trees and pink flowering almond trees and by encouraging the use of low walls, hedges and flower beds to

mark the boundaries of front gardens with the road. It is important, too, to ensure that no development takes place in front of the common building line. Certain houses give emphasis to elements of the layout such as the entrance and the roundabout and these façades should be preserved: the entrance to the road from the Trumpington Road is framed by Nos.1 and 2; the view east along the length of the road is closed by No.37 and the view north along the second phase of the road is, again, closed by No.33.” (2016, 27)

- 1.5 To the west of the dwellinghouse and along the western boundary of the site are mature trees which form part of a group of trees along Trumpington Road which are protected by a group Tree Preservation Order.
- 1.6 Barrow Road is referenced in the Trumpington Road Suburbs and Approaches Study (March 2012) and the application site is located within ‘Character 3’ area. The study states *“The overriding character of this section of Trumpington Road is of a wide, generous road flanked either side by mature deciduous trees, some of which overhang the road, that create a sense of enclosure and privacy....”*“*Views down Porson Road, Bentley Road and Barrow Road are of substantial private residential properties set in a maintained landscape of tree avenues that emphasise the linear nature of these side roads”.*

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission to demolish the existing dwelling and erect a replacement dwelling.
- 2.2 The proposed replacement dwelling is very similar in design and massing to what was previously approved on this site (15/0225/FUL). The only significant amendment compared to this previous permission is the proposed replacement of the central basement swimming pool and subsequent addition of a swimming pool extension at ground-floor level along the eastern boundary. There are other alterations including, internal alterations, a minor alteration to the north elevation consisting of a single-storey side extension along the boundary and an increased gap between the dwelling and the boundary fence with no.4 Barrow Road. The proposed swimming pool extension would project approximately 11.4m beyond the originally approved rear ground-floor building line. The proposed ground-

floor swimming pool would be constructed in hanging tiles and with a sedum mono-pitched roof, sloping away from no.4 Barrow Road, measuring 2m to the eaves and 2.5m to the ridge.

3.0 SITE HISTORY

Reference	Description	Outcome
17/1444/S73	Section 73 application to vary condition 1 of planning permission 15/0804/FUL dated 04/11/2015 for new dwelling to rear of site with access from Trumpington Road to allow the removal of the basement pool, extension to form bedroom at first floor level and alterations to fenestration.	Pending consideration.
15/0804/FUL	New dwelling to rear of site with access from Trumpington Road.	Permitted.
15/0225/FUL	Erection of new dwelling following demolition of existing dwelling on the site.	Permitted.
14/1615/FUL	Replacement dwelling.	REFUSED
14/1616/FUL	New dwelling	WITHDRAWN

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 4/4 4/10 4/11 4/13 5/1 8/2 8/6

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Barrow Road Conservation Area Appraisal (2016) Trumpington Road Suburbs and Approaches Study (March 2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objection.

Environmental Health

6.2 No objection subject to the following conditions:

- Construction Hours;
- Collection during construction;
- Piling;
- Dust;
- Noise insulation scheme and compliance completion report
- Dust informative.

Drainage Team

Original comments (20/06/2017)

6.3 The proposed development is identified at risk of surface water flooding. A flood risk assessment should be undertaken in

accordance with the National Planning Policy Framework and submitted to the local planning authority.

Comments on additional information (31/08/2017)

- 6.4 A flood risk assessment has been submitted. The Drainage Officer has raised no objection to the proposal subject to drainage conditions.

Urban Design and Conservation Team

- 6.5 Objection (*copy of full comments provided*)

Reason(s) for refusal:

- This proposal does not protect and enhance the character and appearance of the Barrow Road conservation area.
- The total loss of an integral element of the designated heritage asset is not outweighed by public benefits (NPPF para 134)
- The loss of No 2 Barrow Road does not comply with Local Plan policy 4/11

Background information/additional comments:

The demolition and replacement of No 2 Barrow Road has been subject to a number of applications. The first 14/1615/FUL was refused and a subsequent application 14/1616/FUL was withdrawn. The last application 15/0225/FUL was permitted. The conservation team did not support these applications and considered Barrow Road as a significant 1930s form of development of College land. No 2 Barrow Road was designed by Spalding and Myers in 1931, and with its handed version at No 1, forms an architectural emphasis at the entrance to the road. The house is representative of the Arts and Crafts influenced designs used on Barrow Road generally. It has external features such as small multi-paned fenestration; tall chimney stack, painted render and plain tiled pitched roofs over a single projecting left hand gable and a main wing at right angles with the entrance in the angle. Generally Barrow Road houses have fairly shallow forward projection of a front wing/bay or a pair of hipped roof elements. The comments concluded that No 2 remains in a re-useable condition and could be retained and adapted as considered by NPPF para 131 which states:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The replacement dwelling was not considered to make a positive contribution to local character and distinctiveness because it required the demolition of the original house thereby losing the connection with No 1 and was not in a form characteristic of Barrow Road.

These comments were reiterated for the application 15/0225/FUL although the changes to reduce the two storey front gable were acknowledged.

Following these applications in June 2016 Barrow Road was designated as a conservation area. This new application has been looked at in the light of the designation of the Barrow Road Conservation Area and the contribution No 2 makes to the significance of the conservation area.

The general character of Barrow Road as considered by the conservation area appraisal is distinguished by its low density layout with wide green verges planted with flowering cherries behind which stand detached two storey houses built to a common building line on generous plots. The layout broadly reflects the concepts in Raymond Unwin's *Town Planning in Practice* (1909) which promoted the provision of broad frontages to secure light and airy interiors, orientating houses to catch the sun and providing large gardens in which to grow produce. As in *Town Planning in Practice* layout and architecture of Barrow Road were complimentary and the design of the houses provides architectural emphasis to the layout hence the entrance to Barrow Road is framed by two symmetrically designed houses, No's 1 and 2. The majority of the houses in the road are in the Arts and Crafts style and many were designed by Norman Myers of Spalding and Myers.

Though individually varied, the design of the houses are unified with the formal vocabulary of the Arts and Crafts and the use of vernacular materials, tiled, hipped and gabled roofs, large brick chimneys, simple brickwork, rendered walls and tile hanging.

Having been designated a conservation area this proposal must now be assessed against the tests in the NPPF and the Local Plan. Para 134 of the NPPF states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The Local Plan policy 4/11 Conservation areas states that development within, or which affect the setting of or impact on views into and out of the conservation area, will only be permitted if:

- a. they retain buildings, spaces, gardens, trees, hedges, boundaries and other site features which contribute positively to the character and appearance of the area:
- b. the design of any new building or the alteration of an existing one preserves or enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it; and
- c. new or intensified use will not lead to traffic generation or other impacts which would adversely affect the Area's character.

It goes on to state that when considering the demolition of buildings which contribute positively to the character of a conservation area the same test would apply to the demolition of a listed building which would not be permitted unless:

- a. the building is structurally unsound for reasons other than deliberate damage or neglect; or
- b. cannot continue in its current use and there are no viable alternative uses; and
- c. wider public benefits will accrue from demolition.

The demolition of No 2 Barrow Road was previously allowed as it would not require planning permission in its own right as the site is not in a conservation area and therefore it would be unreasonable to resist the principle of demolition. This is no longer the case and the designation of the conservation area means that NPPF paragraph 134 and the Local Plan policy 4/11 must be applied.

The design and access statement states that the conservation appraisal makes note of the demolition and replacement of No 14 and the proposed demolition of No 2 and that the character of the road remains recognisably as it was when built which was the position when the appraisal was written. However the conservation area appraisal goes on to say that changes of this magnitude undermine the very qualities of the road and highlights the importance of preserving those buildings whose form serves to give emphasis to key elements of the road such as the framing of the entrance from Trumpington Road by No's 1 and 2.

The Design and Access Statement states that as No's 1 and 2 were not designed as gateway buildings they carry limited significance as a pair. There is no mention in the conservation area appraisal of "gateway" buildings. No's 1 and 2 are highlighted as framing the road entrance as symmetrically designed houses. They remain relatively unaltered to the front with clear matching design elements including matching gables with tiled detailing and drip courses, hipped dormers and large chimneys. The majority of the window openings remain the same between the two frontages with the exception of a long extension to one of the dormer windows of No 2 and the replacement of the multi-paned windows on No 1 with larger paned casements. Despite these changes they remain recognisably a handed pair and the loss of No 2 would result in harm to the significance of the conservation area albeit less than substantial harm. In answer to Local Plan policy 4/11 the design and access statement has outlined its case against the three criteria.

It notes that the planning report for the approved scheme considered that although the existing dwelling was part of the original development this reason alone was not enough to ensure its retention. Since the designation of the conservation area the retention of the building is an important factor to assess under policy 4/11.

The applicant states that the new dwelling has been designed to enhance the character and appearance of the conservation area and reflect the architecture within it. Whilst the proposed replacement building incorporates some Arts & Crafts components such as a steeply pitched roof form with

sprocketed eaves and a catslide roof to the side and the materials would be render, brick and tile, it has a much more complex form with large symmetrical gables very different in character from the asymmetrical form of the existing house. As noted in the conservation teams original comments the replacement dwelling does not faithfully reflect its context or provide a successful contrast as it fails to acknowledge its relationship with No 1.

The design and access statement goes on to state that paragraph 134 of the NPPF allows for a degree of less than substantial harm to a designated heritage asset if it can be demonstrated that this is outweighed by the public benefits generated. These are stated to be a new dwelling of high quality design and its greatly improved energy performance. The issue of high quality design is usually a test when assessing new buildings within conservation areas rather than the loss of an existing building and there has been no assessment as to whether the existing building could be made more energy efficient. Therefore the question of what the public benefits are of losing the existing building and the subsequent harm to the conservation area still remains.

It is also noted in the application that paragraph 138 of the NPPF states that not all elements of a conservation area will necessarily contribute to its significance and that the loss of elements that make a positive contribution must be considered in the context of the conservation area as a whole. The intimate and coherent nature of the Barrow Road conservation area means that the loss of one building will cause harm to the whole. The loss of No 14 coupled with the potential loss of No 2 leads to a cumulative erosion of the character of the area.

This proposal does not protect and enhance the character and appearance of the Barrow Road conservation area. The total loss of an integral element of the designated heritage asset is not outweighed by public benefits (NPPF para 134). The loss of No 2 Barrow Road does not comply with Local Plan policy 4/11.

Head of Streets and Open Spaces (Tree Team)

6.6 No objection subject to conditions.

Twentieth Century Society

- 6.7 Object to the application.
- 6.8 The loss of this sympathetic and contextually designed building will be detrimental to the conservation area. The council should resist demolition in a conservation area unless substantial public benefit outweighs the harm or loss caused and convincing justification should be required for demolition of unlisted structures of historic or architectural merit. We believe that the Council should refuse this application on the basis of no demonstrable public benefit in the face of the complete loss of a non-designated heritage asset.
- 6.9 This application does neither preserve nor enhance the Conservation Area and the Twentieth Century Society therefore urges the Council to resist causing harm to the conservation area and this non-designated heritage asset by refusing this damaging and unjustifiable application.

Cambridge Past, Present and Future

- 6.10 The application should be refused.
- 6.11 We do not feel that this application has sufficiently demonstrated the significance of the existing building, its context or its importance as part of the local history, nor does it address the harm that would occur as a result of its demolition. The demolition will result in harm due to the erosion of the character in the street, as well as the setting of the remaining planned dwellings. As a result, the application fails to properly establish the basis on which the proposal for demolition should be supported.
- 6.12 The proposed dwelling neither preserves nor enhances a unique street in Cambridge that has ties to the University and makes a positive contribution to the historic environment along Barrow Road. The merits of the new dwelling have not been sufficiently demonstrated to warrant the loss of the existing 1930s building, which will result in harm to the character and appearance of Barrow Road.

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

7.0 REPRESENTATIONS

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

1 Barrow Road	3 Barrow Road
4 Barrow Road	6 Barrow Road
7 Barrow Road	9 Barrow Road
10 Barrow Road	11 Barrow Road
12 Barrow Road	15 Barrow Road
16 Barrow Road	18 Barrow Road
19 Barrow Road	20 Barrow Road
21 Barrow Road	22 Barrow Road
23 Barrow Road	24 Barrow Road
25 Barrow Road	27 Barrow Road
28 Barrow Road	29 Barrow Road
30 Barrow Road	31 Barrow Road
32 Barrow Road	35 Barrow Road
37 Barrow Road	39 Barrow Road
41 Barrow Road	43 Barrow Road
45 Barrow Road	47 Barrow Road
3 Porson Road	29 Porson Road
33 Porson Road	38 Porson Road
31 Madingley Road	Ardglas, Inverlounin Road, Lochgoilhead
70b Avonley Road, London	Salix House, Top Road, Wimbish

7.2 The representations can be summarised as follows:

- The applicant is active in the field of physiotherapy. The reference to parking and the existence of the long pool suggests that the property may be used for business purposes which may impact on surrounding properties.
- Loss of privacy/ overlooking
- The demolition of the existing building is contrary to policies 4/10 and 4/11 of the Local Plan (2006).

- The existing building is worthy of retention and plays an important role in the character and appearance of the Conservation Area.
- The property is on the market for sale and no regard for the uniqueness of the street and neighbours has been taken into account.
- The application is contrary to policies 3/1, 3/2, 3/4, 3/7, 3/12, 4/10 and 4/11 of the Local Plan (2006) and policy 63 of the Emerging Local Plan (2014).
- The proposed replacement building is of a poor design and does not respond well to its surrounding context.
- Overshadowing/ loss of light
- Overbearing
- The fence along the proposed side elevation is not 2m as shown and is in fact 1.6m high.
- There are no public benefits to outweigh the harm that would be caused to the heritage asset of the Conservation Area.
- The application fails to preserve or enhance the character and appearance of the Conservation Area.
- Work vehicles should be parked on site at all times.
- The loss of the garage wall adjacent to no.4 is not supported.
- The site plan should show the proposed dwelling at the rear of the garden as well.
- A street elevation of the existing and proposed context is required.
- The plans should have dimensions on.
- The previous permission was determined before the Conservation Area was adopted and should not set a precedent for demolition.
- A request has been made to the national planning casework unit for the application to be called in by the Secretary of State.

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

8.0 ASSESSMENT

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

1. Preliminary
2. Principle of development

3. Context of site, design and external spaces (and impact on heritage assets)
4. Residential amenity
5. Drainage
6. Third party representations
7. Planning Obligations (s106 Agreement)

Preliminary

- 8.2 The matters of highway safety, cycle parking, car parking and refuse arrangements were assessed as part of the previous application. I do not consider the proposed material alterations to the scheme, compared to the previous application (15/0225/FUL) or the introduction of the Conservation Area, to have any significant bearing on these specific aspects or their merits to warrant a different conclusion being reached. I therefore am of the view that the assessment of the previous application is pertinent to this current application on these points.
- 8.3 It is acknowledged that a request has been submitted to the National Planning Casework Unit (NPCU) for the application to be called in by the Secretary of State for the Department for Communities and Local Government. In terms of this process, it has been advised by the NPCU that, in the event that the Committee is minded to recommend approval of the application, the NPCU would request a 21 day period to determine whether the decision should be called in for determination by the Secretary of State. The officer recommendation reflects this request. If the committee is minded to refuse the application then the NPCU would take no action on this.

Principle of Demolition

Conserve or Enhance the Conservation Area, NPPF para 134 and Policy 4/11

- 8.4 There are no policies in the adopted local plan that prohibit the provision of a replacement dwelling in principle on this land. The main consideration is whether the principle of demolition is acceptable with respect to two main issues:
1. The recent Conservation Area designation of Barrow Road

2. The extant planning permission

- 8.5 To provide some context, I set out the recent planning history of the site in relation to the Barrow Road Conservation Area designation.
- 8.6 On the 4th September 2015, planning permission (15/0225/FUL) was granted for the erection of a new dwelling following the demolition of the existing dwelling on the site. This permission will expire on 4th September 2018 and is capable of being implemented. In considering the principle of demolition at the time of this previous application, the committee report stated the following:

“The house and its garden are not within a Conservation Area. I acknowledge the desirability of retaining the existing house but its loss cannot be protected under current planning legislation because the applicant could submit a notification under Part 11B of the General Permitted Development Order 2015 to demolish the dwelling and the Council could not refuse such an application. The Council could only control the method of demolition current. Therefore, whilst there are aspirations for the street to be included within a Conservation Area in the future, there is no policy protection against the demolition of the existing dwelling.

Requests have been made for Barrow Road to be included within a new Conservation Area. This has been formerly considered by Environmental Scrutiny Committee and would also require the production of a Conservation Area Appraisal and include public consultation. In my view, the aspiration for Barrow Road to be included within a Conservation Area adds very little weight in favour of retaining the existing building. If Barrow Road was a Conservation Area, it would become a Designated Heritage Asset. This would not negate all demolition but would place a higher test of consideration for the demolition and replacement because issues of demolition would come with the control of the Council. I recognise the issues raised by both Historic England and The 20th Century Society but they have limited weight and do not enable the Council to resist demolition in this instance due to the building falling within an emerging Conservation Area. That does not mean that the Council cannot consider the context and character of the road and whether the replacement dwelling adequately reflects this. The existing

property is not a Building of Local Interest (BLI = a non-designated heritage asset) and does not appear on the current list of BLI's and there are no such designations within Barrow Road."

- 8.7 Since the granting of this permission, the Barrow Road Conservation Area was formally adopted in June 2016. In light of this conservation area status, planning applications within the designated area must be assessed against the relevant conservation/ heritage policies both locally and nationally.
- 8.8 The Conservation Team has provided a detailed assessment of the application from a heritage perspective. In objecting to the scheme, they state that the proposed demolition of the building would lead to less than substantial harm to the designated heritage asset of the conservation area. I do not disagree with this assessment in heritage terms.
- 8.9 The National Planning Policy Framework (NPPF) (2012) paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The Design and Access Statement submitted by the applicants states that the public benefits would be primarily the high quality design of the new dwelling and the greatly improved energy performance.
- 8.10 In my opinion, these claimed benefits would not be significant enough to outweigh the less than substantial harm identified. The improved energy performance could be secured through careful renovation of the existing building. In any event, this would mainly constitute a private benefit to the future occupants of the building as opposed to a public benefit.
- 8.11 Whilst I consider the design of the front of the building to largely preserve the character and appearance of the conservation area, I do not consider the design overall to be of such high quality to demonstrate public benefit. The existing building is in good condition, exhibits elements of the Arts and Crafts movement - which includes a shallow plan form - and is part of a pair of symmetrically designed houses to the entrance to the road and therefore forms part of its intrinsic character. This is noted in the conservation area appraisal, by consultees and by

third parties. Of itself, as a replacement building of a different design, the heritage value of the pair would be lost through the demolition. However, I am also of the view that the design of the replacement building as a whole could not be regarded as either preserving or enhancing the character or appearance of the conservation area. In accordance with the previous officer assessment, the bar is now at a higher level with regard to development proposals coming forward within Barrow Road given its conservation status. In particular, the deep footprint of the new house, its long-wings and taller scale to that existing would result in a building that would be of a different character and appearance to that existing and to other examples of Arts and Crafts houses within the street.

- 8.12 In light of this assessment and in particular the advice from the Conservation Team, I consider the proposal to be contrary to paragraph 134 of the NPPF (2012) and to policy 4/11 of the Local Plan (2006). The quality of the design could not be described to be of public benefit to weigh in favour of granting the proposal in light of the harm identified. The scheme would neither preserve nor enhance the character or appearance of the Barrow Road Conservation Area, a fact which the Local Planning Authority must pay special attention to in its decision making as a statutory test in line with S72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

Policies 4/11 and 4/10

- 8.13 The Local Plan (2006) policy 4/11 states that when considering the demolition of buildings which contribute positively to the character of a conservation area the same test should apply to the demolition of a listed building (policy 4/10). This policy sets out that demolition will not be permitted unless:
- a) the building is structurally unsound for reasons other than deliberate damage or neglect; or
 - b) it cannot continue in its current use and there are no viable alternative uses; and
 - c) wider public benefits will accrue from redevelopment.
- 8.14 In my opinion, in considering the comments of consultees, third parties and the Barrow Road Conservation Area (2016) Appraisal, the existing building makes a positive contribution to

the character and appearance of the Conservation Area. No.2 Barrow Road is identified specifically within the commentary of the Barrow Road Conservation Area Appraisal (2016), with respect to the joint value that Nos.1 and 2 Barrow Road have in framing the entrance by virtue of their symmetrical design. This commentary is outlined in paragraph 1.4 of this report.

- 8.15 I cannot find evidence of an argument put forward by the agent to demonstrate compliance with the above criteria. I am of the opinion that the principle of demolition would not comply with policy 4/10.

Non-Designated Heritage Asset

- 8.16 The previous assessment considered that No.2 Barrow Road (as an individual building) was not a non-designated heritage asset by virtue of the fact that it was not referenced in the existing local list or that contained in the emerging local plan list or any other Council documentation. However, in my view, the adoption of the Barrow Road Conservation Area and the reference to No.2 Barrow Road within the appraisal, means that this property could now be considered as a non-designated heritage asset. Paragraph 135 of the NPPF is applicable in this instance and advises that the significance should be taken into account. In my view, taking into account the advice from Conservation colleagues, the heritage significance of the building is its contribution to the Barrow Road Conservation Area as a whole as appraised, rather than any substantive individual building merit over and above this. If it were not for the fact that it is contained within the conservation area, I doubt that the building would be of such significance to merit a local listing or any other designation when applying the relevant criteria.

Extant Permission

- 8.17 Notwithstanding my conclusions regarding the heritage impact of the scheme and its non-compliance with heritage policies, the extant permission (15/0225/FUL) to demolish the building and replace it with a new dwelling cannot be ignored. This permission is capable of being implemented and is for all intents and purposes identical, from a character and design perspective, to what is proposed under this current application.

8.18 As set out in paragraph 8.6 of this report, planning permission 15/0225/FUL is not due to expire until September 2018. This means that, subject to discharging the relevant conditions, this permission, which includes the demolition of the existing building, could be implemented regardless of the post-decision Conservation Area designation. There is no requirement for the applicant to obtain any new or varied forms of permission from the Local Planning Authority to undertake this demolition. It would only be in the event that the building was listed that the demolition could be prevented after the determination of the application. If permission was to be refused by the Council for this current scheme, there would be nothing stopping the applicants from commencing demolition of the house, reapplying for the same scheme as currently under consideration and removing any question over whether it is acceptable to demolish. Of course, it is a matter of speculation as to whether the applicant would exercise their rights in this regard but it is a matter that has to be borne in mind by the Planning Committee in reaching a decision.

8.19 Consequently, whilst I sympathise and agree with the basis of the consultee and third party comments regarding the harm that would be caused by the proposed demolition of the building to the conservation area, I do not consider it would be reasonable to resist this in lieu of the fact that there is an extant permission for the demolition of the building which achieves the same outcome. In this case, material considerations indicate that whilst contrary to the NPPF (2012) and Cambridge Local Plan (2006) policies 4/10 and 4/11, the scheme should be approved and that it would be unreasonable and possibly futile to reach any other conclusion.

8.20 In my opinion, the principle of the demolition is acceptable.

Context of site, design and external spaces (and impact on heritage assets)

8.21 The proposed replacement building is nearly-identical to the previous approved replacement building on this site in terms of scale, massing and design. The only material difference would be the proposed removal of the basement pool and addition of a ground-floor pool extension along the eastern boundary.

- 8.22 The Conservation Team, relevant consultees and third parties have objected to the proposed replacement dwelling on the grounds that it does not faithfully reflect its context or provide a successful contrast as it fails to acknowledge its relationship with No 1. This relationship consists of the 'framing' that Nos.1 and 2 form in providing a gateway entrance to Barrow Road. As set out in preceding paragraphs, I do not necessarily disagree with this assessment.
- 8.23 As set out in paragraph 8.11, the adoption of the Barrow Road Conservation Area does set the bar for the quality of the design and the assessment of it higher than as previously required and it therefore does not necessarily mean that the previous officer assessment can be fairly transposed or relied upon for this purpose.
- 8.24 The proposed replacement dwelling would occupy a deeper footprint than the existing dwelling and there would be a significant level of massing visible along the eastern flank projecting gable that would project beyond the rear of no.4 and be visible from the neighbour's garden. This was considered to have a 'limited impact' under the previous assessment. The proposed design seeks to maintain and respect the 'arts and craft' theme of Barrow Road, but, in my opinion, cannot be said to be a faithful reflection due to its depth and form. Whilst these elements of the scheme may have been acceptable previously, they would in my view fail to preserve or enhance the character and appearance of the conservation area.
- 8.25 It is acknowledged that the conservation area appraisal and the majority of third party and consultee comments reference the symmetry and gateway feel that the existing buildings of Nos.1 and 2 Barrow Road portray. Concerns have been raised relating to the deterioration of this positive characteristic that the proposal would cause and the failure of the proposed replacement dwelling to successfully integrate into this context. However, in favour of the proposal, is that it would retain the existing front building line and there would still be a comfortable setback from the edge of the road with a large open area of landscaping retaining the existing hedge. This general layout is mirrored at No.1 Barrow Road. The separation distance between the two dwellings would remain significant and I do not consider it likely that you would read both dwellings within the same view when approaching and exiting Barrow Road

because of this. The design itself is generally of a good standard. The frontage is broken into two projecting gable wings, one rendered, one brick. The fenestration and overhanging sprocketed eaves and verge detailing, with a steeply pitched red clay roof and a long cat-slide roof down to the eastern boundary are a nod towards the arts and craft style. The scheme includes a number of brick chimneys which punctuate the roof line. The presence on the street of the building would be one that largely retains the detached spacious character of Barrow Road and would in my view be comfortable.

- 8.26 As such, notwithstanding the harm caused through the demolition of the property and the issues of depth of design, the proposed scheme does exhibit some positive attributes and I therefore do not consider the level of harm caused to be significant in terms of the Conservation Area as a whole.
- 8.27 Turning specifically to the proposed additional mass and footprint created by the swimming pool extension, this would be limited to a single-storey scale that would not be prominent in the street scene. I am of the view that this element of the proposed works would preserve the character and appearance of the Conservation Area.
- 8.28 Notwithstanding the limited harm to the character and appearance of the Conservation Area that would be caused, I do not consider it would be reasonable to resist the proposed replacement dwelling. This is because the extant permission could be implemented and the proposed new dwelling is identical to this former permission in terms of its overall design, scale and massing onto the road and in its relationship to No.1.
- 8.29 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12. The scheme is contrary to 4/11 and the NPPF guidance at para 134, but the extant permission means that the Local Planning Authority cannot reasonably resist demolition. This is a strong fall-back position for the applicants and a material consideration which members must take into account in terms of their assessment of the proposal. I propose conditions to deal with the execution of the design detail to ensure the detailing is of high quality.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.30 The proposed replacement dwelling is very similar to the extant permission on this site and as such I consider this assessment should focus on the proposed additional ground-floor swimming pool extension and the impact this would have on the neighbour at no.4 Barrow Road.
- 8.31 The proposed swimming pool extension would project approximately 11.4m beyond the originally approved rear ground-floor building line and over 20m beyond the rear wall of No.4. The height of the proposed wall would be 2m which would run parallel to no.4 and would be set off the common boundary by approximately 0.6m which matches that of a wall or fence that could be erected along this boundary without the need for planning permission. The mono-pitched roof of the proposed extension would then slope away from this neighbour at a gradual incline before reaching the apex of the roof at 2.5m in height. In my opinion, whilst over 20m in depth close to the boundary of no.4, the pool would not in my view result in any harmful loss of light or sense of enclosure being experienced at this neighbour due to its low scale. The pitch of the roof would also be a sedum roof which is a relatively soft roof form from a visual perspective. There are no new windows or openings when compared to the previous application and I therefore am of the opinion that the privacy of no.4 would be retained.
- 8.32 The applicant has provided details of the likely plant noise levels that would be emitted from the swimming pool and I am satisfied that the noise levels would be acceptable. A condition regarding noise levels from plant has been recommended in accordance with advice from the Environmental Health Team.
- 8.33 In my opinion, subject to conditions, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12 and 4/13.

Third Party Representations

- 8.34 The majority of the third party representations have been addressed in the main body of this report.

8.35 The remaining third party representations have been addressed in the table below:

Comment	Response
<p>The applicant is active in the field of physiotherapy. The reference to parking and the existence of the long pool suggests that the property may be used for business purposes which may impact on surrounding properties.</p>	<p>The application seeks permission for a new dwelling which includes parking and a swimming pool for domestic use. If, following use of the development a business was operating from the site which required permission, this would need to be regularised through a separate application.</p>
<p>The property is on the market for sale and no regard for the uniqueness of the street and neighbours has been taken into account.</p>	<p>The intention of the applicant in relation to ownership is not a planning consideration.</p>
<p>The application is contrary to policies 3/1, 3/2, 3/4, 3/7, 3/12, 4/10 and 4/11 of the Local Plan (2006) and policy 63 of the Emerging Local Plan (2014).</p>	<p>The application has been assessed against the relevant policies of the Cambridge Local Plan (2006). Policy 3/2 is not considered to be relevant to this application. The Emerging Local Plan (2014) has not been formally adopted and only limited weight can be given to this. In any case I do not consider it would be reasonable to refuse the application under emerging policy 63 for the reasons set out in this report.</p>
<p>The fence along the proposed side elevation is not 2m as shown and is in fact 1.6m high.</p>	<p>It is acknowledged that the fence height is incorrect. Nevertheless, I do not consider the proposed works would harm the amenity of no.4 for the reasons stated in paragraph 8.23 of this report.</p>
<p>Work vehicles should be parked</p>	<p>This was not a stipulation under</p>

on site at all times.	the previous permission and I do not consider it reasonable to enforce this given that Barrow Road is a private road.
The loss of the garage wall adjacent to no.4 is not supported.	The loss of the garage wall was considered to be acceptable under the previous permission. The proposal would respect the privacy of the neighbour at no.4.
-The site plan should show the proposed dwelling at the rear of the garden as well. -A street elevation of the existing and proposed context is required. -The plans should have dimensions on.	The plans as submitted are considered to be accurate and valid for determination of the application. I do not consider the additional information/ changes suggested by the third party to be necessary for the application to be determined.
The previous permission was determined before the Conservation Area was adopted and should not set a precedent for demolition.	It is a relevant material consideration that there is an extant permission for demolition on this site. In the event that this extant permission had expired then it may have been the case that the principle of demolition could have been resisted. However, as this is not the case, the principle of demolition is considered to be acceptable.

9.0 CONCLUSION

9.1 The demolition of the building would cause less than substantial harm to the conservation area. The replacement building does not fully reflect the character of the Arts and Crafts vernacular that is present in the context of Barrow Road by virtue, primarily, of its deeper footprint. Whilst the design, particularly of the front of the proposed building, is partly characteristic of the conservation area, overall it could not be concluded that the replacement design (in terms of public benefit) is of such a high quality to demonstrate the preservation of it.

9.2 The principle of demolition is acceptable due to the fact that there is an extant permission for the demolition and replacement of the house which could be implemented. The proposed replacement dwelling mirrors the scale, massing and design of what was previously approved in terms of its contribution and impact onto the street. The additional mass of the proposed ground-floor swimming pool element along the boundary of no.4 is not considered to give rise to any harmful impacts on the amenity of this neighbour or to the conservation area. A careful balancing exercise has to be carried out by members of the Planning Committee in this case given the circumstances. My view, in weighing up the merits of the proposal in light of the objections received is that the scheme, on balance, is acceptable.

10.0 RECOMMENDATION

APPROVE subject to the National Planning Casework Unit being notified of the Committee resolution and there being no subsequent call-in within 21 days of such notification and subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

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

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

4. 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.

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

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

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

Reason: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

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

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

7. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). In addition the method statement should include details to be adopted to minimise the impact of retained trees on the building in the future.

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

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

8. Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

9. The approved AMS and TPP 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 this condition, 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.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

10. The windows on the east elevation at first and second floor level, as shown on drawing number PL-3-02, shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12).

11. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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 appearance of the external surfaces is appropriate and to preserve the character and appearance of the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

12. The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the use hereby approved shall not exceed the plant noise emission limits at the application site boundary as detailed within the Cass Allen Acoustic Assessment (RP01-17430) dated 12th June 2017.

Prior to use, a noise insulation scheme completion report shall be submitted in writing for approval by the local planning authority to verify that the installed fixed plant and/or machinery complies with the plant noise emission limits specified within the Cass Allen Acoustic Assessment (RP01-17430) dated 12th June 2017. The approved equipment and noise insulation scheme shall be fully retained thereafter.

Reason: To protect the amenity of neighbouring occupiers (Cambridge Local Plan 2006 policies 3/4 and 4/13).

13. No works for the demolition of the building(s) or any part thereof shall commence on site until an unconditional contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of the site for which Planning Permission has been granted under application reference(s) 17/0826/FUL and evidence of the said contract has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the character and appearance of the Conservation Area (Cambridge Local Plan (2006) policy 4/11)

14. Prior to commencement of development, large scale drawings of the reveal depths, verge and eaves details of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of visual amenity and to preserve the character and appearance of the Conservation Area (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12 and 4/11)

15. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

16. The building hereby permitted shall be constructed in accordance with the Flood Risk Assessment (MTC Engineering, Aug 2017). Finished ground floor levels should be no lower than 13mAOD.

Reason: To minimise flood risk (NPPF (2012) paragraph 103)

17. No development shall commence until drawings for flood resilient /resistant construction has been submitted to and approved in writing with the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To minimise flood risk (NPPF (2012) paragraph 103)

18. No development hereby permitted shall be commenced until surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and

- b. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

- c. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: To minimise flood risk (NPPF (2012) paragraph 103)

19. No development hereby permitted shall be commenced until infiltration testing results and revised calculations in accordance with BRE Digest 365 have been undertaken and submitted in writing to the local planning authority including:

- a. Identification of the water level within the trial pits at timed intervals;

- b. the trial pit dimensions; and

c. a plan showing the location of the trial pits.

Reason: To minimise flood risk (NPPF (2012) paragraph 103)

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf